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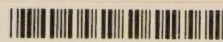
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HANSARD'S
PARLIAMENTARY DEBATES,

THIRD SERIES.

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

29° & 30° VICTORIÆ, 1866.

VOL. CLXXXIV.

COMPRISING THE PERIOD FROM

THE EIGHTH DAY OF JUNE 1866,

TO

THE TENTH DAY OF AUGUST 1866.

Fourth and Last Volume of the Session.

LONDON:

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1866.



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THE HOUSE OF COMMONS
AND THE HOUSE OF LORDS
IN THE YEAR 1872

WILLIAM IV.

LONDON: PRINTED BY CORNELIUS BUCK, 23, PATERNOSTER ROW.

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MERCANTILE MARINE—MOTION FOR A ROYAL COMMISSION—*Moved*,

"That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to issue a Royal Commission to inquire into the present condition of the Seamen of the Mercantile Marine, with the view of ascertaining whether, within the last twenty years, the supply of British Seamen has or has not fallen off either in point of numbers or of efficiency ; and, if in either a continuous decline should be apparent, then to ascertain further what are the causes which have led to such decline, and whether any remedy can be suggested,"—(<i>Mr. Graves</i>)	943
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After long debate, Motion, by leave, *withdrawn*.

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“Similar Accounts of the Gross Public Income and Expenditure of Ireland (1801 to 1816 inclusive):”

“And, similar Accounts of the Gross Public Income and Expenditure of the United Kingdom, for each financial year from the 5th day of January 1801 up to the present time :—to which Accounts shall be appended Abstract and Subsidiary Accounts, and Notes explanatory of the Financial transactions included in the said Accounts,”—(*Mr. Gladstone*) 1441

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After short debate, Order *discharged* :—Bill *withdrawn*.

Compulsory Church Rate Abolition Bill [Bill 143]—

Order read, for resuming Adjourned Debate on Amendment proposed to Question [18th July], “That the Bill be now read a second time” .. 1444

Question again proposed :—Debate *resumed*.

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Question again proposed, “That the words proposed to be left out stand part of the Question :”—*Moved*, “That this House do now adjourn :”—(*Colonel North* :)—After further debate, Motion, by leave, *withdrawn*.

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Finsbury Estate Bill [Bill 97]—

Order for Committee read.

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Tenure and Improvement of Land (Ireland) Bill [Bill 130]—	
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To leave out from the word “That” to the end of the Question, in order to add the words “this House, though desirous of simplifying the method of securing to tenants compensation for outlay made in permanent improvements, is of opinion that, in any measure relating to the Tenure and Improvement of Land in Ireland, it is expedient to maintain the principle affirmed by the Act of 1860—namely, that compensation to tenants should be secured in respect of those improvements only which are made with the consent of the Landlord; and that the provisions as to the Improvement of Land in Ireland contained in the Measure of Her Majesty’s Government would operate injuriously on the position of holders of small farms in that Country,”—(<i>Lord Naas</i>),—instead thereof	.. 1469
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COMMONS, THURSDAY, JULY 26.

SUPPLY —Order for Committee read; Motion made, and Question proposed, “That Mr. Speaker do now leave the Chair :”—	
NAVY —THE ROYAL DOCKYARDS—RESOLUTIONS—Amendment proposed,	
To leave out from the word “That” to the end of the Question, in order to add the words “the course pursued in paving the roadways, workshops, and other places in the Dockyards with Iron Ballast was inexpedient,”—(<i>Mr. Seely</i>),—instead thereof	1501
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NAVY—COLLISION OF THE "AMAZON" AND "OSPREY"—Question, Mr. Samuda ; Answer, Mr. Stephen Cave 1529

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ARMY—ARTILLERY—WHITWORTH GUNS—Question, Major Jervis ; Answer, General Peel 1531

DWELLINGS FOR THE LABOURING CLASSES—Question, Mr. Alderman Lusk ; Answer, Mr. Hunt 1531

SUNDAY SCHOOLS—Question, Mr. Hadfield ; Answer, Mr. Gathorne Hardy .. 1531

HABEAS CORPUS ACT SUSPENSION (IRELAND)—Question, Mr. Osborne ; Answer, Lord Naas 1532

ARMY—ASYLUM FOR INSANE SOLDIERS AT NETLEY—Question, Mr. Floyer ; Answer, General Peel 1532

EXTRADITION TREATY WITH FRANCE—Question, Mr. M'Cullagh Torrens ; Answer, Lord Stanley 1533

ARMY—COMMISSIONS IN THE ROYAL ENGINEERS—Question, Captain Kearsley, Answer, General Peel 1533

METROPOLIS—THE HYDE PARK RIOTS—Question, Mr. Edwards ; Answer, Mr. Walpole 1534

DANISH SLESWIG—Question, Mr. Darby Griffith ; Answer, Lord Stanley .. 1534

PRUSSIAN REQUISITIONS ON FRANKFORT—Question, Mr. Goschen ; Answer, Lord Stanley 1535

COMPULSORY CHURCH RATE ABOLITION BILL—Question, Mr. Jasper More ; Answer, Mr. Neate 1536

PROPOSED REFORM MEETING IN HYDE PARK—Question, Mr. Osborne ; Answer, Mr. Walpole 1536

HELSTON ELECTION—REPORT—

Order read, for resuming Adjourned Debate on Question [19th July]—

"That according to the Law and usage of Parliament, it is the duty of the Sheriff or other Returning Officer in England, in case of an equal number of votes being polled for two or more candidates at an Election, to return all such candidates,"—(Mr. Lowe) .. 1541

Question again proposed :—Debate *resumed.*

After short debate, Question put :—The House *divided* ; Ayes 135, Noes 6 ; Majority 129 :—Resolution *agreed to.*

SUPPLY—Order for Committee read ; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair :"—

RAILWAYS—MOTION FOR A ROYAL COMMISSION—Amendment proposed,

To leave out from the first word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, praying that She will be graciously pleased to issue a Royal Commission to inquire into the condition of the Railways of this country, as regards their ability to fulfil their engagements to the public, having due regard to the interests of all parties concerned,"—(Major Jervis,) —instead thereof 1544

Question proposed, "That the words proposed to be left out stand part of the Question :"—After short debate, Amendment, by leave, *withdrawn.*

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SUPPLY—Committee—*continued.*

IRELAND—COURT OF ADMIRALTY—Observations, Mr. Pim; Answer, Lord Naas 1551
Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—CIVIL SERVICE ESTIMATES—*considered* in Committee .. 1551
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(1.) £4,970, Purchase of old Gun Metal to be employed in the construction of the National Memorial to His late Royal Highness the Prince Consort.—After short debate, <i>Vote agreed to</i>	1551
(2.) £77,774, to complete the sum for the British Museum Establishment.—After debate, <i>Vote agreed to</i>	1552
(3.) £138,928, to complete the sum for the Science and Art Department.—After short debate, <i>Vote agreed to</i>	1567
(4.) £254,130, to complete the sum for Public Education in Ireland.—After short debate, <i>Vote agreed to</i>	1574
(5.) £730, Commissioners of Education (Office Expenses), Ireland.	
(6.) £5,793, to complete the sum for the University of London.	
(7.) £14,857, to complete the sum for the Universities in Scotland.	
(8.) £1,452, to complete the sum for the Queen's University in Ireland.	
(9.) £2,250, to complete the sum for the Queen's Colleges in Ireland.	
(10.) £700, Royal Irish Academy.	
(11.) £1,000, to complete the sum for the National Gallery of Ireland.	
(12.) £1,500, to complete the sum for the Belfast Theological Professors.	
(13.) £11,892, to complete the sum for the National Gallery.—After short debate, <i>Vote agreed to</i>	1577
(14.) £650, to complete the sum for the British Historical Portrait Gallery.	
(15.) £5,059, to complete the sum for Magnetic and Meteorological Observations, &c.	
(16.) £10,000, to complete the sum for the Universal Exhibition at Paris.	
(17.) £2,300, Learned Societies in Great Britain.	
(18.) £1,810 17s. 7d., Deficiencies in Civil Services for prior years.	
(19.) £2,000, Monument to Viscount Palmerston.	
(20.) £10,000, Works at Landguard Point.	
(21.) £22,000, Temporary Commissions.	
(22.) £43,635, Miscellaneous Expenses formerly defrayed from Civil Contingencies.	
(23.) £3,052, Household of King of the Belgians.	
(24.) £5,000, Vaccinators.	
(25.) £95,489, Constabulary of Ireland.	
(26.) £3,500, Merchants, Gold Coast.	
(27.) £1,920, Treasury Chest.	
(28.) £4,230, British Columbia.	
(29.) £5,824, Emigration of Coolies.	
(30.) £14,000, Inland Revenue Department.	
(31.) £10,000, Instalment on a Ship to be built on the design of Captain Coles.	
(32.) £5,926, Increased Pay and Allowances (Medical Officers, Royal Navy).—After short debate, <i>Vote agreed to</i>	1578
(33.) £18,000, for completion of Her Majesty's Ship <i>Northumberland</i> .	

After debate, Resolutions to be reported *To-morrow.*

Poor Law Amendment Bill [Bill 221]—

Bill *considered* in Committee 1581
Bill *reported*; as amended, to be considered *To-morrow.*

WAYS AND MEANS—*considered* in Committee .. 1587
(In the Committee.)

Resolutions to be reported *To-morrow.*

Dockyard Extensions Bill—Ordered (Sir John Pakington, Lord Henry Lennox); *presented*, and read the first time [Bill 246] 1588

LORDS, FRIDAY, JULY 27.

PUBLIC MEETING PLACES IN THE METROPOLIS — Observations, The Earl of Shaftesbury; Reply, The Earl of Derby:—Short debate thereon .. 1588

STANDING ORDERS CLXXX., CLXXXIV., CLXXXV.—*considered* and amended .. 1592
After debate, *Ordered*, That the said Standing Orders as amended be *printed*.
(No. 237.)

Hundred Bridges Bill (No. 210)—

Moved, "That the Bill be now read 2^a,"—(*The Earl of Romney*) .. 1599
The Previous Question *moved*—(*Lord Redesdale*).
And a Question being stated thereupon, the Question was put, Whether the said Question shall be now put? *Resolved* in the *Negative*.

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RAILWAY ACCIDENTS—*Moved*,

That there be laid before this House, Return of the Expenses incurred by the Board of Trade (exclusive of the Salaries of Officers of the Department) in investigating and reporting upon Railway Accidents during the Five years ending 1st July 1866: Also, Return of any Regulations, Rules, or Byelaws which may have been enforced by the Board of Trade upon any Railway Companies in consequence of such Investigations and Reports,—(*The Marquess of Clanricarde*) 1600
After short debate, Motion *withdrawn*.

Railway Traffic Protection Bill (No. 180)—

Order of the Day for the House to be put into Committee read.
Moved, “That the Order for the House to be put into Committee be discharged,”—(*Lord Redesdale*) 1602
After short debate, Motion *agreed to*:—Order of the Day *discharged*.

COMMONS, FRIDAY, JULY 27.

SUPPLY—REPORT—Resolutions [July 26] *reported*.

Vote 1 (£4,970, purchase of old Gun Metal, to be employed in the construction of the National Memorial to his late Royal Highness the Prince Consort) 1604
After short debate, Resolution *agreed to*.
Then the other Votes *agreed to*.

Reformatory Schools (*re-committed*) Bill [Bill 184]—

Bill *considered* in Committee 1606
After debate, Committee report Progress; to sit again *this day*.

IRELAND—ILLEGAL PROCESSIONS—Question, Mr. Maguire; Answer, Lord Naas 1613

TENANTS’ COMPENSATION—Question, Mr. Darby Griffith; Answer, Mr. Gladstone 1614

TURKISH CONSOLIDATED DEBT—Question, Mr. Darby Griffith; Answer, Lord Stanley 1614

INDIA—TRANSFER OF THE CAPITAL TO SIMLAH—Question, Mr. Otway; Answer, Viscount Cranbourne 1615

METROPOLIS—RECENT DAMAGE TO HYDE PARK—Question, Mr. Powell; Answer, Lord John Manners 1615

THE COAL COMMISSION—Question, General Dunne; Answer, Mr. Walpole .. 1615

INDIA—MEDICAL OFFICERS—Question, Mr. Bazley; Answer, Sir James Ferguson 1616

AUSTRIA AND PRUSSIA—PROLONGATION OF THE ARMISTICE—Question, Mr. Oliphant; Answer, Lord Stanley 1616

ADJOURNMENT OF THE HOUSE—*Moved*, “That the House, upon its rising, do adjourn to *Monday next*” 1617

PROXY VOTING IN PUBLIC COMPANIES—Observations, Mr. Darby Griffith; Reply, Sir Stafford Northcote 1617

EMIGRANT SHIPS AND THE CHOLERA—Observations, The O’Conor Don; Reply, Mr. Adderley 1618

After debate, Motion *agreed to*:—House at rising to adjourn till *Monday next*.

Railways (Ireland) Temporary Advances Bill [Bill 220]—

Bill *considered* in Committee 1633
And after some time spent therein, Bill *reported*; as amended, to be considered upon *Monday next*.

Landed Estates Court, &c., (Ireland) (*re-committed*) Bill [Bill 174]—

Bill *considered* in Committee 1635
And after some time spent therein, Bill *reported*; as amended, to be considered upon *Monday next*.

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Public Health (*re-committed*) Bill [Bill 202]—

Bill <i>considered</i> in Committee ..	1644
After debate, Committee report Progress; to sit again upon <i>Monday</i> next.	

THE ATLANTIC CABLE—*Moved*, “That the House, at its rising, do adjourn till *Monday* next,”—(*Mr. Hunt*) ..

After short debate, Motion *agreed to*.

Consolidated Fund (Appropriation) Bill—*Ordered* (*Mr. Dodson*, *Mr. Chancellor of the Exchequer*, *Mr. Hunt*); *presented*, and read the first time ..

Bills of Sale Act (1854) Amendment [Stamps] Bill—*considered* in Committee :—

Resolution to be reported upon <i>Monday</i> next ..	1652
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Prisons Bill—*Ordered* (*Mr. Secretary Walpole*, *Mr. Solicitor General*); *presented*, and read the first time [Bill 250] ..

Cattle Diseases Prevention Act Amendment (No. 2) Bill—Acts read; *considered* in Committee :—Resolution *reported* :—Bill *ordered* (*Mr. Secretary Walpole*, *Mr. Chancellor of the Exchequer*, *Mr. Hunt*); *presented*, and read the first time [Bill 251] ..

LORDS, MONDAY, JULY 30.

THE PRAYER AGAINST THE CATTLE PESTILENCE AND CHOLERA—Question, Lord Ebury; Answer, The Earl of Derby ..

Consecration of Churchyards (No. 2) Bill (No. 193)—

Moved, “That the Order of the Day for the Third Reading of this Bill be *discharged*,”—(*The Lord Redesdale*) ..

After short debate, on Question? their Lordships *divided*; Contents 28, Not-Contents 19; Majority 9 :—*Resolved* in the *Affirmative* :—Order of the Day for the Third Reading *discharged* accordingly.

Rochdale Vicarage Bill (No. 241)—

House in Committee (according to Order) ..

And after short debate, Amendments made: the Report thereof to be received *To-morrow*; and Bill to be printed as amended (No. 241.)

County Assessments Bill (No. 221)—

Moved, “That the Bill be now read 2^d,”—(*The Earl of Devon*) ..

After short debate, on Question, that (“now”) stand Part of the Motion? *Resolved* in the *Affirmative* :—Bill read 2^d accordingly, and *committed* to a Committee of the Whole House *To-morrow*.

Thames Navigation Bill—

Read 2^d (according to Order); the Order of the Day for Consideration of Standing Orders

Nos. 37 & 38., in order to their being dispensed with, *discharged* :—Bill *committed* :—The Committee to be proposed by the Committee of Selection ..

COMMONS, MONDAY, JULY 30.

ARMY ORDNANCE CORPS—Question, Major Jervis; Answer, General Peel ..

IRELAND—RESIGNATION OF MR. NAPIER—Question, Mr. O’Beirne; Answer, Lord Naas ..

IRELAND—LAND TENURE—Question, Mr. Rearden; Answer, Lord Naas ..

METROPOLIS—HYDE PARK—Question, Mr. Darby Griffith; Answer, Lord John Manners ..

BOARD OF TRADE—METEOROLOGICAL DEPARTMENT—Question, Colonel Sykes; Answer, Sir Stafford Northcote ..

ARMY—PURDAY’S EXPANDING BULLET—Question, Mr. Oliphant; Answer, General Peel ..

ARMY—PRUSSIAN CARTRIDGE POUCHES—Question, Lord Eustace Cecil; Answer, General Peel ..

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TRAFFIC REGULATION METROPOLIS BILL — Question, Mr. Alderman Lawrence ; Answer, Mr. Walpole	1665
SUSPENSION OF THE HABEAS CORPUS ACT IN IRELAND—Question, Mr. Maguire ; Answer, Lord Naas	1665
MR. BRIGHT AND THE REFORM LEAGUE—ADJOURNMENT—Personal Explanation, Mr. Baillie Cochrane	1666

Moved, “ That this House do now adjourn,”—(Mr. Baillie Cochrane.)

After short debate, Motion, by leave, *withdrawn*.

Consolidated Fund (Appropriation) Bill—

After short debate, Bill read a second time, and *committed* for *To-morrow* .. 1668

Fortifications (Provisions for Expenses) Bill [Bill 244]—

Order for Committee read 1669

Moved, “ That Mr. Speaker do now leave the Chair : ”—After debate, Motion, by leave, *withdrawn* :—Bill *withdrawn*.

Public Health (*re-committed*) Bill [Bill 202]—

Bill *considered* in Committee 1679

After debate, Bill *reported* ; as amended, to be considered upon *Thursday*, and to be *printed*. [Bill 253.]

Reformatory Schools (*re-committed*) Bill [Bill 184]—

Bill *considered* in Committee 1687

And after some time spent therein, Bill *reported* ; as amended, to be considered *To-morrow*.

LORDS, TUESDAY, JULY 31.

CONFEDERATION OF THE BRITISH NORTH AMERICAN PROVINCES—Question, Lord Lyveden ; Answer, The Earl of Carnarvon	1700
--	------

Suburban Commons (*now Metropolitan Commons*) Bill (No. 222)

Order of the Day for the House to be put into Committee read .. 1703

After short debate, House in Committee ; Amendments made ; the Report thereof to be received on *Thursday* next ; and Bill to be *printed* as amended. (No. 250.)

Railway Companies' Securities Bill (No. 240)—

Bill read 2^a, and *committed* to a Committee of the Whole House on *Thursday* next 1704

SHEEP DISEASE IN SCOTLAND—Question, The Duke of Buccleuch ; Answer, The Duke of Buckingham	1704
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COMMONS, TUESDAY, JULY 31.

CURRENCY AND BANKING—MOTION FOR A ROYAL COMMISSION—

Moved, “ That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to issue a Royal Commission, directed to the investigation of the causes which have led to the late severe and protracted pressure in the money market, and to the continuance for a long period of a minimum rate of discount of 10 per cent

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CURRENCY AND BANKING—MOTION FOR A ROYAL COMMISSION—*continued.*

at the Bank of England; and also to investigate the Laws at present affecting Currency and Banking in the United Kingdom, and to report what (if any) alterations have become expedient therein; and further, that it be an Instruction to the Commissioners to present their Report and the Evidence taken by them on or before the 1st February, 1867,"—(*Mr. Watkin*) 1706

After long debate, Debate *adjourned till this day.*

IRELAND—HARBOUR OF REFUGE ON THE EAST COAST—Question, Mr. Fitzwilliam Dick; Answer, Sir Stafford Northcote 1761

METROPOLIS—WATERLOO BRIDGE—Question, Mr. Alderman Lawrence; Answer, Lord John Manners 1762

METROPOLIS—LONDON UNIVERSITY—Question, Mr. Beresford Hope; Answer, Lord John Manners 1762

MINES—Question, Mr. Clive; Answer, Mr. Walpole 1762

INDEMNITY BILL—Question, Mr. Hadfield; Answer, Mr. Walpole 1762

DISTURBANCES IN JAMAICA—RESOLUTION—*Moved,*

"That this House deplores the excessive punishments which followed the suppression of the disturbances of October last in the parish of St. Thomas, Jamaica, and especially the unnecessary frequency with which the punishment of death was inflicted,"—(*Mr. Buxton*) 1763

Whereupon *Previous Question* proposed, "That that Question be now put,"—(*Mr. Adderley*) 1785

After debate, *Previous Question*; by leave, *withdrawn.*

Original Question again proposed:—After further debate, Question put, and *agreed to.*

Resolution 2—After short debate, Resolution, by leave, *withdrawn* .. 1839

Resolution 3—After short debate, Resolution, by leave, *withdrawn* .. 1840

Resolution 4—After short debate, Resolution, by leave, *withdrawn* .. 1840

ITALY—MONASTERY OF MONTE CASSINO—Motion for Papers—

Address for "Copy of any Communications received by the Secretary of State for Foreign Affairs from Her Majesty's Minister Plenipotentiary at the Italian Court, upon the subject of the Statute of the 7th July, for the suppression of Ecclesiastical Corporations,"—(*Mr. Hubbard*) 1841

After short debate, Motion *agreed to.*

Habeas Corpus Suspension (Ireland) Act Continuance Bill—

After short debate, Bill *ordered* (*Lord Naas, Mr. Secretary Walpole, Mr. Attorney General for Ireland*); *presented*, and read the first time [Bill 256] 1843

Cattle Diseases Prevention Act Amendment (No. 2) Bill [Bill 251]—

Bill *considered* in Committee 1844

And after some time spent therein, Bill *reported*; as amended, to be considered *To-morrow.*

Patriotic Fund Bill—*Ordered* (*General Peel, Sir John Pakington, Mr. John Abel Smith*); *presented*, and read the first time [Bill 257] 1845

COMMONS, WEDNESDAY, AUGUST 1.

CATTLE PLAGUE—CATTLE TRADE RESTRICTIONS—Question, Mr. Dodson; Answer, Mr. Corry 1845

NEW LAW COURTS—Question, Mr. Waldegrave-Leslie; Answer, The Attorney General 1846

Compulsory Church Rate Abolition Bill [Bill 143]—

Order read, for resuming Adjourned Debate on Amendment proposed to Question [18th July], "That the Bill be now read a second time" .. 1847

Question again proposed:—Debate *resumed.*

After long debate, Question put, and *agreed to*:—Main Question put, and *agreed to*:—Bill read a second time, and *committed* for this day month.

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Church Rates Commutation (No. 2) Bill [Bill 30]—	
Order for Second Reading read	1885
After short debate, Order <i>discharged</i> :—Bill <i>withdrawn</i> .	
Reformatory Schools Bill [Bill 184]—	
Bill, as amended, <i>considered</i>	1885
After short debate, Bill to be read the third time <i>To-morrow</i> .	

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Public Health Bill [Bill 202]—	
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Reformatory Schools Bill [Bill 184]—	
Order for Third Reading read	1910
After short debate, Bill read the third time and <i>passed</i> .	

Habeas Corpus Suspension (Ireland) Act Continuance Bill [Bill 256]—

<i>Moved</i> , “That the Bill be now read a second time,”—(<i>Lord Naas</i>) ..	1910
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Amendment proposed,

To leave out from the words “That” to the end of the Question, in order to add the words “the same state of things on which the late Government justified their application to Parliament to suspend the Constitution in Ireland no longer exists: that the supremacy of the Law has been sufficiently vindicated in the ordinary tribunals of the Country: that the Assizes just brought to a close have in all instances displayed a most extraordinary and gratifying diminution of crime, and, in many instances, a complete absence of serious offences, either against property or person: that there is likewise an utter absence of political excitement of any kind whatever: that measures of repression unac-

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Habeas Corpus Suspension (Ireland) Act Continuance Bill—continued.

compared with measures of a remedial character tend rather to aggravate than lessen those evils in which perennial discontent and periodical disaffection have their origin in Ireland : and, that a wise, generous, and thoroughly liberal policy is that which is alone calculated to promote the material prosperity and contentment of the Irish people, while adding to the strength and enhancing the moral dignity of the Empire,"—(*Mr. Maguire*,) instead thereof 1921

Question proposed, "That the words proposed to be left out stand part of the Question."

After long debate, Question put :—The House *divided*; Ayes 105, Noes 31 ; Majority 74 :—Main Question put, and *agreed to*.

Bill read a second time, and *committed for To-morrow*.

LORDS, FRIDAY, AUGUST 3.

ABYSSINIA—IMPRISONMENT OF BRITISH SUBJECTS—Question, Lord Houghton ; Answer, The Earl of Malmesbury 1984

PROTECTION OF HYDE PARK—Question, Earl Russell ; Answer, The Earl of Derby 1984

INDIA—RIGHTS OF OCCUPANCY IN OUDH—MOTION FOR PAPERS—

Moved, That there be laid before the House Copies of the Report of the Financial Commissioner, Mr. Davies, upon the Inquiry into Rights of Occupancy in Oudh ; together with the Reports of the different Settlement Officers and Commissioners in Oudh ; and of the evidence of the landowners, cultivators, and others upon the same subject : Also for,

Copy of the despatch of the Chief Commissioner of Oudh, forwarding the above-mentioned Reports to the Government of India in February 1865 ; And also for,

Copy of the reply of Governor General of India to that despatch, and the further Correspondence of the Chief Commissioner and the Governor General on the subject up to the present time,—(*The Marquess of Clanricarde*) 1992

After short debate, Motion, as amended, *agreed to*.

Straits Settlements Bill (No. 211)—

Amendments *reported* (according to Order) 1994

After short debate, a further Amendment made ; and Bill to be read 3^a on *Monday* next ; and to be *printed*, as amended. (No. 273.)

Public Libraries Act Amendment Bill (No. 249)—

Moved, "That the Bill be now read 2^a,"—(*The Earl of Shaftesbury*) 1995

After short debate, Motion *agreed to* :—Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

Railways (Ireland) Temporary Advances Bill (No. 255)—

Moved, "That the Bill be now read 2^a,"—(*The Earl of Belmore*) 1996

After debate, Motion *agreed to* :—Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

Landed Estates Court &c. (Ireland) Bill (No. 260)—

Moved, "That the Bill be now read 2^a,"—(*The Earl of Belmore*) 1998

After short debate, Motion *agreed to* :—Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

ARMY—SANITARY REFORM—Question, Earl Fortescue ; Answer, The Earl of Longford 1999

COMMONS, FRIDAY, AUGUST 3.

Extradition Treaties Act Amendment Bill (*Lords*) [Bill 247]—

Moved, "That the Bill be now read a second time,"—(*Lord Stanley*) 2004

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months,"—(*Mr. McCullagh Torrens*) 2008

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Extradition Treaties Act Amendment Bill (Lords)—continued.

After debate, Question put, “That the word ‘now’ stand part of the Question:”—The House *divided*; Ayes 77, Noes 14; Majority 63.

Main Question put, and *agreed to*:—Bill read a second time, and *committed* for *To-morrow*.

Habeas Corpus Suspension (Ireland) Act Continuance Bill [Bill 256]—

Bill *considered* in Committee 2031
Committee report Progress; to sit again *this day*.

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[House counted out.]

LORDS, SATURDAY, AUGUST 4.

Their Lordships met; and having gone through the Business on the Paper without debate, House adjourned.

COMMONS, SATURDAY, AUGUST 4.

ROMAN CATHOLIC PRISONERS IN WESTMINSTER PRISON—Explanation, Mr. T. J. Miller	2053
NAVY—NAVAL RESERVE—Question, Mr. Graves; Answer, Sir John Pakington	2053
NAVY—ARMOUR-CLAD SHIPS FOR THE PACIFIC—Question, Mr. Graves; Answer, Sir John Pakington	2054
ARMY—THE MUTINY ACT—Question, Mr. Darby Griffith; Answer, General Peel	2054

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Ecclesiastical Commission Bill (Lords) [Bill 252]—	
Bill, as amended, <i>considered</i>	2055
After short debate, an Amendment made; Bill read the third time, and <i>passed</i> .	
Habeas Corpus Suspension (Ireland) Act Continuance Bill [Bill 256]—	
Bill <i>considered</i> in Committee	2056
After short time spent therein, Bill <i>reported</i> , without Amendment; read the third time, and <i>passed</i> .	
Extradition Treaties Act Amendment Bill (Lords) [Bill 247]—	
Order for Committee read	2056
After short time spent therein, Committee <i>deferred</i> till Monday.	
NAVY—THE ROYAL DOCKYARDS—Observations, Sir John Pakington:—Short discussion thereon	2057
Indemnity Bill—Ordered (Mr. Secretary Walpole, Mr. Hunt); presented, and read the first time [Bill 259]	2068

LORDS, MONDAY, AUGUST 6.

IMPROVEMENT OF THE DWELLINGS OF THE WORKING CLASSES—Question, The Earl of Shaftesbury; Answer, The Earl of Derby	2069
Public Health Bill (No. 270)—	
<i>Moved</i> , "That the Bill be now read 2 ^a ,"—(<i>The Lord President</i>)	2070
After short debate, Motion <i>agreed to</i> :—Bill read 2 ^a accordingly; Committee <i>negatived</i> ; Standing Orders Nos. 37 and 38 <i>considered</i> (according to Order) and <i>dispensed with</i> :—Bill read 3 ^a , and <i>passed</i> .	
Industrial Schools Bill (No. 282)—	
House in Committee (according to Order)	2073
After short time spent therein, Bill <i>reported</i> , without Amendment; Amendments made:—Bill to be read 3 ^a <i>To-morrow</i> .	
Reformatory Schools Bill (No. 281)—	
House in Committee (according to Order)	2074
After short time spent therein, Bill <i>reported</i> , without Amendment; Amendments made:—Bill to be read 3 ^a <i>To-morrow</i> .	
Habeas Corpus Suspension (Ireland) Act Continuance Bill (No. 276)—	
<i>Moved</i> , "That the Bill be now read 2 ^a ,"—(<i>The Earl of Derby</i>)	2074
After debate, Motion <i>agreed to</i> :—Bill read 2 ^a accordingly, and <i>committed</i> to a Committee of the Whole House <i>To-morrow</i> .	
Constabulary Force (Ireland) Bill (No. 278)—	
<i>Moved</i> , "That the Bill be now read 2 ^a ,"—(<i>The Earl of Belmore</i>)	2087
After short debate, Motion <i>agreed to</i> :—Bill read 2 ^a ; Committee <i>negatived</i> ; and Bill to be read 3 ^a <i>To-morrow</i> .	

COMMONS, MONDAY, AUGUST 6.

METROPOLIS—MASTER OF LAMBETH WORKHOUSE—Question, Mr. Oliphant; Answer, Mr. Gathorne Hardy	2089
INDIA—GRIEVANCES OF THE INDIAN OFFICERS—Question, Major Jervis; Answer, Viscount Cranbourne	2090
IRELAND—WRECKS ON THE EAST COAST—Question, Mr. Fitzwilliam Dick; Answer, Sir Stafford Northcote	2094
INCREASE OF THE JUDGES—Question, Mr. Laird; Answer, The Attorney General	2095
FRANCE AND ITALY—Question, Mr. Darby Griffith; Answer, Lord Stanley	2096

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MONETARY CRISIS — BANK RATE OF INTEREST — Question, Mr. Alderman Salomons ; Answer, The Chancellor of the Exchequer	2097
INDIA—GRIEVANCES OF THE INDIAN OFFICERS—Question, Colonel Sykes ; Answer, Viscount Cranbourne	2098
DRILLINGS IN JAMAICA—Explanation, Mr. Russell Gurney	2098
RECREATION GROUND AT CHIGWELL—Question, Mr. Alderman Lusk ; Answer, Mr. Walpole	2099
THE CHOLERA—Observations — <i>Moved</i> , “That this House do now adjourn,” —(<i>Mr. J. A. Smith</i>)	2100
After debate, Motion, by leave, <i>withdrawn</i> .	
Indemnity Bill [Bill 259]—	
Bill read a second time and <i>committed</i> ; <i>considered</i> in Committee	2107
Bill <i>reported</i> , without Amendment.	
After short debate, Bill read the third time, and <i>passed</i> .	
Extradition Treaties Act Amendment Bill (Lords) [Bill 247]—	
Bill <i>considered</i> in Committee	2107
After long time spent therein, Bill <i>reported</i> , with an Amendment ; as amended <i>considered</i> ; read the third time, and <i>passed</i> .	
CURRENCY AND BANKING—	
Order for resuming Adjourned Debate on Motion for Address [31st July] read	2124
After short debate, Order <i>discharged</i> .	
LORDS, TUESDAY, AUGUST 7.	
<i>London, Chatham, and Dover Railway (New Lines, &c.) Bill—</i>	
Order for taking into Consideration the Standing Order No. 179, sect. 6 in order to its being dispensed with ; read, and <i>discharged</i> ; Bill read 3 ^a , with the Amendments, and <i>passed</i> , and sent to the Commons	2126
Indemnity Bill (No. 284)—	
Order of the Day for the Second Reading read.	
After short debate, Bill read 2 ^a (according to Order) ; Committee <i>negatived</i> ; Standing Orders Nos. 37 and 38 <i>considered</i> (according to Order) and <i>dis-</i> <i>penssed with</i> ; Bill read 3 ^a , and <i>passed</i> .	
PRIVATE BILLS—Standing Orders amended (<i>The Chairman of Committees</i>)	2128
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METROPOLIS—RIOTS IN HYDE PARK—Question, Mr. P. A. Taylor ; Answer, Mr. Walpole	2133
ARMY—CAVALRY BARRACKS NOTTINGHAM—Question, Mr. Osborne ; Answer, General Peel	2134
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SOUTH AMERICAN MEAT—Question, Mr. Oliphant ; Answer, Lord Stanley	2135
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IMPERIAL GUARANTEES—TURKISH LOAN—MOTION FOR A RETURN—Return <i>ordered</i> , “Of Imperial Guarantees, showing the date and extent of each; the amount paid; and the amount for which the Country is still liable (in continuation of Parliamentary Paper, No. 599, of Session 1860),”—(<i>Mr. Hubbard</i>)	2140
NAVIGATION LAWS—MOTION FOR PAPERS—Copy <i>ordered</i> , “of any Papers or Correspondence relative to the abolition of the Navigation Laws in Foreign Countries,”—(<i>Mr. Ayrton</i>)	2146
Public Schools Bill (<i>Lords</i>) [Bill 112]— Order for Second Reading read After short debate, Order <i>discharged</i> .	2149
Metropolitan Commons Bill [Bill 111]— Lords Amendments <i>considered</i> , and <i>agreed to</i> , and several consequential Amendments made to the Bill	2151
Turnpike Acts Continuance Bill [Bill 229]— Lords Amendments <i>considered</i> and <i>agreed to</i>	2152

LORDS, WEDNESDAY, AUGUST 8.

IRELAND (CONSTABULARY) — CASE OF SUB-INSPECTOR BURKE — MOTION FOR PAPERS— <i>Moved</i> , “That an humble Address be presented to Her Majesty for, Copy of any Recommendation or Certificate sent by the Irish Government to the late Board of Treasury for a Pension or Superannuation Allowance to be granted to Mark Burke, late Sub-Inspector of the Irish Police Force, subsequent to his Trial for his Neglect and Refusal to do his Duty at Ballisodare on the 26th of January, 1865,”—(<i>The Marquess of Westmeath</i>) .. 2153 After short debate, Motion <i>withdrawn</i> .	
Extradition Treaties Act Amendment Bill (No. 287)— Commons Amendment <i>considered</i> , and after short debate, <i>agreed to</i> .	2153

LORDS, FRIDAY, AUGUST 10.

PROROGATION OF THE PARLIAMENT—

The ROYAL ASSENT was given to several Bills; And afterwards a Speech of
The LORDS COMMISSIONERS was delivered to both Houses of Parliament by
The LORD CHANCELLOR.

Then a Commission for Proroguing the Parliament was read.

After which,

The LORD CHANCELLOR said—

My Lords, and Gentlemen,

By virtue of Her Majesty's Commission, under the Great Seal, to us and other Lords directed, and now read, we do, in Her Majesty's Name, and in obedience to Her Commands, prorogue this Parliament to *Thursday*, the *Twenty-fifth* day of *October* next, to be then here holden; and this Parliament is accordingly prorogued to *Thursday* the *Twenty-fifth* day of *October* next.

COMMONS, FRIDAY, AUGUST 10.

STATE OF JAMAICA—Question, Mr. J. Stuart Mill; Answer, Mr. Adderley ..	2160
NAVY — DOCKYARD EXPENDITURE — Question, Mr. Seely; Answer, Sir John Pakington	2161

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THE RHINE PROVINCES—Question, Sir George Bowyer; Answer, Lord Stanley ..	2163
THE ABYSSINIAN PRISONERS—Question, Mr. Baillie Cochrane; Answer, Lord Stanley	2163
NAVY—DOCKYARD EXPENDITURE—Explanation, Mr. Seely	2165
METROPOLIS—SHOREDITCH WORKHOUSE—Question, Mr. Alderman Lusk; Answer, Mr. Gathorne Hardy	2165
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Message to attend The LORDS COMMISSIONERS in the House of Peers ..	2166

LORDS.

SAT FIRST.

FRIDAY, JUNE 15.

The Lord Willoughby de Broke, after the Death of his Father.

MONDAY, JULY 9.

The Earl Bathurst, after the Death of his Brother.

The Lord Foxford, after the Death of his Father.

The Lord Clinton, after the Death of his Father.

MONDAY, JULY 23.

The Earl of Gainsborough, after the Death of his Father.

The Earl of Harrington, after the Death of his Uncle.

NEW PEERS.

FRIDAY, JUNE 8.

HIS ROYAL HIGHNESS PRINCE ALFRED ERNEST ALBERT—having been created Earl of Ulster, Earl of Kent and Duke of Edinburgh, was introduced between His Royal Highness the Prince of Wales and His Royal Highness the Duke of Cambridge, the Gentleman Usher of the Black Rod, the Garter King of Arms, the Deputy Earl Marshal, and the Deputy Lord Great Chamberlain attending, and was placed in the Chair on the left Hand of the Throne.

FRIDAY, JUNE 22.

WILLIAM MEREDYTH BARON ATHLUMNEY, in that Part of the United Kingdom of Great Britain and Ireland called Ireland, having been created Baron Meredyth of Dollardstown in the County of Meath—Was in the usual Manner introduced.

MONDAY, JUNE 25.

EDWIN RICHARD WINDHAM EARL OF DUNRAVEN AND MOUNT EARL, in that Part of the United Kingdom of Great Britain and Ireland called Ireland, having been created Baron Kenry of Kenry in the County of Limerick—Was in the usual Manner introduced.

MONDAY, JULY 23.

JOHN BARON WODEHOUSE, having been created Earl of Kimberley in the County of Norfolk—Was in the usual Manner introduced.

JOHN BARON HENNIKER, in that Part of the United Kingdom of Great Britain and Ireland called Ireland, having been created Baron Hartismere of Hartismere in the County of Suffolk—Was in the usual Manner introduced.

THURSDAY, JULY 26.

RICHARD BARON CREMORNE, in that Part of the United Kingdom of Great Britain and Ireland called Ireland, having been created Earl of Dartrey of Dartrey in the County of Monaghan—Was in the usual Manner introduced.

THE RIGHT HONOURABLE SIR EDWARD GEORGE EARLE LYTTON BULWER LYTTON, Baronet, having been created Baron Lytton of Knebworth in the County of Hertford—Was in the usual Manner introduced.

SIR WILLIAM GEORGE HYLTON JOLLIFFE, Baronet, having been created Baron Hylton of Hylton in the County Palatine of Durham and of Petersfield in the County of Southampton—Was in the usual Manner introduced.

MONDAY, AUGUST 6.

LIEUTENANT-GENERAL THE RIGHT HONOURABLE SIR HUGH HENRY ROSE, G.C.B., G.C.S.I., General Commanding Her Majesty's Forces in Ireland, having been created Baron Strathnairn of Strathnairn in the County of Nairn and of Jhansi in the East Indies—Was in the usual Manner introduced.

EDMOND GORDON DOUGLAS PENNANT, Esquire, having been created Baron Penrhyn of Llandegai—Was in the usual Manner introduced.

COMMONS.

NEW WRITS ISSUED.

MONDAY, JUNE 11.

For *Nottingham County* (Southern Division), *v.* Lord Stanhope, now Earl of Chesterfield.

MONDAY, JUNE 25.

For *Hertford Borough*, *v.* Sir Walter Minto Townsend Farquhar, Baronet, deceased.

FRIDAY, JULY 6.

For *Buckingham County*, *v.* Right Hon. Benjamin Disraeli, Chancellor of the Exchequer.

For *Cambridge University*, *v.* Right Hon. Spencer Horatio Walpole, Secretary of State.

For *King's Lynn*, *v.* Lord Stanley, Secretary of State.

For *Huntingdon Borough*, *v.* Right Hon. Jonathan Peel, Secretary of State.

For *Stamford*, *v.* Viscount Cranbourne, Secretary of State.

For *Droitwich*, *v.* Right Hon. Sir John Somerset Pakington, First Commissioner of the Admiralty.

For *Devon County* (Northern Division), *v.* Right Hon. Sir Stafford Henry Northcote, President of the Board of Trade.

For *Oxford University*, *v.* Gathorne Hardy, Esq., Commissioner of the Poor Laws.

For *Northampton County* (Northern Division), *v.* Lord Burghley, Treasurer of the Household.

For *Cambridge County*, *v.* Viscount Royston, Comptroller of the Household.

For *Tyrone*, *v.* Lord Claud Hamilton, Vice Chamberlain of the Household.

For *Tyrone*, *v.* Right Hon. Henry Thomas Lowry Corry, Vice President of the Committee of Council on Education.

For *Leicester County* (Northern Division), *v.* Lord John Manners, First Commissioner of Works.

For *Rutland*, *v.* Hon. Gerard James Noel, Commissioner of the Treasury.

For *Stamford*, *v.* Rear Admiral Sir John Charles Dalrymple Hay, Commissioner of the Admiralty.

For *Belfast*, *v.* Sir Hugh M'Calmont Cairns, Attorney General.

For *Guildford*, *v.* William Bovill, Esq., Solicitor General.

For *Durham City*, *v.* Right Hon. John Robert Mowbray, Judge Advocate General.

For *Bridgwater*, *v.* George Patton, Esq., Lord Advocate.

For *Antrim County*, *v.* Rear Admiral George Henry Seymour, C.B., Commissioner of the Admiralty.

For *Cockermouth*, *v.* Lord Naas, Chief Secretary to the Lord Lieutenant of Ireland.

MONDAY, JULY 9.

For *Essex* (Northern Division), *v.* Charles Du Cane, Esq., Commissioner of the Admiralty.

For *New Shoreham*, *v.* Stephen Cave, Esq., Vice President of the Board of Trade.

NEW WRITS ISSUED—*continued.*

MONDAY, JULY 16.

For *Bridgnorth*, v. Henry Whitmore, Esq., Commissioner of the Treasury.

For *Peeblesshire*, v. Sir Graham Graham Montgomery, Baronet, Commissioner of the Treasury.

For *Suffolk* (Eastern Division), v. Sir FitzRoy Kelly, Knight, Lord Chief Baron of Her Majesty's Court of Exchequer.

For *Suffolk* (Eastern Division), v. Right Hon. Baron Henniker, now Baron Hartismere.

For *Petersfield*, v. Right Hon. Sir William George Hylton Jolliffe, Baronet, now Baron Hylton.

For *Hertford County*, v. Right Hon. Sir Edward George Earle Lytton Bulwer Lytton, Baronet, now Baron Lytton.

FRIDAY, JULY 20.

For *Eye*, v. Sir Edward Clarence Kerrison, Baronet, Manor of Northstead.

MONDAY, JULY 23.

For *the College of the Holy Trinity, Dublin*, v. The Right Hon. James Whiteside, Chief Justice of the Court of Queen's Bench in Ireland.

TUESDAY, JULY 24.

For *Galway Town*, v. Michael Morris, Esq., Solicitor General for Ireland.

WEDNESDAY, AUGUST 1.

For *Abingdon*, v. Lieutenant Colonel the Hon. Charles Hugh Lindsay, Groom in Waiting.

MONDAY, AUGUST 6.

For *Carnarvon County*, v. The Hon. Edward Gordon Douglas Pennant, now Lord Penrhyn.

FRIDAY, AUGUST 10.

For *Salop* (Northern Division), v. The Hon. Charles Henry Cust, Chiltern Hundreds.

NEW MEMBERS SWORN.

FRIDAY, JUNE 8.

Bridgewater—George Patton, Esq.

MONDAY, JUNE 11.

Waterford County—John Esmonde, Esq.

MONDAY, JUNE 18.

Nottingham County (Southern Division)—Thomas Blackborne Thoroton Hildyard Esq.

MONDAY, JULY 2.

Hertford Borough—Robert Dimsdale, Esq.

THURSDAY, JULY 5.

Helston—William Baliol Brett, Esq.

MONDAY, JULY 16.

Buckingham County—Right Hon. Benjamin Disraeli.

Stamford—Right Hon. Viscount Cranbourne.

NEW MEMBERS SWORN—*continued.*

Belfast—Sir Hugh M'Calmont Cairns, Knight.

Droitwich—Right Hon. Sir John Somerset Pakington, Baronet.

Essex (Northern Division)—Charles Du Cane, Esq.

Oxford University—Right Hon. Gathorne Hardy.

Durham City—Right Hon. John Robert Mowbray.

New Shoreham—Right Hon. Stephen Cave.

Bridgewater—Philip Vanderbyl, Esq.

Huntingdon Borough—Right Hon. Jonathan Peel.

Stamford—Sir John Charles Dalrymple Hay, Baronet.

Guildford—William Bovill, Esq.

Northampton County (Northern Division)—Right Hon. Lord Burghley.

King's Lynn—Right Hon. Lord Stanley.

Cockermouth—Right Hon. Lord Naas.

Rutland—Hon. Gerard James Noel.

Cambridge University—Right Hon. Spencer Horatio Walpole.

TUESDAY, JULY 17.

Leicester County (Northern Division)—Right Hon. Lord John Manners.

Devon County (Northern Division)—Right Hon. Sir Stafford Henry Northcote Baronet.

THURSDAY, JULY 19.

Antrim—Rear Admiral George Henry Seymour.

FRIDAY, JULY 20.

Tyrone—Right Hon. Lord Claud Hamilton.

Tyrone—Right Hon. Henry Thomas Lowry Corry.

Cambridge County—Right Hon. Viscount Royston.

MONDAY, JULY 23.

Bridgnorth—Henry Whitmore, Esquire.

TUESDAY, JULY 24.

Petersfield—William Nicholson, Esquire.

Hertford County—Abel Smith, Esquire.

WEDNESDAY, JULY 25.

Peeblesshire—Sir Graham Graham Montgomery, Baronet.

FRIDAY, JULY 27.

Suffolk (Eastern Division)—Hon. John Major Henniker-Major.

MONDAY, JULY 30.

Eye—Hon. George William Barrington.

TUESDAY, JULY 31.

Dublin University—John Edward Walsh, L.L.D.

FRIDAY, AUGUST 3.

Suffolk (Eastern Division)—Sir Edward Clarence Kerrison, Baronet.

SATURDAY, AUGUST 4.

Galway Town—Michael Morris, Esquire.

MONDAY, AUGUST 6.

Abingdon—Hon. Colonel Lindsay.

THE MINISTRY

OF EARL RUSSELL AS IT STOOD AT THE MEETING OF PARLIAMENT.

THE CABINET.

First Lord of the Treasury	Right Hon. Earl RUSSELL, K.G.
Lord Chancellor	Right Hon. Lord CRANWORTH.
President of the Council	Right Hon. Earl GRANVILLE, K.G.
Lord Privy Seal	His Grace the Duke of ARGYLL, K.T.
Secretary of State, Home Department	Right Hon. Sir GEORGE GREY, Bt., G.C.B.
Secretary of State, Foreign Department	Right Hon. Earl CLARENDON, K.G.
Secretary of State for Colonies	Right Hon. EDWARD CARDWELL.
Secretary of State for War	Most Hon. Marquess of HARTINGTON.
Secretary of State for India	Right Hon. Earl De GREY and RIFON.
Chancellor of the Exchequer	Right Hon. WILLIAM EWART GLADSTONE.
First Lord of the Admiralty	His Grace the Duke of SOMERSET, K.G.
President of the Board of Trade	Right Hon. THOMAS MILNER GIBSON.
Postmaster General	Right Hon. Lord STANLEY of ALDERLEY.
Chancellor of the Duchy of Lancaster	Right Hon. GEORGE JOACHIM GOSCHEN.
Chief Commissioner of the Poor Law Board	Right Hon. CHARLES PELHAM VILLIERS.

NOT IN THE CABINET.

Field Marshal Commanding-in-Chief	H.R.H. the Duke of CAMBRIDGE, K.G.
Paymaster of the Forces, and Vice President of the Board of Trade	Right Hon. WILLIAM MONSELL.
Vice President of the Committee of Privy Council for Education	
Chief Commissioner of Works and Public Buildings	Right Hon. WILLIAM FRANCIS COWPER.
Lords of the Treasury	JOHN BONHAM-CARTER, Esq., WILLIAM PATRICK ADAM, Esq., and JOHN ESMONDE, Esq. Admiral the Hon. Sir FREDERICK WILLIAM GREY, G.C.B., Vice Admiral CHARLES EDEN, C.B., Rear Admiral EDWARD GENNYS FANSHAWE, Captain Lord JOHN HAY, C.B., and GEORGE JOHN SHAW LEFEVRE, Esq.
Lords of the Admiralty	
Joint Secretaries of the Treasury	
Secretary of the Admiralty	
Secretary to the Poor Law Commissioners	Hon. HENRY BOUVERIE, WILLIAM BRAND, and HUGH CULLING EARDLEY CHILDERS, Esq.
Under Secretary for the Home Department	Hon. THOMAS GEORGE BARING.
Under Secretary for Foreign Affairs	Hon. Viscount ENFIELD.
Under Secretary for the Colonies	EDWARD HUGESSEN KNATCHBULL-HUGESSEN, Esq.
Under Secretary for War	AUSTEN HENRY LAYARD, Esq.
Under Secretary for India	WILLIAM EDWARD FORSTER, Esq.
Judge Advocate General	Right Hon. Lord DUFFERIN.
Attorney General	JAMES STANSFELD, Esq.
Solicitor General	Right Hon. THOMAS EMERSON HEADLAM.
	Sir ROUNDELL PALMER, Knt.
	Sir ROBERT PORRETT COLLIER, Knt.

SCOTLAND.

Lord Advocate	Right Hon. JAMES MONCREIFF.
Solicitor General	GEORGE YOUNG, Esq.

IRELAND.

Lord Lieutenant	Right Hon. Earl of KIMBERLEY.
Lord Chancellor	Right Hon. MAZIERE BRADY.
Chief Secretary to the Lord Lieutenant	Right Hon. CHICHESTER SAMUEL FORTESCUE.
Attorney General	Right Hon. JAMES ANTHONY LAWSON.
Solicitor General	EDWARD SULLIVAN, Esq.

QUEEN'S HOUSEHOLD.

Lord Steward	Right Hon. Earl of BESSBOROUGH.
Lord Chamberlain	Right Hon. Viscount SYDNEY, G.C.B.
Master of the Horse	Most Hon. Marquess of AILESBURY.
Treasurer of the Household	Right Hon. Lord OTHO AUGUSTUS FITZGERALD.
Comptroller of the Household	Right Hon. Lord PROBY.
Vice Chamberlain of the Household	Right Hon. Viscount CASTLEROSSE.
Captain of the Corps of Gentlemen at Arms	Right Hon. Lord FOLEY.
Captain of the Yeomen of the Guard	Right Hon. Earl of DUCIE.
Master of the Buckhounds	Right Hon. Earl of CORK and ORRERY, K.St.P.
Chief Equerry and Clerk Marshal	Lord ALFRED HENRY PAGET.
Mistress of the Robes	Her Grace the Duchess of WELLINGTON.

THE MINISTRY

AS FORMED BY THE EARL OF DERBY IN THE MONTH OF JULY 1866.

THE CABINET.

First Lord of the Treasury	Right Hon. Earl of DERBY, K.G.
Lord Chancellor	Right Hon. Lord CHELMSFORD.
President of the Council	His Grace the Duke of BUCKINGHAM and CHANDOS.
Lord Privy Seal	Right Hon. Earl of MALMESBURY, G.C.B.
Secretary of State, Home Department	Right Hon. SPENCER HORATIO WALPOLE.
Secretary of State, Foreign Department	Right Hon. Lord STANLEY.
Secretary of State for Colonies	Right Hon. Earl of CARNARVON.
Secretary of State for War	Right Hon. General PEELE.
Secretary of State for India	Right Hon. Viscount CRANBOURNE.
Chancellor of the Exchequer	Right Hon. BENJAMIN DISRAELI.
First Lord of the Admiralty	Right Hon. Sir JOHN SOMERSET PAKINGTON, Bt., G.C.B.
President of the Board of Trade	Right Hon. Sir STAFFORD HENRY NORTHCOTE, Bt., C.B.
Chief Commissioner of Works and Public Buildings	Right Hon. Lord JOHN JAMES ROBERT MANNERS.
Chief Commissioner of the Poor Law Board	Right Hon. GATHORNE HARDY.
Chief Secretary to the Lord Lieutenant (Ireland)	Right Hon. Lord NAAS.

NOT IN THE CABINET.

Field Marshal Commanding-in-Chief	H.R.H. the Duke of CAMBRIDGE, K.G.
Postmaster General	His Grace the Duke of MONTROSE, K.T.
Chancellor of the Duchy of Lancaster	Right Hon. Earl of DEVON.
Paymaster of the Forces, and Vice President of the Board of Trade	Right Hon. STEPHEN CAVE.
Vice President of the Committee of Privy Council for Education	Right Hon. HENRY THOMAS LOWRY CORRY.
Lords of the Treasury	Hon. GERARD JAMES NOEL, HENRY WHITMORE, Esq., and Sir GRAHAM GRAHAM-MONTGOMERY, Bt.
Lords of the Admiralty	Vice Admiral Sir ALEXANDER MILNE, K.C.B., Vice Admiral Sir SYDNEY COLPOYS DACRES, K.C.B., Rear Admiral GEORGE HENRY SEYMOUR, C.B., Captain Sir JOHN CHARLES DALRYMPLE HAY, Bt., and CHARLES DU CANE, Esq.
Joint Secretaries of the Treasury	Colonel THOMAS EDWARD TAYLOR and GEORGE WARD HUNT, Esq.
Secretary of the Admiralty	Lord HENRY GEORGE CHARLES GORDON-LENNOX.
Secretary to the Poor Law Commissioners	RALPH ANSTRUTHER EARLE, Esq.
Under Secretary, Home Department	Right Hon. Earl of BELMORE.
Under Secretary, Foreign Department	EDWARD CHRISTOPHER EGERTON, Esq.
Under Secretary for Colonies	Right Hon. CHARLES BOWYER ADDERLEY.
Under Secretary for War	Right Hon. Earl of LONGFORD, K.C.B.
Under Secretary for India	Sir JAMES FERGUSON, Bt.
Judge Advocate General	Right Hon. JOHN ROBERT MOWBRAY.
Attorney General	Sir HUGH M'CALMONT CAIRNS, Knt.
Solicitor General	Sir WILLIAM BOVILL, Knt.

SCOTLAND.

Lord Advocate	Right Hon. GEORGE PATTON.
Solicitor General	EDWARD STRATHEARN GORDON, Esq.

IRELAND.

Lord Lieutenant	Most Hon. Marquess of ABERCORN, K.G. and K.St.P.
Lord Chancellor	Right Hon. FRANCIS BLACKBURNE.
Chief Secretary to the Lord Lieutenant	Right Hon. Lord NAAS.
Attorney General	Right Hon. JOHN EDWARD WALSH.
Solicitor General	MICHAEL MORRIS, Esq.

QUEEN'S HOUSEHOLD.

Lord Steward	His Grace the Duke of MARLBOROUGH.
Lord Chamberlain	Right Hon. Earl of BRADFORD.
Master of the Horse	His Grace the Duke of BEAUFORT.
Treasurer of the Household	Right Hon. Lord BURGHLEY.
Comptroller of the Household	Right Hon. Viscount ROYSTON.
Vice Chamberlain of the Household	Right Hon. Lord CLAUD HAMILTON.
Captain of the Corps of Gentlemen at Arms	Right Hon. Earl of TANKERVILLE.
Captain of the Yeomen of the Guard	Right Hon. Earl CADOGAN.
Master of the Buckhounds	Right Hon. Lord COLVILLE of CULROSS.
Chief Equerry and Clerk Marshal	Lord ALFRED HENRY PAGET.
Mistress of the Robes	Her Grace the Duchess of WELLINGTON.

HANSARD'S PARLIAMENTARY DEBATES,

IN THE
*FIRST SESSION OF THE NINETEENTH PARLIAMENT OF THE
UNITED KINGDOM OF GREAT BRITAIN AND IRELAND
APPOINTED TO MEET 1 FEBRUARY, 1866, IN THE TWENTY-
NINTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN VICTORIA.*

FOURTH AND LAST VOLUME OF THE SESSION.

HOUSE OF LORDS,

Friday, June 8, 1866.

MINUTES.]—*Took the Oath*—The Lord Stuart de Decies.

SELECT COMMITTEE—On Private Bills, *nominated*.
PUBLIC BILLS—*Second Reading*—Customs and
Inland Revenue* (137).

Report of Select Committee—On Ecclesiastical
Commission* (148).

Committee—Exchequer and Audit Departments
(108); Landed Property Improvement (Ire-
land)* (117); Nuisances Removal* (132);
Life Insurances (Ireland)* (122); Naval Sav-
ings Banks* (129).

Report—Exchequer and Audit Departments
(108); Landed Property Improvement (Ire-
land)* (117); Law of Capital Punishment
Amendment* (145); Nuisances Removal*
(132); Life Insurances (Ireland)* (122); Na-
val Savings Banks* (129); Ecclesiastical
Commission* (149).

Third Reading—Pensions* (144); Burials in
Burghs (Scotland)* (112).

HIS ROYAL HIGHNESS PRINCE
ALFRED ERNEST ALBERT—
having been created Earl of Ulster, Earl
of Kent and Duke of Edinburgh, was
introduced between His Royal Highness
the Prince of Wales and His Royal High-

ness the Duke of Cambridge, the Gentle-
man Usher of the Black Rod, the Garter
King of Arms, the Deputy Earl Marshal,
and the Deputy Lord Great Chamberlain
attending, and was placed in the Chair on
the left Hand of the Throne.

LANCASTER ELECTION — JOINT AD-
DRESS FOR A COMMISSION OF IN-
QUIRY—ELECTION COMMISSIONS.

Order of the Day read for resuming the
adjourned Debate upon the Motion made
on the 29th of May last to agree with
the Commons in the Address to Her Ma-
jesty respecting, and to fill up the Blank
with ("Lords Spiritual and Temporal,
and"): (*The Earl Russell*): To which an
Amendment has been moved to leave out
from ("That") inclusive to the end of the
Motion, and to resolve,

1st. That the Address to the Crown in which
this House is asked to concur by the House of
Commons has for its Object to cause the Extent
to which corrupt Practices have prevailed in the
Borough of Lancaster to be inquired into by a
Commission in the Manner provided for by the
Act 15th and 16th Vict. Cap. 57.:

2nd. That since the passing of the above Act
Inquiries have been instituted under its Provisions
as to the Prevalence of corrupt Practices in Ten
Boroughs:

3rd. That the Commissioners by whom these Inquiries have been conducted have reported that in Eight out of the Ten Boroughs to which they related, corrupt Practices have been extensively and systematically carried on, and that in Six of these Boroughs such Practices have prevailed for many Years :

4th. That in consequence of the Reports so made by Commissioners of Inquiry Bills were introduced into the House of Commons in the Year 1854 for the Prevention of Bribery in Barnstaple, Canterbury, Kingston-upon-Hull, and Malden ; and in the Year 1858 a Bill for the Disfranchisement of the Freemen of Galway was also brought into the House of Commons ; but none of these Bills were proceeded with :

5th. That these Inquiries have thus failed to lead to the Adoption of any Measures for the Prevention of Bribery in the Boroughs to which they related ; they have also failed to elicit Information calculated to assist Parliament in passing any general Act for the Prevention of Corruption ; and it was stated in Evidence before a Select Committee of the House of Commons in the Year 1860 that they have occasioned much Perjury and Demoralization :

6th. That although these partial Inquiries as to the Prevalence of Corruption in particular Boroughs have produced no useful practical Results, even when gross and systematic Corruption in these places have been established, there is Reason to believe that a comprehensive Inquiry into the various Methods by which Corruption is practised in Elections, and into the best Means of checking it, might afford useful Assistance to Parliament in legislating on a Subject on which its Interference is urgently required :

7th. That this House is not therefore prepared to assent to the Address in which it is asked by the House of Commons to concur, but would be ready to join that House in praying Her Majesty to cause a general Inquiry on the Subject of Bribery at Elections to be instituted by Means of a Commission :

8th. That the above Resolutions be communicated to the House of Commons in reply to their Message inviting this House to concur in addressing the Crown for an Inquiry into the alleged Prevalence of Bribery in the Borough of Lancaster.—(*The Earl Grey.*)

Debate resumed accordingly.

LORD EBURY said, he was desirous of saying a few words on this subject. He had had considerable opportunities during the thirty-five years he was a Member of the other House of observing the working of our electoral system and of the law applicable to it. There had recently been a violent outburst of indignation against bribery and corruption—not that he intended to imply that the indignation was greater than the occasion deserved—but it was invariably the case after a general election. But whatever might be the state of opinion the necessity of expressing an opinion on the subject had been laid upon their Lordships by the Resolutions moved by the noble Earl (Earl Russell), and even

if they did not concur in the Resolutions they were bound to assign their reasons and state the manner in which they intended to effect that which it was the object of them all to accomplish. He was inclined to agree with the noble Earl on the cross-benches (Earl Grey) that they should not concur in the Commons' Resolutions, and for the reasons which that noble Earl had stated ; but he could not exactly concur in the method by which the noble Earl proposed to deal with the difficulty by a general and not by a special Commission. If these special Commissions had such a demoralizing character as had been attributed to them, why extend the anticipated evil by sending a general Commission to every borough ? If the House agreed to the first Resolution, he should be prepared to propose an Amendment to the sixth Resolution, which referred to a comprehensive inquiry into the subject. Some persons considered bribery at elections was on the increase ; but he (Lord Ebury) was not aware of the period of purity with which these persons compared these demoralized times. There were times when the electors of a borough, whether the borough was contested or not, received a certain money payment. He remembered that in the first borough which he had the honour to represent, a time-honoured custom prevailed—he did not know if it was to be considered bribery—that whether the election was contested or not, the electors should receive the sum of £10 each from the candidate. He begged to say that upon the occasion of his election the money was not paid, but it was commuted by the patron of the borough, and a town hall was built instead ; and he was happy to say that, although the borough still returned Members to Parliament—and there had been since many candidates for that borough—no improper practices had, since that time, been imputed to it. He was most decidedly of opinion that bribery and corruption were not nearly so prevalent now as they were formerly, and he defied any one to point to a borough where such a custom as that to which he had referred was in force at the present day, or where such shameless bribery had been practised as at a certain well-known election in Liverpool. They must all regret the large amount that was now spent in what were called legitimate election expenses, and they ought to deal with it as speedily as possible. He regretted to find that, undeterred by past failures,

some persons had revived the cry for treating this subject with very stringent penalties, and he believed they would continue to fail in attaining their object because public opinion did not approve of them and would not concur in them. Much was to be done without having recourse to such stringent measures, and it was on account of what could be done in reference to the expenditure of money that he was induced to address their Lordships on that occasion. Up to 1832 he might say that bribery and corruption was the rule and not the exception, because as borough elections occupied fourteen days and county elections three weeks the respective agents were able to calculate the necessity with the greatest accuracy; but when the period of election was reduced in boroughs to four days, and afterwards to two days, and then to one, a great blow was struck at the system. His opinion was that Parliament should in the first instance pass a Bill which should absolutely forbid the payment of the voters' expenses by the candidate, and next that the employment of paid canvassers should be absolutely forbidden, and, that any one who received payment from a candidate should be disqualified from voting for that candidate at that election. He would also forbid the hiring of an unreasonable number of committee-rooms, and agents being engaged merely for influencing in fact their votes. The constituencies must be no longer treated as spoil babies—who could do nothing for themselves, and left all for the candidates to do. They should endeavour to establish a sound moral and independent feeling in the constituency. He did not make these assertions in the security of a Peer of Parliament and as one who had no necessity to go to the country, because on a former occasion when he contested Middlesex he informed the electors that if they expected him to expend some thousand pounds he should consider that he sat for his money more than their votes. And the consequence was that they concurred in his views, and he was re-elected. Another remedy to which he attached great importance was that borough or county should pay the expenses of taking the poll by a local tax imposed for that purpose, which would reduce the expenses by two-thirds. He had himself introduced a Bill into Parliament placing the expenses of the polling on the electors, but the measure did not get beyond the second reading. He had

never altered his opinion, that if they wanted independent Members they must first have independent constituencies. He would, therefore, propose, as an Amendment to the Resolution affirming the propriety and necessity of a general Commission, the following:—

“That this House is not therefore prepared to assent to the Addresses in which they are asked to concur, but they are ready to join that House in concerting measures for suppressing bribery at elections, which in their opinion is capable of being dealt with with the knowledge they already possess.”

EARL GREY thought that as several Peers were present who did not hear the previous discussion on this subject, it would be for their Lordships' convenience if he stated the real nature of the Amendment which he had ventured to propose. His noble Friend (Earl Russell) invited them to concur with the other House in an Address to the Crown, the effect of which, under the Corrupt Practices Act, would be to cause an inquiry to be instituted as to the extent to which bribery had been practised in the borough of Lancaster at the last election; and this, if agreed to, would be followed by a similar step with regard to three other boroughs. Now, he (Earl Grey) asked their Lordships, instead of concurring in those Addresses, to adopt a Resolution pointing out the undeniable fact that the ten previous inquiries that had taken place under this Act had been totally without result, although in eight of those cases gross bribery was proved to have been practised. It was true that Bills were introduced into the other House to disfranchise the electors of certain of these places who were shown to have been bribed; but it was held that such a measure would be inconsistent with the terms of the indemnity under which they gave their evidence, and by a general concurrence of the House the Bills were abandoned. Moreover, it had been stated before a Select Committee of the House of Commons that these Commissions had a very mischievous tendency, and rather tended to promote than to check bribery, for men came forward under the shelter of the indemnity conferred upon them by the Act of Parliament, and actually boasted of the bribes they had received—so that the effect was rather to raise the price of votes than anything else. A noble Friend of his, whom he did not see present (Earl Fortescue), had confirmed this from his personal experience, stating that these inquiries

took away any little shame that might have formerly attached to the receipt of bribes, that they led men to boast of their proceedings, and that they made persons who had not hitherto shared in such corruption anxious to participate in the advantages. That such was the practical effect of these special inquiries was a fact which he (Earl Grey) believed no one could deny, and he therefore asked their Lordships, instead of concurring with the Commons in the Address to the Crown, to agree to a Resolution setting forth the failure of former Commissions, this be followed up by a Resolution proposing a more general inquiry. Now, the nature of that proposal had been greatly misunderstood. It seemed to be supposed that what he suggested was a roving Commission to travel about the country and inquire into the prevalence of bribery in various places. Nothing, however, could be more foreign to his intention. What he proposed was, that a Commission should be appointed to assist Parliament in the very difficult task of legislating against bribery. For that purpose it would be necessary to obtain evidence as to the method by which bribery was now commonly carried on, the devices by which the law was evaded, and the best means of meeting those devices. Such an inquiry, if intrusted to competent persons, need only last a very short time. The witnesses whom it would be advisable to call would be a few Parliamentary and electioneering agents and barristers who had had personal experience of these special Commissions. All the necessary information would thus be obtained to enable the Commissioners to judge by what means the law could be best improved. It appeared to him that every discussion on the subject had shown the desirability of a general inquiry of that kind before Parliament proceeded to the work of legislation, for he believed there was no subject in the world on which legislation was more difficult. The law, it was true, was stringent enough if they could only bring it into full play; but so many devices were resorted to, and money was given by such indirect means, that bribery was extremely difficult of detection. Moreover, when speaking of bribery, they ought to consider not merely what came strictly within that category, but the general expense of elections. The enormous cost of elections at the present time was, he thought, one of the greatest evils which had to be contended with. Printers, public-house keepers, proprietors

Earl Grey

of hackney carriages, and other persons had a great interest in keeping up contests for the sake of sharing in the money that was expended, and a general inquiry such as that he proposed might properly inquire into the means by which that expenditure could be reduced. It had been said, indeed, that they had already sufficient information on the subject, and that it was the duty of the Government to propose measures for dealing with the question. But it should be remembered that on questions of a much less difficult nature both the Government and Parliament had derived great assistance from the investigations of Commissions as to defects in the law, and the means by which those defects could be remedied. Everybody admitted that the last Act on this subject had been utterly useless, and in many respects worse than useless; and he was quite sure that though the responsibility of proposing a measure on the matter must ultimately rest with the Government, they had a right to claim the assistance that could be given them by qualified Commissioners. Every discussion that had taken place showed how very vague were the ideas that were entertained as to the nature of the remedies that were required. He believed the effect of increasing the stringency of the penalties on bribery would be to revolt public feeling against the law and increase the difficulty of obtaining evidence to convict those who were guilty of the offence. He was not one of those who were very sanguine as to the entire success of measures for putting a stop to it. He was afraid the causes of it were such that it was impossible to suppose the evil could be entirely eradicated. Still, the evidence which had been obtained did prove that there were measures which might be adopted that would have a great tendency to diminish the disposition to give and take bribes, and at the same time to diminish the great cost of elections, which in itself was a kind of corruption. His noble Friend (Lord Ebury) had pointed to one of these—namely, the preventing of candidates paying for the conveyance of electors to the poll. But if that measure were adopted in a large constituency where men were much occupied, except where a very great interest was felt in the result of the contest, only a very small percentage of the electors would come to the poll. It would, besides, have a very unfair effect in many contests. On one side there might be no difficulty whatever in providing private carriages or other means of convey-

ance to the voters ; while the other, having little or no connection with the gentry of the county, would have the greatest difficulty in bringing the voters to the poll. Other suggestions had been made. It had been strongly urged by two or three gentlemen of great experience on this subject, that instead of having votes given at the poll some authorized and responsible public officer should leave voting papers at the houses of the electors, and after a reasonable time allowed for having them filled up call for them again. This would not only prevent that form of bribery which consisted in carrying voters to the poll, but also those payments for loss of time which the friends, in spite of the most earnest wishes of candidates, could hardly be prevented from making. It was, undoubtedly, an immense hardship where a man was earning not more than was required for the wants of his family that he should lose half a day's wages in order to give his vote ; and in London and many other large places, according to the evidence of electioneering agents, it appeared that half a day's labour would be lost in many instances. His noble Friend (Lord Ebury) had also called attention to the fact that bribery very often first showed itself in cases where parties were very nearly equally divided. That was the case the other day in Windsor. Where parties were nearly balanced, a number of persons held back to the last moment in order to make the most of their votes. As these persons had it practically in their power to turn the election, one party began to purchase their votes, and the other was almost sure to follow the example. In such cases bribery was a very contagious disease. When a man saw his neighbour get a £10 note, he said to himself it would be a great convenience to him, it would pay his rent, exempt his family from much privation, and he might as well have it as his neighbour. Another suggestion was that voters should be able to give as many votes as there were candidates, and either divide or give them all to one candidate. That would diminish the number of contests and the enormous expense of elections. It had been stated that at the last general election the sum expended was not less than £2,000,000. This had not only been wasted but spent to a great extent in demoralizing the people. He had mentioned these suggestions not because he was prepared to recommend the adoption of any one of them, but because the fact that they

had been made showed how desirable it was that the whole matter should be carefully scrutinized and considered. With that view he had ventured to recommend that they should propose to the other House that, instead of having partial and useless inquiries into the extent of bribery in particular boroughs, they should have an inquiry into the means by which corruption and expense at elections generally might be best avoided. But in the first instance that was not the question before them. The first question was whether they should concur with the House of Commons in the Address to the Crown proposed. If their Lordships declined to concur in that Address they would not be in the slightest degree pledged to adopt all or any one of his Resolutions. These Resolutions would afterwards be separately and deliberately considered, and of course they were liable to be amended—especially the sixth, on which his noble Friend (Lord Ebury) stated he had an Amendment to move, to which he had no objection except that his noble Friend proposed legislation before inquiry had taken place. These Commissions were not only useless, but did mischief. But it might be said it was a strange thing for that House to refuse its concurrence in measures taken by the other House on such a subject. He could not, however, see the force of that objection. The Act of Parliament rendered the concurrence of both Houses necessary to the issuing of these Commissions. Their Lordships therefore had a discretion to exercise on the point. They also learnt from the ordinary channels of information that these Addresses were adopted rather as a matter of course on the Motion of the Chairman of Election Committees. Very different opinions in regard to them had since been expressed in the House, many Members declaring that they could lead to no possible useful result, and that they were adopted only to beget an impression on the public mind that Parliament had a holy horror of bribery while taking care to do nothing real on the subject. Their Lordships were not only at liberty, but were bound, to exercise their discretion in considering whether these Commissions of Inquiry were or were not calculated to check bribery. If they thought that the Commissions were not calculated to effect that result, then it was their duty to withhold their concurrence in the proposed Address to the Crown.

EARL RUSSELL thought that there would be great difficulty in refusing to

concur with the House of Commons in an inquiry of this kind. His noble Friend (Earl Grey) had said truly that, as the law stood, their Lordships had to concur in an Address to the Crown before any inquiry such as this could be set on foot; and it was perfectly true that it was never meant that their Lordships should be bound by the decision of the House of Commons in these matters; and that if their Lordships thought that in any particular case there was not sufficient evidence to justify an inquiry by Commission, that would be a sufficient reason why they should refuse to concur in the Address to the Crown. The question now was whether, their Lordships having no measure before them to diminish or check bribery, there was any sufficient ground for refusing to join in this Address, and leave these boroughs, in which it was alleged extensive corruption prevailed, to perfect impunity. It did not matter how these inquiries were conducted. Formerly they were carried on at the Bar of the House of Commons, and forty-seven years ago he himself conducted an inquiry, which was carried on at the Bar of the House, and he examined the agents and other witnesses as to the bribery committed. But at the present time it would hardly be possible, with the great increase of business before the House of Commons, to carry on inquiries such as these at the Bar of the House, and therefore of late years Parliament had adopted the mode by which these inquiries could be delegated to Commissioners. The question was whether they should have an inquiry, and not as to the mode of the inquiry. They must either leave these boroughs with perfect immunity from a punishment for the great corruption which was said to exist, or they must join the House of Commons in the Address to the Crown. With regard to Totnes, the Committee reported that corrupt practices prevailed at the last election, and that on former occasions corrupt practice had extensively prevailed. Were their Lordships to say, because that there was no general measure ready to check corrupt practices they would not join in proposing the only mode of inquiry that was open to them in reference to this particular borough? Such would be the effect of their refusing to pass the Resolution. With respect to the efficiency of this mode of inquiry, he might mention the instances of three or four boroughs. In the cases of Shoreham and Aylesbury, the result of inquiry was that the boundaries of these boroughs were enlarged; and in the

cases of Sudbury and St. Alban's the result was the disfranchisement of those boroughs. The Members for the disfranchised boroughs were transferred to the county of York and the borough of Birkenhead, and he challenged any one of their Lordships to say that the bribery which formerly prevailed was transferred to these places. If he were right in his opinion upon this matter, then it was plain that the remedy which had been provided in those cases was efficient. He did not say that measures might not be adopted to render the law as to bribery still more efficient; but in the absence of a remedy of a different character, he thought their Lordships ought to agree to apply the remedy that existed. He had no objection to inquiry into the general law as to bribery, but their Lordships had not taken any steps towards such an inquiry. If there had been a Commission which had made a Report, and a Bill had been founded upon that Report, he could then have understood this Amendment in favour of adopting improved remedies instead of having the old mode of inquiry. They ought not, however, to abandon the old and accustomed mode of inquiry until they were prepared to adopt some other mode in its stead. His noble Friend (Earl Grey) had said that the expenses of election had much increased, but he (Earl Russell) conceived that they somewhat exaggerated the existing evil from a forgetfulness of the extent of the evil as it prevailed in past days. He remembered that on one occasion when Lord Fitzwilliam contested the county of York, each party spent the enormous sum of £100,000. Of this sum he had heard that no less than £7,000 was spent in supplying the ribbons to the wives and daughters of electors, which was in itself a kind of bribery. He remembered also speaking to Lord Fitzwilliam, when his Lordship said that he and his father had determined to be more economical at the then coming election; and when asked how much they intended to spend, he said that they had agreed not to spend above £30,000. He (Earl Russell) therefore said that when it was said that matters had become much worse of late years, there was some exaggeration in the statement. His belief was that no general measure would extinguish bribery at elections. A gentleman did not go to a borough with the intention to commit bribery; but wishing for the great distinc-

tion of being a Member of Parliament, he trusted to his agents, who applied the money placed in their hands for bribery. He remembered asking Mr. Charles Austen, an able advocate before Committees, how he would prevent bribery and the answer was, that he would not bring up before the Committee three or four wretched persons who had received bribes, but he would go to the bankers and ask how much money had been deposited with them, and if they confessed that they had received £3,000 or £4,000, and paid it over to the election agents, and those agents were afterwards proved to have been guilty of bribery, the whole truth of the matter would be ascertained. His (Earl Russell's) own opinion was that one of the chief means of checking bribery at elections was, no doubt, the presentation of a petition against the return of the member elected under its influence, but then it often happened that the defeated candidate was not in a position to incur the expense which the adoption of that course would involve. If, however, an inquiry before an Election Committee was instituted, and that Committee reported that they had reason to believe that in several instances bribery had prevailed in a particular borough, a Commission might then be appointed to take evidence upon oath; and if the result of their investigation proved the Report of the Committee to be justified by the facts of the case a Bill for the disfranchisement of the borough might be introduced. That was at present the most effectual mode of putting a stop to corrupt practices, although it was hardly to be hoped that it would do away with them altogether. He quite concurred in the opinion that too great immunity was now given to persons who confessed themselves guilty of bribery under the existing Act, which, while it guarded them against the consequences of a penal prosecution, did not prevent their being disfranchised by Parliament. He would not say that he was very sanguine that any steps which the Legislature might take would completely check bribery, but he had less faith in the suggestion made with that object by his noble Friend who moved the Amendment than in the course which he invited the House to adopt. That being so, he hoped their Lordships would give their assent to the original Motion.

LORD BROUGHAM was of opinion that the issue of a Commission, whatever punishment might result to individual boroughs,

would scarcely prove to be otherwise than a most inefficient and partial remedy for the evil against which it was directed. The bribery which had of late prevailed was a scandal to the country; it affected the character not only of the Legislature, but that of the people at large. He had no doubt that when the House of Commons was anxious and determined to put an end to it, it would find that it had to a great extent the means in its own hands: for he could not help thinking that if every Member were obliged, in conformity with a Standing Order of that House, to make, on taking his seat, a declaration to the effect that no money beyond the legal expenses had been laid out by himself, or so far as he was aware, by his agents, to procure his election, a considerable check would be placed on the commission of an offence of which there was so much reason to complain. No person could make this declaration who had paid a large sum for the purposes of his election, because he must be perfectly aware that such sum could not be expended in legal expenses. He was told, however, that legislative measures, in addition to the declaration, were necessary, and that these measures should provide for the punishment of the bribers. He might remind their Lordships that previous to 1811 the profits accruing from the slave trade were so large that the measures taken to put it down had proved ineffectual, but that things assumed a very different aspect after passing the measure which he had in that year introduced, making the trade in slaves a felony. He did not, indeed, mean to contend that bribery should be placed in the same category; but then it might be made a misdemeanor punishable by fine and imprisonment. If that course were taken, he was certain that candidates for Parliament would not run the risk, not only of losing their money, but of being put upon the treadmill.

On Question, Whether the Words proposed to be left out shall stand Part of the Motion? Their Lordships *divided*:—Contents 77; Not-Contents 17: Majority 60.

Resolved in the Affirmative: Then the Original Motion was *agreed to*.

CONTENTS.

Cranworth, L. (L. Chancellor.)	Somerset, D.
Cleveland, D.	Bristol, M.
Devonshire, D.	Normanby, M.

Airlie, E.	Churston, L.
Bantry, E.	Clandeboyne, L. (<i>L. Dufferin and Claneboyne.</i>)
Belmore, E.	Clermont, L.
Caithness, E.	Dacre, L.
Chichester, E.	Feversham, L.
Clarendon, E.	Granard, L. (<i>E. Granard.</i>)
De Grey, E.	Hatherton, L.
Devon, E.	Heytesbury, L.
Ducie, E.	Hunsdon, L. (<i>V. Falkland.</i>)
Efingham, E.	Keane, L.
Granville, E.	Kilmaine, L.
Leven and Melville, E.	Minster, L. (<i>M. Conyngham.</i>)
Lucan, E.	Mont Eagle, L. (<i>M. Sligo.</i>)
Malmesbury, E.	Mostyn, L.
Manvers, E.	Northbrook, L.
Minto, E.	Oxenford, L. (<i>E. Stair.</i>)
Morley, E.	Panmure, L. (<i>E. Dalhousie.</i>)
Nelson, E.	Ponsonby, L. (<i>E. Bessborough.</i>) [<i>Teller.</i>]
Powis, E.	Portman, L.
Russell, E.	Saltersford, L. (<i>E. Courtown.</i>)
Stanhope, E.	Saye and Sele, L.
Stradbroke, E.	Seymour, L. (<i>E. St. Maur.</i>)
Stratford, E.	Silchester, L. (<i>E. Longford.</i>)
De Vesci, V.	Stanley of Alderley, L.
Eversley, V.	Stuart de Decies, L.
Falmouth, V.	Sundridge, L. (<i>D. Argyll.</i>)
Halifax, V.	Talbot de Malahide, L.
Hawarden, V.	Taunton, L.
Lifford, V.	Vaux of Harrowden, L.
Stratford de Redcliffe, V.	Wensleydale, L.
Torrington, V.	Wrottesley, L.
London, Bp.	
Peterborough, Bp.	
Ripon, Bp.	
Abinger, L.	
Belper, L.	
Brougham and Vaux, L.	
Camoy, L. [<i>Teller.</i>]	
Chaworth, L. (<i>E. Meath.</i>)	
Churchill, L.	

NOT-CONTENTS.

Albemarle, E.	Charlemont, L. (<i>E. Charlemont.</i>)
Fortescue, E.	Ebury, L. [<i>Teller.</i>]
Grey, E. [<i>Teller.</i>]	Lovel and Holland, L. (<i>E. Egmont.</i>)
Shrewsbury, E.	Northwick, L.
Zetland, E.	Somerhill, L. (<i>M. Clanricarde.</i>)
Clancarty, V. (<i>E. Clancarty.</i>)	Stewart of Garlies, L. (<i>E. Galloway.</i>)
Oxford, Bp.	Stratheden, L.
Blantyre, L.	Wenlock, L.
Brodrick, L. (<i>V. Middleton.</i>)	

Then the Joint Addresses in respect to the Great Yarmouth Election, Reigate Election, and Totnes Election were severally agreed to.

EXCHEQUER AND AUDIT DEPARTMENTS BILL—(No. 108.)—(*Earl Granville.*)
COMMITTEE.

Order of the Day for the House to be put into a Committee read,

Moved, "That the House do now resolve itself into Committee."—(*Earl Granville.*)

LORD BELPER rose to move the Amendment of which he had given notice, that the Bill be referred to a Select Committee. He had stated some objections to the Bill on the second reading, and he could not consider the answer which he had then received as satisfactory. The Bill proposed an important change in the constitution of the Audit Board, and the principal question which their Lordships had to consider was whether the duties of audit could be better performed by a Board as hitherto, or by a single individual as proposed by the Bill? The Lord President had referred to the constitution of other public departments as an authority for the present measure. But it must be remembered that those departments had been constituted for executive or administrative purposes, whereas the Audit Board possessed no executive powers, but was entirely a deliberative body; and it was important that this distinction should not be overlooked. He should endeavour to show—First, that the duties of the Audit Board were such as could not be satisfactorily discharged by a single person; and second, that even were this possible, that person would not be in a position to exercise due control over other departments, and to resist the pressure which would be brought to bear upon him. He would shortly explain the nature of the duties of the Board. The examination of the public accounts was in the first instance intrusted to inspectors with the assistance of clerks, whose duty it was to ascertain—First, that there was due previous authority for making every payment; and second, that there was a proper receipt or voucher for every payment when made. But questions of some difficulty and importance often arose in the performance of these duties. There might be doubts as to the construction of the Act of Parliament containing the authority for the payment; or in cases where an ordinary voucher could not be produced, questions might arise as to the evidence of the payment which should be required; or, lastly, the payment might, on the face of it, appear to be so extravagant or improper as to require further explanation. In these, and all similar cases, the question was referred for the decision of the Board,—in ordinary cases to two of the Commis-

sioners; but in all questions of difficulty or importance to the whole Board. The question was then fully considered and discussed, and the decision of the Board was given in writing and was signed by the Commissioners. Under the Bill it was proposed that the whole of these duties should be transferred to one man—namely, the Auditor General; the Assistant Auditor being authorized to act only in the absence of the Auditor General. It would be for their Lordships to consider how far it would be practicable for these duties to be performed by a single officer, who would thus be deprived of the advantage of consulting with colleagues equally responsible with himself, and of hearing the question thoroughly sifted and discussed by intelligent men of different views. He was assured by those who must be best qualified to form an opinion on this subject, that it was impossible that these duties could be satisfactorily performed in such a manner. He might also refer to the Report of the Committee of the House of Commons on Public Monies, which sat a few years ago, and which inquired very fully into the duties of the Board of Audit. This Committee made no recommendation for reducing the number of the Commissioners; but, on the contrary, it had been stated by the noble Lord near him (Lord Northbrook) on the second reading of the Bill, who spoke with authority as Chairman of the Committee, that in the opinion of the Committee the Board would require to be strengthened in case additional duties should be thrown upon it. If, therefore, he might thus assume that four Commissioners were not more than sufficient for the discharge of these duties at present, how were they to be satisfactorily performed by a single person? It was true that the Auditor General might get through his business by signing, after little inquiry, the papers which might be laid before him by the Inspectors; but it would be for their Lordships to consider how far it would be desirable that the decision of these important questions should be practically left to subordinate officers, who were subject to no responsibility in such matters, and who had been appointed with a view to very different duties. But assuming, for the sake of argument, that these duties could be satisfactorily performed by a single person, how could it be expected that any one man could resist the pressure that would be brought to

bear upon him, or could act as an effective check and control on the Treasury and other great public departments? When an important question has been fully discussed by four intelligent men, differing probably in their politics and characters of mind, they have come to a unanimous decision, which has been recorded in writing with their signatures attached to it, it must be difficult to set aside such a decision. The members of such a Board will be a check upon, and also a support to, each other in the performance of their unpopular duties. But how could any single person set himself in opposition to the Treasury on any such question? He might reasonably distrust his own opinion when he found it opposed by such an authority as the Treasury; and he would feel that it would not be likely to have weight either with Parliament or the public. If it was intended to make the Audit Department entirely subordinate to the Treasury, the Bill would, no doubt, have that effect; but if it was desired to uphold its independent jurisdiction as a check and control on the Treasury and other departments, he believed that the Bill would be an entire failure. It was obvious from the Report of the Committee on Public Monies, to which he had already referred, that that Committee had never contemplated the abolition of the Board; and he thought that he was justified in assuming that they would have been opposed to its abolition altogether. It was true that that measure had been approved by the Committee on Public Accounts, though on what grounds they had come to that conclusion did not appear. But even that Committee had never recommended a single Auditor. The Bill, as reported by that Committee, contained provisions for the appointment of two Auditors under the names of Auditor General and Assistant Auditor, who were both to hold patent offices, and to possess co-ordinate jurisdiction; but the Bill had afterwards been altered in the House of Commons so as to deprive the Assistant Auditor of all such powers, and to confine his functions to the representation of the Auditor General in his absence. It seemed strange that, when two Auditors were considered necessary for the accounts of every joint-stock company and charitable institution throughout the country, the duty of superintending the audit of the public accounts of this great nation, and of deciding all questions relating to them, should be intrusted to a single person.

Before he sat down he would briefly refer to other clauses of the Bill which confirmed him in his apprehension that it was intended to render the Audit Department subordinate to the Treasury. The Public Monies Committee had spoken of the Audit Board as a great Department of the State which was responsible to Parliament alone, and they had accordingly recommended that the Board should communicate with Parliament direct. But by the Bill it is expressly enacted that they shall communicate with Parliament only through the Treasury. There are also various other clauses giving the Treasury the power of directing them, and interfering with them, in the performance of their duties. He thought it right also to call their Lordships' attention to the fact that by this Bill it was proposed to unite permanently the office of Comptroller of the Exchequer with that of Auditor General. The question of the union of these two offices had been very fully considered by the Committee on Public Monies, who had come to a different conclusion. He thought, therefore, that the grounds upon which their decision was to be set aside ought to be explained. The question, however, to which he more particularly wished to call the attention of their Lordships was that of the abolition of the Board of Audit. Previously to the establishment of that Board, the subject had been fully considered by Mr. Pitt and Mr. Huskisson, and the Bill for its establishment was carried by Lord Henry Petty sixty years ago. During that time the system was admitted to have worked well, and to have been a great improvement on the previous system; and he would be sorry to see the present Board abolished unless it could be shown that a better tribunal would be substituted in its place. As it would be impossible to consider the details of such a Bill in the whole House, he proposed to refer the Bill to a Select Committee. He had been told that the alteration of the Bill by their Lordships would be inconsistent with the privileges of the House of Commons. But if that should prove to be so, and if the Bill should be found in the Committee to be liable to the objections which he had stated, he was of opinion that it would be much better to withdraw the Bill altogether, and to introduce an amended measure hereafter. In conclusion, he wished to state that he had felt great reluctance in addressing their Lordships on this subject, and that

Lord Belper

he had done so only under a strong sense of duty.

An Amendment *moved*, to leave out from the word ("That") to the end of the Motion, and insert ("the Bill be referred to a Select Committee.")—(*Lord Belper.*)

EARL GRANVILLE said, he fully concurred with the noble Lord as to the importance of the subject, but he thought the arguments employed by the noble Lord were insufficient to convince their Lordships of the inexpediency of adopting the course he proposed. He had it from the highest authority in their Lordships' House and in another place that there was hardly any alteration they could make in the Bill which would not involve its rejection as an interference with the privileges of the other House. The Bill dealt with the audit of Public Accounts, and that was a function which belonged peculiarly and primarily to the House of Commons, by whom the provisions of the measure had been fully discussed at each of its various stages. It had also received consideration, he believed, at the hands of the Public Monies Committee, composed of such men as Mr. Bouverie, Mr. Laing, Sir Stafford Northcote, Mr. Walpole, and other Gentlemen, who had paid great attention to the subject. He thought, therefore, that if their Lordships did deem it necessary to make any alterations in the measure, such as were likely to induce its rejection by the House of Commons, it was due to the other House that such alterations should be proposed and discussed where their opinions were heard, rather than that they should be made in a Committee upstairs, where their decisions constituted the only information afforded to the public. There could be no objection to the Report going through the Treasury, instead of going direct to the House of Commons through the Board of Audit, as it would be impossible for the Treasury to garble such a document. At all events, the matter was not of sufficient importance to be made the ground for endangering the Bill. Another question of more importance related to the proposal for the combination of the offices of the Comptroller of the Exchequer and the Board of Audit. The matter had been fully considered by the Public Monies Committee, and, with the exception of Sir George Bowyer, scarcely anybody would agree with the noble Lord behind in the strong opinions he held upon the question. The weight of authority was decidedly against the separation. The other impor-

tant point that was raised by the noble Lord was whether it was right that a single person, with an Assistant, should be substituted for a Board. On this subject he must repeat the opinion he had expressed on the previous evening—namely, that where it was necessary that knowledge of a special and different character should be represented at the head of a Department—such as the Admiralty or the Indian Department, a Board might possibly be desirable—though even that was a question on which different views might be entertained; but that where as in the present case the duties to be performed, although difficult, were straightforward and uniform, they would be best discharged by an individual. From his own experience, and the experience of almost all with whom he had conferred on the subject, the responsibility of the office would be much more deeply felt when thrown upon one single individual than when shared by four, five, or six persons. The noble Lord said the other day that the duties of the Audit Board had been greatly increased of late, and that, therefore, an individual would not be capable of properly discharging them. It should not, however, be forgotten that the head of the Department would be assisted by inspectors, examiners of accounts, and assistant examiners of accounts, by whom all the business would be prepared for the eye of the chief. The noble Earl (Earl Granville) said the other day that the difficult questions arising in the Department were decided by a Committee of either two or four Members of the Board; but in truth they were usually determined by a Committee of one Member of the Board. But it was quite clear that when the business was brought up to a certain stage one competent man assisted by a highly paid subordinate could easily perform all the duties that would be required of him. The noble Lord (Lord Belper) had also suggested the possibility that if an individual were substituted for the Board he might not be able to endure the pressure which would be periodically put upon him by the Treasury. The noble Lord had requested him to consult the officers of the Audit Board as to the pressure put upon that Department in getting up the Report of the Public Accounts for Parliament. He had not spoken to those officers upon the subject, but he was authorized to state that the Report was drawn up exclusively by two Gentlemen connected with the Department, one being Mr. Macaulay, who had written with so

much ability upon the subject of finance, and the other being Mr. Vine, who was well known to be thoroughly conversant with the subject he had to deal with. Under these circumstances, the extra pressure would not be felt by the individual at the head of the Department. The noble Lord further argued that the decisions of a Board carried more weight than did those of an individual: but surely the instances of the Courts of Law, where single Judges sat daily to decide most important judicial questions, was a sufficient answer to such an argument. The House of Commons, whatever opinions they might formerly have entertained upon the subject, were now almost unanimously in favour of the Bill, and the Committee of the House which had passed a Resolution in favour of an Amendment rather adverse to its principle had since informed the Chancellor of the Exchequer that they now desired that the Bill should proceed in its present form. It had been suggested that the Department should be under the control of two persons having equal authority; but if the business were to be properly conducted, it must be conducted by one responsible head. The Bill proposed to substitute for a Board a person of high position, who would receive a large salary, who would be responsible to Parliament for the manner in which he performed his duties, and who would hold his office for life. He appealed to their Lordships whether it was desirable to send the Bill before a Select Committee, after the opinion that had been expressed in its favour by the House of Commons.

LORD NORTHBROOK, having stated objections to the details of the Bill, said, that his main objection to it was that the Auditor appointed under the Bill would be virtually the servant of the Treasury, and would not have that control over the public expenditure which he ought to possess.

On Question, Whether the Words proposed to be left out shall stand Part of the Motion? *Resolved* in the Affirmative: Then the original Motion was *agreed to*: House in Committee accordingly; Bill *reported* without Amendment; and to be read 3^a on *Monday* next.

PRIVATE BILLS.

STANDING ORDER NO. 184.

Select Committee *nominated*, to consider Alterations in Standing Order No. 184. proposing that a Subscription Contract shall be entered into in certain Cases by the Promoters of Second Class

Bills: The Lords following were named of the Committee:

Ld. President	E. Stradbroke
D. Cleveland	V. Eversley
M. Lansdowne	L. Redesdale
M. Salisbury	L. Somerhill
M. Bath	L. Portman
E. Lucan	L. Stanley of Alderley
E. Belmore	L. Overstone
E. Grey	

LORD STANLEY OF ALDERLEY said, that the noble Lord the Chairman of Committees, who had reserved to himself the power of nominating the Committee, had certainly not neglected the opportunity of selecting the names of Peers favourable to his own view. He felt it necessary to give notice for Monday of the addition of four other names.

LORD REDESDALE denied that the Committee was a packed one.

EARL GRANVILLE thought both sides of the House should have been equally represented.

LORD REDESDALE said, that nine of the Members had been taken from the Ministerial side of the House and only six from the other.

LORD STANLEY OF ALDERLEY would make this compromise with the noble Lord: he would be satisfied with the addition of three names: Lord Taunton, Lord Halifax, and Lord Bessborough.

House adjourned at Eight o'clock,
to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, June 8, 1866.

MINUTES.]—NEW MEMBER SWORN—George Patton, esquire, for Bridgwater.

PUBLIC BILLS—*Ordered*—Princess Mary of Cambridge's Annuity.*

First Reading—Princess Mary of Cambridge's Annuity* [183].

Second Reading—Carriage and Deposit of Dangerous Goods* [168]; County Assessments* [179].

Committee—Court of Chancery (Ireland) [R.P.] [19]; Transubstantiation, &c., Declaration Abolition [82].

Report—Dean Forest (Walmore and the Bearce Commons)* [182]; Transubstantiation, &c., Declaration Abolition [82].

Third Reading—Standards of Weights, Measures, and Coinage* [166], and *passed*.

METROPOLIS—LEICESTER SQUARE.

QUESTION.

MR. WALDEGRAVE-LESLIE said, he would beg to ask the hon. Member for Bath, Whether the Metropolitan Board of Works have any intention of causing the inclosure in Leicester Square to be turned into a garden or ornamental ground under the provisions of the Gardens in Towns Protection Act, 1863; and, if so, how soon the garden will be proceeded with?

MR. TITE stated, in reply, that the Act of 1863 was intended to authorize the Metropolitan Board of Works to take in hand any neglected open spaces, such as Leicester Square, and to lay a rate upon the inhabitants of the locality to defray the expenditure incurred in their improvement, but great difficulty had been experienced in carrying into effect that Act. After inquiry, it was found that there were 153 open spaces in the metropolis which would come under its operation, and that twenty-six had been extremely neglected. Leicester Square was obviously one of the worst, and, after taking the advice of eminent counsel, in 1864 notice was given of the intention of the Board to put the Act in operation in regard to that Square. A counter notice was immediately received from the owners stating that the Board had committed a trespass. They defended themselves in the court, and at the close of 1865 the action was tried. A verdict by consent was taken, and several points of law were reserved for the consideration of the Court of Queen's Bench. A special case had been agreed upon, but the matter could not be argued before the Judges until November this year. Until the point of law should be determined it was perfectly impossible for the Board to undertake any operations whatever. It might be advisable in another Session to bring in some measure with a view of amending the Act so as to make it operative, but at present they could do nothing beyond taking legal proceedings.

NAVY—THE "ROYAL SOVEREIGN."

QUESTION.

MR. O'BEIRNE said, he wished to ask the Secretary to the Admiralty, Whether it is true that their Lordships have decided upon testing the resisting power and general efficiency of the cupola system by firing at one of the turrets of the *Royal Sovereign*; and, if it has been so decided,

whether he has any objection to state to the House the nature of the experiments proposed?

MR. BARING: It has been decided, Sir, to fire at one of the turrets of the *Royal Sovereign*, in accordance with the recommendations of the Turret Ship Committee—whose Report is in the hands of Members. The precise details of the experiment are not quite settled.

SCOTCH AND IRISH REFORM BILLS.

QUESTION.

SIR FREDERICK HEYGATE said, he would beg to ask Mr. Chancellor of the Exchequer, When he intends to proceed with the Second Reading of the Scotch and Irish Reform Bills?

THE CHANCELLOR OF THE EXCHEQUER: Sir, the hon. Member, I am quite sure, will not be surprised when I tell him I am not prepared to make any statement on the subject of his question. I engage that full notice shall be given before the day arrives for proceeding with either Bill, but from the most encouraging view I can possibly take of the state of affairs I do not think it will be a very early one.

MR. WHITESIDE said, he wished to know whether the second reading of the Scottish and Irish Bills would be taken before the present Bill was disposed of?

THE CHANCELLOR OF THE EXCHEQUER: I am not prepared to make any answer to the question of the right hon. and learned Gentleman. It must necessarily depend upon the course of events, and I do not know what public convenience may dictate, but certainly our intention at present is to proceed with the clauses of the Bill now before the House, and not to allow any other question to interfere with it.

LANDLORD AND TENANT (IRELAND) BILL.—QUESTION.

LORD NAAS said, he understood that the Landlord and Tenant (Ireland) Bill was to be brought before the House for further discussion some time next week, he would therefore beg to ask, Whether that was the intention of the Government?

THE CHANCELLOR OF THE EXCHEQUER said, there was no such intention on the part of the Government; but full notice would be given when a day was determined upon.

ITALY—NEW MERCANTILE CODE.

QUESTION.

MR. GREGORY said, he wished to repeat the question which he put to the Under Secretary of State for Foreign Affairs on a former occasion—namely, Whether, by the new mercantile code of Italy, the right of capturing an enemy's merchant vessels had been abandoned by the Italian Government in all cases where the same concessions had been made to Italy; and, if that were so, he wished to know whether it was a fact that in the war which appeared imminent the principle of immunity of private property from capture at sea had been recognized by the two great Powers of Austria and Prussia, as well as by the kingdom of Italy?

MR. LAYARD replied that, as he had informed the House the other evening, the Austrian and Prussian Governments had issued a declaration to the effect that they were willing to respect the merchant vessels of belligerents at sea. With regard to Italy, he was not then able to state what course the maritime law of that country would enable the Government to pursue; but he had since heard that the right of capturing an enemy's merchant vessels had been given up.

THE JAMAICA COMMISSION.

QUESTION.

MR. GILPIN said, he would beg to ask the Secretary of State for the Colonies, Whether he can inform the House when the Report of the Jamaica Royal Commission will be laid upon the table?

MR. CARDWELL said, in reply, that the Report of the Jamaica Commission and the minutes of the evidence which were brought home by the Commissioners were so voluminous that although he had got the greater portion he had not yet received the whole of them from the printer. The documents which were brought home subsequently by the secretary were being prepared for publication by that gentleman and the Commissioners, and had not yet reached him. He hoped that the Report and Appendices would be printed and circulated about the early part of the week after next.

MAJOR STUART KNOX: Has the right hon. Gentleman taken any steps with reference to the Bill of Indemnity?

MR. CARDWELL: No. The time for that will be when the Government have

received and considered the whole of the evidence.

CATTLE DISEASE IN THE ISLE OF MAN.

OBSERVATIONS.

MR. H. A. BRUCE stated that he had received the following letter relative to what had been supposed to be the Rinderpest in the Isle of Man:—

"Government House, Isle of Man, June 6.

"Sir,—Since my last report I have had opportunities of examining several cases of the disease at present prevailing among cattle in the Isle of Man, and presumed to be cattle plague. The *post-mortem* appearances in every case were remarkably like, but the symptoms during life essentially different from those observed in cases of rinderpest. In localities where the malady first appeared the animals which were in contact with the diseased ones have given no evidence of being infected, and I have to-day examined a case of the disease which occurred in a cow, pastured in an isolated situation upon the top of a mountain, where communication of disease by contagion is extremely improbable. Some animals are still under observation, but the evidence which has been obtained up to the present justifies the conclusion that the affection from which the cattle in the island are suffering is not rinderpest, but a disease depending entirely upon local causes.

"I have, &c.,

G. J. BROWN."

SUPPLY.

Order for Committee read.

Motion made, and Question proposed,
"That Mr. Speaker do now leave the Chair."

PERSONAL EXPLANATION.

MR. DISRAELI:—I wish, by the permission of the House, to take this opportunity of adverting to a statement which I made in the course of a debate the other night with reference to the conduct of our Plenipotentiary at the Conference of Paris. His name having been introduced in the course of the debate somewhat unexpectedly, with the view of influencing the House in an impending decision, I stated that our Plenipotentiary at the Conference of Paris had entered into a conspiracy against the freedom of the press on the Continent of Europe—especially in Belgium. I do not wish to enter into any controversy upon the statement I made that night with any individual, or in any quarter, whatever; but I think it important that when statements are made by Members of this House—particularly by those who take a leading part in its affairs—this House should be satisfied that those statements are accu-

rate. It is unnecessary for me to enter into any argument on the question. I have only to refer to documents upon our table which will vindicate the statement that I made. It has been alleged that that statement of mine must be inaccurate, because on the occasion in question our Plenipotentiary at the Conference, in answer to an invitation given to the Representatives of different States to address themselves to the subject of the excesses of the press in Belgium—and to the necessity of having recourse to measures to restrain its liberty, stated that it was not for him, as the Minister of a Constitutional country, where the freedom of the press was established, to enter into any union of action for the coercion of the press. But, at the same time, our Plenipotentiary expressed an opinion that if the excesses alluded to by the French Minister were experienced in Belgium, those who committed those excesses were undeserving of the protection which guaranteed to the press its liberty and its independence. It has been said that the most perverted ingenuity could not twist that expression of opinion into an act of conspiracy. Now, Sir, I am perfectly willing to admit that if that was all that was said or done on that subject in the Conference of Paris by our Plenipotentiary my remarks were not only unjustifiable, but they were absurd. Because, an expression of opinion, however objectionable, cannot, by any straining of language, be construed into an act of conspiracy, which must necessarily be an act involving combination with others. I wish to refer to the Protocols of the Conference of Paris, which are on the table of the House, and at the disposition of every hon. Gentleman, in order to illustrate and to explain what really took place. On the occasion in question the Minister of the Emperor of the French called the attention of the Members of the Conference to the great excesses committed by the press, and especially by the press of Belgium, and insisted that some measures of coercion should be adopted in order to terminate evils which otherwise would be productive of great disadvantage to Europe, and would occasion a disturbance of the friendly understanding between nations. On that occasion, no doubt, the Plenipotentiary of Her Majesty did express himself in the manner to which I have adverted; but he was not the only individual who on that occasion expressed his opinion. The Ministers of all the Powers who were represented at

Mr. Cardwell

the Conference in turn expressed their views, and, generally stated, the opinions which they individually expressed were these—an acknowledgment and denunciation of the excesses of the press, especially in Belgium, and their strong and unequivocal opinion that means should be taken to coerce the liberty of the press, and to terminate its action. Well, then, Sir, that happened which always happens when there is a meeting of this nature. Gentlemen will find on reference to the Protocols that every Representative of the Powers present having expressed his opinion, eventually the general opinion of the meeting is ascertained, and is expressed in a concluding paragraph, which denotes the unity of opinion and action of those present at the Conference. The language of the concluding passage in the present instance is before me, and I will read it to the House—

“That all the Plenipotentiaries, and even those who considered themselves bound to reserve the principle of the liberty of the press, have not hesitated loudly to condemn the excesses in which the Belgian newspapers indulge with impunity, by recognizing the necessity of remedying the real inconveniences which result from the uncontrolled licence which is so greatly abused in Belgium.”

That conclusion of the discussion in the Conference was signed by all present, and among the signatures I find that of the Plenipotentiary of Her Majesty at the Conference. Therefore, I think, I was perfectly justified in the remark which I made that there was a combination, or conspiracy, or whatever phrase you may wish to apply to it—that there was joint action among various individuals, who arrived at a common determination and who by subscribing their names proved that they were prepared to carry into effect the recommendations which they had made. But, Sir, when those Protocols arrived in England there was a feeling of great indignation and alarm throughout the country. The matter was brought in detail before the House of Commons by a right hon. Friend of mine, and also by a noble Friend who sits near me. I will not advert to the observations which either of them made, or to any observations which I may have offered on that occasion, because it may be imputed to us that we were influenced by party motives, though on such subjects I trust no strong feeling of partizanship will ever prevail in this House. But there can be no doubt that there was in this House at the time an unanimous feeling on the subject. For

my own vindication, and for the satisfaction of those whom I now address, I will refer to the language of one who, whatever may be his position in this House, will always be one of the highest authorities within it, who had been a colleague of the Plenipotentiary of the Queen, and is now also one of his colleagues, and who on that occasion entered into a discussion of all the questions entertained during the negotiations at Paris, with an ability which, I am sure, those who listened to it still remember. Let me read a passage from his address with regard to the Protocol I have already referred to—

“I do not know whether the House has fully appreciated the purport of that passage, but so important, so momentous, and grave is the fact that a passage couched in those terms should go forth to the world with the signature of the British Plenipotentiary appended to it, that I venture to bring it again under the notice of the Government. The substance of the 22nd Protocol is summed up at the end under four heads, and the fourth, which touches the point, refers to Belgium. And, not in the name of any one, but in the whole assembled Plenipotentiaries, it recites as follows.”

The recital here is the concluding passage of the Protocol which I have already read to the House, and then the speaker continues—

“So that, according to this ill-omened passage, the licence of the press under Belgian law is greatly abused; there is a necessity for remedying the evils which arise from it, and the necessity of remedying the evils which arise from it is recognized by every Plenipotentiary, even those who considered themselves bound to reserve the principle of the liberty of the press. These propositions are of a most formidable character. They touch us very nearly. If the Belgian press be free, what is the press of England?”

Now, those words were used by the right hon. Gentleman the leader of the House—I think well-considered words, and words which were unanimously recognized by the House at the time as a perfect expression of the general sentiment of this Assembly. I have shown, therefore, I trust, to the House that the observations I made the other night were neither unjustifiable nor reckless. For I have been told that if I spoke with a knowledge of these proposals my observations were unjustifiable, and if I spoke without a knowledge of them that they were reckless. On that occasion the right hon. Gentleman vindicated the law of the press prevailing in Belgium, which is a just and a liberal law, and he said this—

“In the Protocol it is intimated clearly enough that if the Belgian law be not altered by gentle means recourse must be had to compulsion.”

I have placed this matter, I hope dispassionately, before the House. After the observations which I made on a former occasion, and having been challenged in a manner which I could not pass unnoticed, I felt it my duty to bring the matter before the House. I think I was justified in the language which I used. The policy thus held up to the reprobation of the House by the right hon. Gentleman, as well as by my friends, was pursued for two years. There was an understanding, no doubt, with the French Government and with others, to effect these changes, and that policy culminated at last in the Conspiracy Bill, which was the cause of the subversion of the first Government of Lord Palmerston.

MR. LAYARD said, not being aware that the right hon. Gentleman intended to bring this subject before the House, I am not prepared fully to answer him. But on the occasion to which he alludes the right hon. Gentleman did not confine himself to making one accusation against Lord Clarendon. He made three distinct accusations against the noble Lord, which, he said, incapacitated him from again being charged with the management of the Foreign Affairs of this country. The first accusation was that he had entered into a conspiracy for the suppression of the free press of Europe. The second charge was that he had agreed to an alteration of the boundaries of Turkey, depriving Turkey of a portion of her territory, and that it required all Lord Palmerston's influence to reconcile the people of this country to the proposal. The third was that he had neglected to support the Circassians in the establishment of a free monarchy on the coast of the Black Sea. I am able to state that all these three charges have no foundation whatever, that they are all, one and each of them, entirely opposed to the facts of the case. The right hon. Gentleman has quoted a passage from the end of the Protocol of the Conference of Paris. Perhaps the House will allow me to read from the Protocol itself what actually took place. Count Walewski having called the attention of the Conference to the subject of the press, on the ground that the Belgian press more especially was accustomed to preach the doctrine of assassination as regards the Emperor of the French, thereby inciting persons in France and elsewhere to assassinate the Emperor, and having suggested that something should be done to prevent

the press from holding such language, what was the reply made by Lord Clarendon to that proposal? Lord Clarendon, after the matter had been somewhat discussed [*Cries of "Order, order!"*—I am reading from the Protocol—replied in the following terms:—

"As regards the observations offered by Count Walewski on the excesses of the Belgian press and the dangers which result therefrom for the adjoining countries, the Plenipotentiaries of England admit their importance; but, as the representatives of a country in which a free and independent press is, so to say, one of the fundamental institutions, they cannot associate themselves to measures of coercion against the press of another State."

There is a distinct and clear statement on the part of Lord Clarendon as Plenipotentiary of this country. He went on to say—

"The first Plenipotentiary of Great Britain, while deploring the violence in which certain organs of the Belgian press indulge, does not hesitate to declare that the authors of the execrable doctrines to which Count Walewski alludes, the men who preach assassination as the means of attaining a political object, are undeserving of the protection which guarantees to the press its liberty and its independence."

The House will see from those words that Lord Clarendon did not speak of the press as being undeserving of the protection which guaranteed its liberty, but of those who preached assassination as being undeserving of that protection. Lord Clarendon drew very distinctly the difference between the press and the men who preached assassination in expressing his opinion before the Conference that the latter were not deserving of the protection which was granted to the liberty of the press. That is what passed at the Conference, and I think that it clearly shows that Lord Clarendon in no way associated himself in any conspiracy against the liberty of the press; but, on the contrary, that he laid down the principle that as the Plenipotentiary of this country he could not associate himself in any measures for the restriction of the liberty of the press. When my right hon. Friend the Chancellor of the Exchequer brought this matter before the House, Lord Palmerston explained what had taken place at the Conference, and his explanation was considered so satisfactory that from that day to this no one had raised a discussion on the point until the right hon. Gentleman the Member for Buckinghamshire referred to it the other night. Lord Palmerston said—

Mr. Disraeli

"Lord Clarendon very properly declared that, as the representative of a country of which the freedom of the press was one of the fundamental institutions, he could not identify himself with any measure tending to destroy that liberty in any other country; and there is nothing in the concluding sentence adverted to by the noble Lord the Member for Colchester which diminished the force of that declaration."

And he further said—

"My noble Friend expressed his determination calmly that he would have nothing to do with any proceeding which tended to any practical restriction of the freedom of the press; and I think the House will perceive that, though those expressions were couched in civil and courteous language, they were not the more liable to be misunderstood, and were quite as effective as if uttered in a violent and angry manner. I can assure the House that, if my noble Friend were left to his own natural impulse, he would never give any countenance to an infringement of the liberty of the press."

That was Lord Palmerston's reply to the charge made in this House against Lord Clarendon, and from that day to this it has been regarded as entirely satisfactory by this House and the country. With regard to Turkey the real state of the case was exactly the contrary to that which would appear from the charge made by the right hon. Gentleman; because after the war there was an addition to the territory of Turkey, and if the right hon. Gentleman looks to the Protocol he will find that it was principally owing to Lord Clarendon that that territory was ceded. I allude to the Bessarabian frontier. It was given to Turkey and a strip of land was given to Moldavia, by means of which cession Russia was deprived of an important portion of territory which gave her access to the Danube. Therefore as Lord Clarendon was an effective instrument in obtaining for Turkey an increase of territory, this accusation also falls to the ground. With regard to the third charge made by the right hon. Gentleman, when the war broke out with Russia it was the desire of the English and French Governments that Circassia should take part in the struggle. The English sent Mr. Longworth to Circassia as their agent, and the French Government also sent an agent, in order to see whether the Circassians would rise against Russia; but though the Circassians had had hostilities with Russia, they were just then at peace with the Russian Empire, and they positively refused to take any part in the contest. Some tribes who had been for a long time at war with Russia agreed to a meeting with the agents, but they never

came; the agents completely failed in their mission; and of their own accord the Circassians took no part in the war between the allies and Russia. At a subsequent period the Circassians sent agents to this country, asking our Government to support their claims to an independent sovereignty. The answer of the Government was that at the time when there was an opportunity for asserting their independence—the time when they might have had the support of England and France—they took no steps to do so, and that therefore we could hold out no hope to them. Would the Government have been justified at that time, after the close of the war, in engaging in a new war with Russia in order to assert the independence of the Circassian people, who had refused to assert it themselves when an opportunity offered for their being supported by England and France? These are the facts of the case, and I venture to say that every accusation which the right hon. Gentleman has raised against Lord Clarendon is utterly without foundation, and that these charges all fall to the ground.

LORD JOHN MANNERS said: I had no idea that the hon. Gentleman was going into a discussion upon the conduct of England towards Circassia in 1857, but I must say that the hon. Gentleman has taken upon himself to give a perfectly novel and an utterly erroneous view of the whole circumstances of the case. Without having the opportunity of consulting the Protocols, I take upon myself to say that in one or two most important particulars the hon. Gentleman—no doubt, unconsciously—is quite wrong. The hon. Gentleman has told the House that the efforts of Mr. Longworth and the agent of the French Government were entirely unavailing; that they could not induce the Circassians to enter into the matter; and that it was not till the war between the allies and Russia had concluded that the Circassians sent here to see if they could get any assistance against Russia. If that were so, I ask what need was there of a Protocol on the subject of the portion of territory on the Black Sea, conquered by the Circassians from Russia during the war? Is not the hon. Gentleman aware that the present Prime Minister made a statement as to the efforts of the English Plenipotentiary to retain for Circassia the forts so conquered by the Circassians. It appeared, however, that for some time the English Plenipotentiary ceased to make any effort for

the independence of Circassia, and handed her over to the tender mercies of Russia. There is no doubt that in the war Circassia did such service to the allies as to deprive Russia of all communication with three or four most important military posts previously occupied on the Circassian coast, but Circassia was at last abandoned when the terms of the peace were announced. That is as palpable and notorious as any fact in history. When the peace was announced I myself, and my noble Friend the Member for Tyrone, raised a debate in this House on the terms of that peace and on the conduct of the English Government towards the Circassians. That debate lasted two nights, I think, and the subject was very fully discussed; but I venture to say that never for a moment did any one in office or out of office contend that Circassia had had nothing to do with the matter, and had taken no part in it. And now for the practical conclusion of this question. I ask the hon. Gentleman, and I ask the House, whether my right hon. Friend was not right in saying that Lord Clarendon, as the Plenipotentiary of this country, did give up all the claims of Circassia? Is not the noble Earl responsible for the termination of the existence of Circassia as a nation? Now she has scarcely a name; now she has ceased to occupy any independent position whatever. My noble Friend the Member for Tyrone and myself ventured to predict what has been accomplished; and to the course taken by the English Plenipotentiary at the Conference is to be attributed the spoliation of all the national life of Circassia.

PRISONS IN IRELAND.

OBSERVATIONS.

MR. VERNER said, he rose to call the attention of the House to the Reports of the Inspectors General of Prisons in Ireland for the last five years, with reference to the grave irregularities consequent on the management of certain City Prisons by Boards of Superintendence. He wished to refer to several complaints of irregularities on the part of the Board of Superintendence with respect to the Prisons in Dublin, and in particular to the case of Daniel Byrne, the warder of Richmond Gaol, who last year became so notorious on account of the escape of Stephens, the Fenian Head Centre. He would next call attention to the irregularities in Grange

Gorman Prison, where the system of electing the Board of Superintendence by lot was highly unsatisfactory, and he begged to observe to the House that the members of the Board, being for the most part persons engaged in trade, could not give the time and attention requisite for the proper discharge of their duties. His chief object in bringing this subject under the notice of the House was to effect a change in the system. He was warranted by the climax of last year in saying that a complete change ought to be made. The Inspector General had drawn the attention of the Town Council of Dublin to the necessity of some change, and they had prepared a series of Resolutions on the subject. Those Resolutions, however, were not approved by the Inspector General. [The hon. Member quoted at considerable length the Reports of the Inspectors General.] He had felt it his duty to draw the attention of hon. Members to the irregularities which had prevailed, because he understood that Her Majesty's Government had some thoughts of proposing remedial legislation, and he begged to thank the House for its patient attention to the long extracts he had read.

MR. O'NEILL said, that the facts which his hon. Friend had brought before the House showed unmistakably that the management of the city prisons of Dublin had been, to say the least of it, capable of great improvement. This state of things arose, as the inspectors stated, from the manner in which the Board of Superintendence was constituted. This Board was elected annually, by lot, and from the fact that its members had other avocations, they could not become acquainted with the character and conduct of the prison officials, as the County Boards did. One illustration of the bad results of the system of election by lot was that only one member of the Board of 1862 was upon that of 1863; and the defects of the system became still more apparent in the manner that defalcations had been dealt with. The Board of 1863-4, having investigated that subject, recommended that the inquiry should be still further pursued by the incoming Board, which, however, at once cancelled all the proceedings of the former Board, and reinstated the officer who had been recommended for suspension. This new Board contained only two members of the former Board, and virtually only one, for the second member had never sat at the old

Lord John Manners

Board. Hon. Members could well conceive how fatal it must be to discipline to have it known that an incoming Board could reverse in this way what had previously been done, and that it could also reinstate defaulters who had been suspended. In further illustration of the injurious working of the system, he begged to quote to the House an official statement to the effect that the Board of Superintendence had given its sanction to a Report by the Governor of Richmond Bridewell, which contained statements that were irreconcilable with facts, the Report having been signed without being read, on the presumption that the Governor would not make statements that were incorrect. Considering the large interests at stake, it must be evident how important it was that the Board should consist of persons who would take a practical interest in its business, and, indeed, of persons who could devote themselves uninterruptedly to it. As the irregularities had culminated in the escape of Stephens, hon. Members would agree that the subject was worth attention, and if it were the intention of Her Majesty's Government to legislate upon the general subject, he hoped that this branch of it would not escape their attention.

MR. CHICHESTER FORTESCUE said, that having listened to the speeches of the hon. Members, he was yet in the dark as to the objects they had in view. If they desired once more to have attention called to the past errors of the Board of Superintendence, it was not his duty to defend that body, although he must observe that the hon. Members had culled from the reports only those passages which pointed out the deficiencies and irregularities of the administration of the Board, and not any of those many passages which were of a more favourable character. As neither the Inspector General nor the Government had been attacked, neither required defence, and as the hon. Members had spoken of the past, he would say something of the present and of the future; and he thought he should be able to show that there was now a fair prospect of improvement in the management of the Dublin prisons in those respects in which it had hitherto been wanting. The catastrophe of last November had brought deficiencies to light and had caused remedies to be applied. Since that event neither the Government nor the Board of Superintendence had been idle. The Lord Lieutenant had thought it his duty to remove

the Governor of Richmond Bridewell, who, although originally a highly respectable official, with a character for fidelity beyond all taint of suspicion, had, as they all knew, lost his head upon the occasion referred to. The Lord Lieutenant had also determined to resume the power he possessed by statute of appointing all the internal officers of the city of Dublin prisons. Within the last few months the present Board of Superintendence had made a very searching inquiry into all the circumstances connected with the escape of Mr. Stephens, and the general deficiencies of the Richmond prison, and they had issued a Report which contained some very candid statements and valuable recommendations of improvement. He fully agreed in the condemnation passed upon the vicious mode of appointing the members of the Board. Not only had it been a body varying from year to year, and therefore incapable of acquiring a proper knowledge of or interest in the management of the prisons, but there was also a strange arrangement under which the members were chosen by lot—that is to say, by a chance selection from among the members of the Town Council. That state of things, however, had already been to a certain extent remedied. The present rule of the Council provided that at least four members of the outgoing Board should continue in office, and thus so much of permanence at least was secured in the constitution of the Board. But the remaining members were still selected among the Council by lot—a proceeding of which the Government highly disapproved. He might say that in the Bill upon the subject of Irish prisons which the Government proposed to lay upon the table—not in the hope of passing it during the present Session, but for the information of Parliament and for the public in Ireland, a clause would be introduced providing that the members of the Board should for the future be elected, and not chosen by lot. As he had said, the Report of the Board contained some valuable recommendations affecting the internal management of the prison. One was that married officers and their families should cease to reside in the gaol—a practice subversive of good discipline. That recommendation had been carried into effect. Provision was also made for a more regular inspection of the Dublin prisons by allotting the duty every week to certain members of the Board. Again,

certain fixed rules were laid down for the selection of prison officers, depending upon the acquisition of marks testifying to their good conduct, thus freeing the members of the Board from those perpetual solicitations which were addressed to them, and of which this Report most feelingly complained. The Board had the advantage of possessing a most able Governor, selected for his capacity, and were also about to appoint a new local inspector in the room of a gentleman who had become unfit for his duties; and if they would only act upon the principles laid down in the Report, and would carry into effect the recommendations which it contained, he believed that a great change for the better would be seen in the management of the Dublin prisons, and that this House need not be anxious for the result.

SIR FREDERICK HEYGATE said, he could bear testimony to the excellence of the appointment made by the Lord Lieutenant in the case of the new Governor of Richmond prison; but he thought that the House was greatly indebted to the hon. Member by whom this subject was brought under notice. When they recollected how very serious had been the consequences of these bad regulations, culminating as they did in the escape of Stephens, it would have been highly improper if this question had been passed over without discussion. He hoped that the whole subject, a most important one, would be considered, and that sufficient time having now elapsed to allow political feeling to subside, the Government would look seriously into all the regulations affecting gaols, and would endeavour to introduce some useful legislation. To one point he would call attention, and that was the insufficient nature of the diet often given to prisoners. He was not an advocate of over-feeding in gaols, but it had been represented to him that prisoners suffered seriously from the diet upon which they were put; and, if this were found to be the case, a different system should be introduced.

SCOTLAND—LORD LYON KING-AT-ARMS.

OBSERVATIONS.

SIR WILLIAM STIRLING-MAXWELL said, he wished to call attention to the recent Returns relating to the office of Lord Lyon King-at-Arms in Scotland; and to ask the Secretary of State for the Home Department, Whether, before advising Her

Mr. Chichester Fortescue

Majesty to fill up that vacant office, he will consider the recommendations made by the Commissioners for inquiring into the Courts in Scotland in their Tenth Report, ordered to be printed on the 10th of June, 1822, and take such other steps as may be necessary for the purpose of placing the Lyon Court under improved regulations? In calling the attention of the House to returns from the office of the Lord Lyon in Scotland, I may take the liberty of informing the House that the Lord Lyon, in spite of being dignified with a more sounding appellation than his brother heralds in England, is nothing more nor less than the principal herald of Her Majesty in Scotland. By the return which I hold in my hand, the House will see that the duty of this office is to deal judicially and ministerially with all questions of coat armour in Scotland. The staff attached to the office has consisted during the last ten years of the following officers:—The Lord Lyon himself, the Lyon Depute, the Lyon Clerk, his Depute, six Heralds, six Pursuivants (who, I understand, are heralds in an imperfect stage of development), and a Herald Painter. Their emoluments amount to something less than £2,000 a year, which is distributed among them as follows:—The Lord Lyon, £1,076; the Lyon Depute, £88; the Lyon Clerk, £214; the Lyon Clerk Depute, £142; the Heralds, £250 among six; the Pursuivants, £164 among the six; and the Herald Painter, £54. The duties of the principal officers—the Lord Lyon and the Lyon Clerk—have been for a great many years always performed by their deputies. The duties of the heralds, I believe, are restricted to appearing on certain rare occasions and making royal proclamations; and the duties of the herald painter are to emblazon the arms granted by the office. Of the annual revenue, about £900 a year comes out of the Consolidated Fund, and about £1,100 a year arises from fees. These fees are of two kinds, those received in respect of titles of honour granted by the Crown, and those derived from the issue of armorial bearings. The patronage of the office is entirely, I believe, in the hands of the Lord Lyon. There seems to be reason to believe that the practice of selling the higher posts in the office prevailed some years ago but was discontinued by the late Lord Lyon. The only offices now sold are the six heraldships and the six pursuivantships. The return explains that

the sum paid for these offices may be assumed to be merely an equitable mode of transferring from officers who perform no duties a part of their salaries to those who carry on the business of the Lyon Court. The sum paid appears to be £315 for the office of herald, while £210 is paid for the office of pursuivant. The practice is consecrated by usage; the sum paid is fixed by custom; and it is impossible to impute any blame to the existing staff in respect of it. The messengers-at-arms also pay a certain sum for their places, but the sum paid is too small to be considered on anything more than an admission fee. The office of Lord Lyon was the subject of a very elaborate Report by a Commission appointed to inquire into the state of the courts of Scotland in the reign of George III., and I beg to call the attention of the Government to that Report as a document of much historical interest and value. It appears that at that time many abuses prevailed in the office. A large portion of the Report is occupied in explaining the nature of those abuses, especially in connection with the office of Lyon Messenger-at-Arms. The Commissioners recommend certain reforms in that department, and they also state that the fees demanded from persons applying for arms had been raised to an excessive amount, and seemed to have been imposed in an arbitrary manner. They further suggest that all fees received by the officers be paid into the Exchequer, that the officers be placed on fixed salaries, and that the sale of heraldships should be discontinued. It is possible that many of the abuses noticed by the Commissioners have been corrected; indeed, from what I know of the character of the honourable and intelligent persons who have long been the acting officials of the department, it is most likely that the greater part of the defects complained of have been remedied. I am bound to say that I have heard no complaint as to the manner in which the duties have been discharged graver than this—that on the occasion of Her Majesty's last proclamation, when the late Parliament was dissolved, the heralds appeared at the Cross in Edinburgh with the white horse of Hanover emblazoned on their tabards. As Her Majesty asserts no claim to the crown nor arms of Hanover, it would appear that her Scotch heralds, whose duty is supposed to be the administration and interpretation of the laws of heraldry,

were by the use of the Hanoverian arms committing a breach of their own laws. And now I have a word or two to say with regard to the appointment to the office which is now vacant. The last occasion on which this appointment was made was in 1796, when the Earl of Kinnoul was appointed Lord Lyon King-at-Arms, and the succession to it was granted to his eldest son, then a child. The consequence was that these two noble Lords held the office for the long period of seventy years. Up to the date of 1796 the salary of the Lord Lyon was £300 a year, but it was increased to £600 at the date on which the appointment was conferred on Lord Kinnoul. The reason assigned in a Report presented to Parliament in 1798 for that increase was that the office having hitherto been held by a commoner was then for the first time conferred upon a nobleman of high rank. In an account of the Order of the Thistle, by Sir Harris Nicholas, written in 1832 from the best sources of information, I find it stated that the same reason, which appeared to the Government of the day a sufficient reason for doubling the salary, was also a sufficient reason for almost extinguishing the duties. The Lord Lyon was excused from attendance at all ceremonies in connection with the Order of the Thistle, the chief public duty of the office, in consideration of his high rank. Of this transaction it may be sufficient to say that the habits of thought and ways of 1866 are not exactly those of 1796. There seem to be sound reasons why a Peer should not perform the duties of a Herald. The Knights of the Thistle are always Peers, and the attendance of a noble Lord upon them in that capacity is hardly consistent with the idea of equality which the word peerage implies. If a Peer ought not to attend the Knights of the Thistle, still less ought a noble Lord, who may perhaps at other times represent Her Majesty or lord-lieutenant of a county, to go into the streets of Edinburgh to make public proclamations. But if he ought not to do these things, neither ought he to accept of this post. An office should never be offered to, or accepted by, any person who is not prepared to perform the duties attached to it, whatever they may be. No English Peer would accept a similar office in England. As a Scotchman, I should be very sorry to see one of our aristocracy holding a place that would be considered beneath the dignity of a Peer

in England. Being unwilling, however, to rely on my own opinion on this point, I thought it right to consult a noble Duke whose opinion is justly entitled to great weight on any public question—the Duke of Buccleuch. That noble Duke at once said that he quite agreed with me that it is an office which ought not to be held by a Peer, and he expressed a hope that it would not again be conferred on a Peer. In making these remarks, I would not have it supposed for a moment that I cast any reflection upon the late Lord Kinnoul. He succeeded to the office by hereditary succession, and he enjoyed the office as part of his patrimony. As to the abuses which were brought under the notice of the public by the Report of the Commissioners in 1822, there is little doubt that that Report first informed the noble Lord of their existence. Even before that Report was issued, it appears that he had himself begun to check the traffic in the posts of the Lyon Court. I am further bound to say that the persons who now compose that court do the highest credit to the judgment of Lord Kinnoul. Mr. Burnett, the Lyon Depute, is probably known to this House as the author of several contributions to historical literature. I may mention that one of his works, which appeared a few years ago, called *The Art of Pedigree Making*, is one of the most entertaining books on antiquarian subjects which has appeared for a long time. Another of the officers is Professor Lorimer, whose name is well known to hon. Members in this House. If any man in Scotland or anywhere else need not feel ashamed of holding a sinecure, it is Professor Lorimer, who fills, in the most distinguished manner, one of the chairs in the University of Edinburgh. Public law, the subject of his teaching, does not afford large emolument, but the ability and value of his lectures are generally acknowledged; and he is the author of several able works on moral and political science. He was one of the earliest and most strenuous advocates of Scotch University Reform. The right hon. Gentleman the leader of this House will, in due time, propose that the Scotch Universities send a Member to Parliament. I have ventured to give notice of an Amendment to enable them to send two Members. If either he or I shall be able to justify our proposition, it will be upon arguments based upon a condition of things which has been mainly brought about by

Sir William Stirling-Maxwell

the able, unwearied, and hitherto unrequited exertions of Professor Lorimer. With the other gentleman connected with the office I am not personally acquainted, but I understand that the direction of his studies qualifies him in a special manner to perform his duties. I trust, therefore, that Government, in disposing of the patronage placed in their hands by Lord Kinnoul's death, will use it as well as it was used by that noble Earl. But I hope no appointment will be made until due consideration has been given to the recommendations of the Report of 1822. I have heard, and I hope it is true, that the fixed salary is going to be withdrawn. I venture also to think that the salaries of the heralds, so far as they are derived from the Treasury, might also be saved. It is surely an absurd anachronism, in these days of various better means of publication, to pay several gentlemen £50 a year each for going into the streets to announce by word of mouth the proclamations of Her Majesty. Supposing these fixed salaries all to be withdrawn, there will still be a revenue accruing to the office of £1,100 a year. I am informed that certain arrangements in regard to Messengers-at-Arms are under consideration, which may somewhat affect this revenue, but I believe I shall not over-estimate it if I call it in any case £1,000. There is a considerable amount of fees derived from patents of honour, which there is no reason to expect will be diminished. In that portion of the revenue of the Lyon Court, more especially affected by its own activity and aptitude, and which is derived from grants of arms, there has of late years been a very marked improvement. The fees from this source were, in the year ending 1st January, 1864, £962; and though in 1865 they fell to £712, yet in 1866 they rose again to £926. I hope the Government will pay some regard to these figures, and will see that the office is one well worth looking after. While I am aware that it may be considered not within my province to make suggestions as to the disposal of Government patronage, I cannot help venturing to express a hope that this post will be conferred upon some gentleman who has distinguished himself in the walks of historical literature. We have in Scotland a fair array of eminent historical writers. But since the middle of last century, when David Hume was glad to accept what he called "a genteel office of small revenue"—the

keepership of the Advocate's Library with £40 a year—I am not aware that there has been any increase in the number of public posts which offer a man of letters a decent competence, with some leisure for the prosecution of his studies. The office of Lord Lyon appears to be a post of that kind. The Lyon is in some degree a keeper of public and historical records, and it is certain that his duties cannot be worthily or reasonably discharged unless he possesses ample historical knowledge. In addressing the present Government I am addressing several gentlemen who are themselves distinguished men of letters, and who may be supposed to take an interest in the well-being of the literary profession. I may therefore hope that in this appointment the claims of that profession will be considered, and that it will be conferred on some one who, possessing the necessary qualifications as a man of business, has also signalized himself by contributions to the historical literature of his country.

MR. GRANT DUFF: I agree with the hon. Member that if this office is to be continued, it is hardly fit that it should be continued in the hands of great noblemen. On the other hand, all who are acquainted with the history of our antiquities are aware that we have a large number of persons in Scotland who have devoted themselves to this subject. Any one who doubts this may be satisfied if he will look at the books published by the Bannatyne, the Spalding, and other clubs. Now, as we have in Scotland so few offices that are considered suitable rewards for literary men, I think the Government would do a graceful and a popular, as well as a useful act, if they would agree to the suggestion which has been so well made by my hon. Friend.

FISHERIES (IRELAND).

MOTION FOR PAPERS.

GENERAL DUNNE rose to call attention to the nonpayment of £5,000 granted for the building and repairing of fishery piers in Ireland, and the assistance of poor fishermen, under the Act of 59 *Geo. III.* c. 59, and said, that he could not agree with his hon. Friend (Mr. Blake) when he expressed the opinion that it was desirable to postpone Irish questions for the convenience of the Government. The interests of his country demanded his first attention. He submitted, then, that until the year 1819, very little notice had been

taken by Parliament of the Irish fisheries, and very little assistance had been afforded them either before or after the Union up to that period; but, in that year, public attention was directed to the subject, and it was considered that the construction of piers and harbours and the granting of means to fishermen for the purchase of tackle would enable the country eventually to derive large profits from their increased industry. Accordingly, the Act of *Geo. III.* was passed, and it was resolved to set apart £5,000 a year, Irish, or somewhat over £4,600, English, for the purpose of aiding in the construction of fishery piers in Ireland, and of affording assistance to poor fishermen in that country, while a sum of money, £2,000, was by the same Act granted for similar purposes to Scotland. That Act was only to remain in force for five years, but in four years from the time of its having been passed, another Act confirmed the annual grant, and ordered that it should be paid from year to year until the Act was repealed. An impression prevailed in some quarters that the grant had ceased in 1830, because the former Act had been repealed by lapse of time. This, however, was an erroneous impression, and an Irish Taxation Committee which sat last year, being continued from the former year, which considered the subject called the attention of the Government to the fact that payment of the grant had not been made, and requested that the opinion of the Law Officers of the Crown should be obtained as to the truth of the assertion that the Act had been repealed by virtue of certain provisions in subsequent Acts. He contended that the Act of 59 *Geo. III.* was not abrogated by any subsequent Acts, and that the Board of Works had neglected their duty in this matter. They had succeeded to the functions of the old Fishery Board and should have demanded this grant. When application was made to that Board, the answer had invariably been that there were no funds applicable to the objects contemplated by the Act of *Geo. III.* It was very singular, however, that large sums of money had been granted to Scotland, while the allowance was refused to Ireland, although the former grant was found on the provisions of the very same Act as that which gave it to Ireland. There could be no doubt that the law under which the money was formerly granted to Ireland had not been repealed; the opinion of the most eminent counsel

had been taken on this point, and he would continue to hold this view of the case till the contrary was proved by the hon. and learned Gentleman opposite. Indeed, the Board of Works did not seem to be at all decided upon this question, and they had, however, taken very little trouble to inquire into the matter. It was exceedingly unfair that while the grant to Ireland had been discontinued, it was still made to Scotland, a richer country than Ireland. There could not possibly have been any circumstances to justify the course which had been pursued. He was convinced that it was chiefly owing to negligence in the Board of Works not demanding it that the grant had been discontinued. In former times, and at two periods, this money had fallen into arrears, and was not paid until gentlemen anxious for the welfare of the country had pressed for an inquiry into the subject. £444,000 were granted during the same period to the Scotch fisheries—and the provisions of the Scotch Act of Union had always been observed more faithfully than those of the Union with Ireland—and £1,500,000 had also, in the same period, been granted for the English fisheries. Whether the practice of granting such assistance to fisheries was advisable or not he would not stop to argue; but if the money was granted to Scotland or England, there was no reason why it should not be granted to Ireland. Opinions, he believed, had been obtained from the highest legal authorities in Ireland to the effect that the Acts said to have been repealed were not repealed at all, and that the money properly was still payable. The hon. and gallant Member concluded by moving for the case and opinion of the Law Officers of the Crown on the subject upon which he had requested explanations from the Government; and asked why (if they had not been) they were not now submitted to the legal advisers of the Government according to the recommendation of the Taxation Committee, as expressed in the Report written by Sir Stafford Northcote last year?

MR. S. B. MILLER, in seconding the Motion, said, that he considered a very good case had been made out by his hon. and gallant Friend. He contended that the provisions of the various Acts of Parliament bearing upon these grants contained no limitation of time whatever; and that, on the contrary, the Act of 1842 contained an express saving of the many rights and claims said to have been extinguished.

General Dunne

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "there be laid before this House, Copy of the Case and Opinion of the Law Officers of the Crown relative to the non-payment of a sum of £5,000 granted for the building and repairing of Fishery Piers in Ireland and assistance of poor fishermen under the Act of 59 Geo. 3, c. 59, s. 106,"—(*General Dunne*.)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. CHILDERS said, that before replying to the observations of the hon. and gallant Member for the Queen's County, he wished to say, in reply to the hon. Baronet the Member for Perthshire, that it was quite true the Report of the Committee or Commission of 1822 had not been carried out as regarded the office of Lord Lyon King-at-Arms in Scotland. For some time the office of Lord Lyon had been a sinecure, the duties being conducted by deputy. On the death of Lord Kinnoul, the subject had been brought by the Treasury under the notice of the Secretary of State for the Home Department, and his right hon. Friend had it under consideration whether the office of Lord Lyon might not be made purely honorary, the fees to be given to those who discharged the duties, or whether the office might cease to be a sinecure, the Lyon King discharging some of the duties now performed by deputies and the latter reduced in number. In any case the salary would disappear from the Estimates, and the fees would be redistributed. With respect to the question of the hon. and gallant Gentleman the Member for the Queen's County, and the observations of the hon. and learned Member, which were the *ipsissima verba* of his (General Dunne's) speech, he had to remark that two Acts were passed for a limited number of years, creating a charge on the Consolidated Fund to the extent of £5,000 a year. Those Acts were supposed by all the world, Irishmen included, to have come to an end thirty years ago, and until last year no one thought of making an application for the £5,000. More than that, the House, believing the Act to have expired, on two occasions passed Votes amounting to £30,000 or £40,000 for Irish piers, without the smallest intimation of a suspicion on the part of anyone that any Act existed charging the Consolidated Fund

with £5,000 a year. Last year, however, an ingenious gentleman—not his hon. and gallant Friend—imagined that by reason of a technicality in one of the Irish Acts, the charge of £5,000 was still in existence. He raised that question before the Committee of which the hon. and gallant Gentleman was Chairman, but that Committee, very prudently, arrived at no conclusion on the question. They contented themselves with suggesting that a legal opinion should be taken on the subject. In accordance with that recommendation, Her Majesty's Government took the opinion of the Law Officers of the Crown—the English Attorney and Solicitor Generals—some months ago, and those learned Gentlemen gave a decided opinion that the charge did not exist. He had since brought in a Bill founded on that opinion. As a general rule, there was a well-founded objection to producing opinions of the Law Officers; but as in this case the opinion had been asked for by a Committee of the House, it was one given for the House rather than the Government, and as therefore the ordinary objection did not lie against producing it, the Government would consent to lay it on the table. This consent was not, however, to be taken as a precedent.

Amendment, by leave, *withdrawn*.

THE "GREAT NORTHERN" STEAMSHIP.

QUESTION.

SIR JOHN PAKINGTON said, he rose to put a Question to the President of the Board of Trade as to the circumstances which led to the *Great Northern* going ashore on the Lancashire coast, with 600 human beings on board, on her voyage from Dublin to Liverpool. It appeared from a letter published by a person who did not sign his name to the document, but who evidently was conversant with maritime affairs, that he was a passenger on board the ship when she left Dublin for Liverpool on the evening of the 19th of May. He stated that there were fifteen cabin and between 400 and 500 steerage passengers on board, besides the crew. There were also cattle and other cargo aboard. The writer did full justice to the captain and the chief mate, who, he said, were competent men and anxious to do their duty; but he described in strong terms the disorder of the steerage passengers, and the drunken state of the crew. It appeared

that three persons in succession were dismissed from the wheel, owing to their being in a state of intoxication. On being asked for his ticket in the morning, the writer inquired whether the steamer had arrived at Liverpool; but he was informed that she was ashore on the Lancashire coast, thirty miles from that port. There she remained twelve hours, during which time the passengers were landed and conveyed by railway to Liverpool. The fact of these 600 human beings on board having been saved was attributable solely to the providential circumstance of the weather being fine at the time. The persons whose duty it was to steer the ship were drunk, and there was no power to keep even the steerage passengers in order. Instead of arriving at Liverpool at the proper time the vessel ran ashore during the night on the coast of Lancashire, thirty miles to the north of Liverpool, and if the weather had chanced to be stormy in all probability the 600 persons on board would have perished. Now that was a state of affairs which required explanation, for it ought not to be tolerated that the lives of Her Majesty's subjects should be the sport of such circumstances as he had mentioned. He wished to ask the right hon. Gentleman, Whether his attention had been called to those circumstances otherwise than by himself when he forwarded to the right hon. Gentleman the letter to which he had referred; and also, in the event of the case having been brought under his notice, what steps he had taken with respect to it? Above all, he wished to know whether this was or was not another proof of the defective state of our law with regard to passenger ships? In this case the ship was not injured, and, because the weather was fine, the lives of those on board were saved. Now, he had been told that, in addition to the defects of the law which he had pointed out on a former occasion in reference to the case of the *London*, so defective was the law for the protection of passenger ships that, as this vessel was not injured, and because these poor people were not drowned, therefore these shameful proceedings he had referred to were not noticeable by the Government, and the right hon. Gentleman opposite was powerless to inflict punishment on the offenders, and to take steps to insure the safety of the public.

MR. MILNER GIBSON said, it appeared from the statement of the right hon. Gentleman that this ship went ashore on

the coast of Lancashire under circumstances which were very remarkable. Beyond that statement he had received no information on the subject. Inasmuch as the ship had been got off without any material damage, and there had been no loss of life, the Merchant Shipping Act did not enable the Government to institute an inquiry into the cause of that stranding; but the Government had been making inquiries with a view to ascertain whether this occurrence took place through the misconduct of the master or of the officers of the ship, and if the inquiry should justify such a course, proceedings might be taken against them by the Local Marine Board, and they would be liable to serious consequences if it were shown that their misconduct had led to the stranding of the vessel. Beyond stating this, he really had nothing to say. The case, which was a grave one, had been brought under the notice of the Board of Trade before the communication was received from the right hon. Gentleman, and the inquiry as to the conduct of the master and officers had commenced; but, as the ship herself had been got off without any material damage, and as there had been no loss of life, there was no ground for the inquiry which took place in the case of wrecks. If it were true that the accident occurred by reason of neglect of duty on the part of the officers, he could not imagine any conduct which deserved to be visited with a more severe punishment; but he really could not say whether the newspaper statements were correct, nor could he express any opinion as to the accuracy of the statements contained in the letter referred to by the right hon. Gentleman. The cause of the accident would be investigated, and if it were due to the misconduct of those who were in charge of the ship, such proceedings would be taken against them as the law authorized.

SITE OF THE ROYAL ACADEMY.

QUESTION.

Mr. BERESFORD HOPE, on rising to put a Question as to the future site of the Royal Academy, said, he need make no apology for bringing the subject under the notice of the House. We had passed the 4th of June, formerly the traditional day for closing the Session, the sun was getting rather hot and the nights short, and the Session was already approaching its close; but still there were many important, but, withal, subsidiary questions relating to the

Mr. Milner Gibson

instruction, amusement, and education of the people remaining to be dealt with. If he did not call attention to the question at that time, he would probably have to do so some night in the middle of July, when a supplementary Estimate was being smuggled through, and when, perhaps, not more than a dozen Members on his side would be present, to subject the Government proposals to an independent criticism. Fewer questions of general utility had been brought before the House this Session than at any previous period within his recollection. Therefore, he contended that he was strictly patriotic, and was advancing the public business by bringing this question forward to-night, although there was another subject of very general interest waiting to be disposed of. The future of the Royal Academy had not been much thought of hitherto, simply because public attention had not been directed to the matter. A paper on the subject had been laid before the House, and ordered to be printed on the 1st of May, on the Motion of the right hon. Gentleman the First Commissioner of Public Works. That contained the correspondence between the right hon. Gentleman's Department and the Royal Academy, and it appeared that on the 5th of June, 1865, the right hon. Gentleman after stating that the whole of the building in Trafalgar Square was required for the National Gallery, offered to give a site for the Royal Academy at Burlington House, either on the southern side of the court fronting Piccadilly, or on the northern side of the Gardens. The Royal Academy were willing at that time to accept the site in the line of Piccadilly. There had been a series of negotiations, with which the House had been already bored, and probably would be often bored again, respecting these two ill-matched institutions, the Royal Academy and the National Gallery. They were placed in the same building in Trafalgar Square in the old pre-artistic days, when it was thought a fine stroke of public policy to hand over the second-hand columns of Carlton House to the architects for the purpose of constructing a National Gallery. No sooner were they hatched into the building than it was found to be perfectly inadequate for its double use; and for the last eighteen years there had been a series of plans and counter-plans, schemes and anti-schemes, manœuvres and anti-manœuvres on the part of the governing bodies of both, and of a certain mysterious

power that seemed to loom over both, and which had its habitation somewhere in the salubrious suburb of Brompton. The problem was just like one of those questions put in competitive examinations for the honorary A.S. up and down the country:—Given a Royal Academy and a National Gallery, and one plot of land at Brompton, one in Burlington Gardens, and a third in Trafalgar Square, how to place the Academy and how the National Gallery, and, finally, how to content the public. When his noble Friend the Member for Leicestershire (Lord John Manners) was Minister of Works, a scheme was prepared which might have been better than some other schemes, but which was not perfect. It was to remove the Royal Academy to Burlington Gardens, and to leave the National Gallery in Trafalgar Square; but although the scheme was propounded with an intention of meeting difficulties, it was not satisfactory in itself. Its effect would have been, that whereas there was an existing building, an existing vacuity of site, and two institutions, while the existing building was big enough for one institution and the existing vacuity was big enough for the other, it was proposed to move the smaller institution to the big vacuity, and to leave the larger institution in the small building. Another more common-sense scheme was started in opposition by the Royal Commission, which was appointed to inquire into the whole condition of the Royal Academy, and that was to construct a National Gallery in Burlington House Gardens on an oblong site of more than two acres, admirably adapted for galleries, which might have any amount of head-light and which wanted no side-light. The existing courtyard would have been the vestibule, and the present building the portal of the Gallery, which would have had more wall-space than any of the most famous existing galleries of Europe, with the one exception of Paris, and would accordingly have exhibited the national pictures to the utmost advantage. It was part of that plan to have left the Royal Academy in possession of the obnoxious and offensive building which Wilkins erected with the second-hand columns of Carlton House for its portico now standing on what Sir Robert Peel called the finest site in Europe. So that if the Royal Academy had not taken the building in hand, and improved its façade in accordance with the developed taste of the day, the blame would have rested upon the Royal Academy alone. This plan was

started, but it was not taken up by the House in a manner worthy of so advantageous a proposition. Thus the question got, step by step, into straits and difficulties. At last, an effort was made to increase the accommodation in the National Gallery, and so the only thing which the building could boast—the pearl in the swine's snout—the really fine double staircase branching right and left, was sacrificed, there being substituted a little trumpery entrance like that of a minor theatre, with a similar one for the Royal Academy. Next, two years since the House came to a decision which he could not but call unfortunate, which dealt a heavy discouragement to the Commissioners' proposal by reversing the proposal to construct the Gallery in Burlington House Gardens, and laying down that it was to be chained to Trafalgar Square. So the matter stood up to the time of this correspondence. This very Session the Government pledged itself by a Vote to enlarge the National Gallery in Trafalgar Square, and a Bill to carry out that pledge had gone through most of its stages. That Bill authorized the purchase of a site to the rear of the present building for the new Gallery, at a price which showed that the country could be sometimes as reckless in its expenditure as a semi-insolvent joint-stock bank. Of the projected competition he could only speak well; he only wished it had been larger, or unlimited; but they dared not, he supposed, be so courageous as to entertain any notion of unlimited competition after exposing themselves as they had done in the matter of the public offices. At least, however, they might have called in twenty-four architects between the Law Courts and the National Gallery; they had, indeed, twelve names down for each, but there were duplicates on the two lists. The Royal Academy, having to be turned out of Trafalgar Square, was offered a site on the area of Burlington House, which was to be swept away. Dawdling along Piccadilly, admiring the old curiously shops, and the new photographic productions, after lounging in the Burlington Arcade to see what new French books had been published, they might see a heavy brick wall, and, had they the curiosity to ask what the place was, they would be told it was Burlington House. With that sort of rough-and-ready and generally injudicious judgment which people formed upon things about which they knew nothing at all, the self-sufficient public had

voted that Burlington House, of which they only knew the outside wall, was ugly, obstructive, and ought to be cleared off the surface of the earth. Now, what was Burlington House—which the noble family of Cavendish sold to the nation ten years ago? Those who cared not merely to study the history of England in its broad aspects of changes in dynasties and of great European wars, but in the useful and interesting history which dealt with the personal relations of different classes of society, and with those great social, literary, and artistic movements which stamped the age, must know that Boyle Earl of Burlington in the last century, the collateral ancestor of the present Earl of Cork and of the Duke of Devonshire, was no common character. In those times Supply nights in the House of Commons were very dry affairs; there were no Members for the Fine Arts; and yet the Earl of Burlington was the pioneer in the aristocratic cultivation of the fine arts, and particularly of architecture. He built Burlington House from his own designs, and also built the well-known villa at Chiswick, while his name is enshrined in the verses of Pope and of Gay. Inside the court-yard was a semi-circular colonnade spreading on either side, then a range of buildings beyond that, and, in front, the main house, designed in a very graceful form of Italian architecture. Now, to whatever public use Burlington House might be devoted a court-yard was essentially necessary, for, whether it were National Gallery or Royal Academy, you could not expect the carriages and cabs of visitors to stand in Piccadilly. What with underground railways and railways above ground, and improvements in general, the traditions of old historic London were every day being swept away; so that when you had a building eminently adapted for the practical uses to which the rest of the ground might be devoted, it was something like a sacrilege to have offered it to the Academy as a site to be razed and then built over, instead of preserving Burlington House itself, and leaving the Royal Academy to build its galleries on the space behind. If it had been offered to the National Gallery on like terms, he should have said the same thing. He believed that Messrs. Banks and Barry, then architects to the Board of Works, had prepared an able and ingenious scheme for building a National Gallery in that place, preserving Burlington House and its court-yard, and putting the Gallery on the old garden behind, so as to

fill the whole ground, with a façade to the street called Burlington Gardens to the north. A short time ago the House passed a rapid and unwise Vote in Supply, against which he had vainly protested, towards covering part of that ground with a building for the use of the London University—an institution which, no doubt, required a public building, but which need not be planted on a site long since devoted to the arts. No doubt that subject would come before the House again, and when it did he hoped they would overhaul it thoroughly; not with any view of shutting out the University, which had a claim to be housed at the public expense, but so as to preserve a site which was fit for galleries and not examination rooms. There was a rumour that the negotiations with the Royal Academy had come to a premature end; that the Royal Academy, whether sacred by the Vandalism of pulling down Burlington House or from any other reason, had taken a rural fit, and, feeling that their pictures would be better appreciated, more visited, and would lie more in the perpetual current of the millions who visit the metropolis, meant to go out of London and locate themselves somewhere in the pleasant village of Brompton. There was a certain site on which three years ago hon. Members might have studied the marvels of green-house building—the eastern annex of the Great Exhibition, which, since that time, had been converted into a brilliant rhododendron valley—and rumour said that the Royal Academy was to be there. If so, that was their business. No doubt, a large site would be granted to them on the most liberal terms, and those who granted it would be very glad to receive such tenants. No doubt, when the great Hall of Science and Art was constructed, the shareholders in that phenomenon would not be sorry that another institution came as neighbours into the same sequestered regions. No doubt, the debenture holders of the Horticultural Gardens would be glad to welcome those who loved to drink in the pleasures of art, and would be glad to afford them access to their cool shades and purling streams. For himself he had no objection to the change, for the few curiosities he had were on loan at the Kensington Museum, and perhaps more visitors would go to look at them. The Royal Academy might be well advised—perhaps the casual foreigners who came to England and put up at the Charing Cross Hotel, hon. Mem-

bers running down to the Committees, the lawyers who moved backwards and forwards between their clubs and the Inns of Court, would be much more likely to drop in at the Royal Academy in the Cromwell Road than at Charing Cross. That was their affair. He did not suppose that the question of Royal Academy or no Royal Academy would in any way affect the decision of the House when they came to consider what was to be done with that large waste of ground, which in a moment of unreasoning enthusiasm was bought for the nation, and on which Captain Fowke's brick and glass domes used to frown. But he wanted to know whether if the negotiations with the Royal Academy with respect to Burlington House were broken off, the Government would give some assurance that the question of saving this building from being pulled down would be put fairly before the House. A short time ago the Institute of Architects passed a resolution deprecating that demolition; and he was sure that any attempt to pull down Burlington House would be as unpopular as it would be unwise. With that view, and wishing to know where they stood at a period of the Session when the House might still do something, he begged to move for any further correspondence which might have taken place between the Board of Works and the Royal Academy.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "there be laid before this House, Copy of any further Correspondence relative to the refusal by the Royal Academy of a site at Burlington House,"—(*Mr. Beresford Hope*),

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. COWPER said, he regretted that the electors of Stoke had not returned the hon. Gentleman to the late Parliament, because about a year and a half ago he would have found an opportunity of making a great impression on the Benches opposite, and of diminishing the following of the noble Lord the Member for North Leicestershire from that part of the House by the speech which he had just delivered. If the proposition then made had been adopted, and the National Gallery had been commenced on the Gardens of Burlington House, we should at this moment have had a building very near completion,

for the reception of those pictures which at present could scarcely be seen in the Gallery in Trafalgar Square, for want of space, and we should have attained that object at a moderate cost, and without interfering with Burlington House, which his hon. Friend had praised so highly. But as the House on that occasion seemed to set an exaggerated importance upon retaining the site in Trafalgar Square, it became necessary for the Government to consider what other arrangements should be made, and accordingly they offered the Royal Academy some portion of the site of Burlington House to build upon. The Government made that proposition on public grounds. The Royal Academy having always been lodged in Royal palaces or public buildings from the beginning of their existence, the Government thought it was not right to ask them to withdraw from Trafalgar Square without giving them another building or a site for one. It was suggested to the Academy on that occasion that it would perhaps be well that they should have a little Reform Bill of their own, so that the distribution of their honours might be less open to the reproach of narrowness and exclusion. The Council of the Royal Academy took the subject into consideration, and came to the same conclusion as the Government had done, that it was desirable that the Associates of that body should have the same elective franchise as the Academicians. And then upon looking into their constitution, the advantages of bit-by-bit reform became evident; and the Council were fired by the noble ambition of enlarging the sphere of their action. They had recently found that the space which could be afforded them at Burlington House was not sufficient for their purposes. Their ideas of expanding were of so extensive a character that they could not be content with less than three acres of ground at present. The Royal Academy had made no official communication to him since they had notified their intention of accepting the site at Burlington House, but the rumour to which the hon. Gentleman had alluded had reached him, and he believed it was well founded. He understood it was probable that the Council of the Academy would not accept the site at Burlington House, and if that were so the House of Commons would have no reason for entering into the affairs of the Academy. The Royal Academy received no public money whatever, they were not bound to

the State, and they had the same right of managing their affairs as any other body, scientific or learned, in the country had. But he could state the grounds upon which the Academy questioned the sufficiency of the site of Burlington House. They were obliged at present to reject so many pictures of merit that they wished to double the amount of space they had for ordinary exhibition. They wished to have a more extensive sculpture-room, and to have space for the pictures of foreign artists who might have obtained the honorary title of Associates, and who might be expected in some years to send as many as fifty or sixty pictures from abroad. Then they were desirous of being no longer crippled in their teaching for want of space. At present the schools were closed during the time of the annual exhibition. At present the diploma pictures could not be exhibited for want of space, and these pictures in the course of time would probably form a most interesting collection of works of art. They had also a number of marbles locked up in their rooms, which they were desirous of showing to the public. Then they were bound by the terms of the bequest of Mr. Gibson to erect a gallery for his works; and another gallery would have to be erected by the bequest of the sculptor Chantrey. They also wished to have a library of art, and space for the exhibition of engravings and original drawings. Attracted by this career of extended usefulness, he had been informed that the Royal Academy, instead of accepting the space at Burlington House, were tempted to accept three acres of ground at South Kensington, which had been offered to them by the Commissioners of the Exhibition of 1851. That was a body who might be supposed to understand their own affairs, and whose first object was to attract as many visitors as possible to their exhibition. The Academy had probably good reason for believing that their galleries would be as crowded at South Kensington as where they now were. But that was a question for themselves, and one with which the House had no concern. He would, therefore, say in reply to the hon. Member that there was no correspondence on the subject other than had been already presented to the House, nor had he received any further notification of the intention of the Academy. The Government had offered a piece of ground at Burlington

House, and the Academy had the right to accept or refuse as they pleased; but whatever decision they might come to would be arrived at without any influence or action whatever on the part of Her Majesty's Government. One result of the refusal of the Academy to accept the portion of the Burlington House site which had been offered to them would be, that it would no longer be required for any present service, and therefore that court-yard, of which his hon. Friend had spoken in such high, but he could not help thinking exaggerated terms, would be still spared. It would be desirable to retain Burlington House for its historical interest, and as a good specimen of an Italian dwelling-house, but it could not rank as a public building, and a sacrifice must be made to retain it. He should be glad that that graceful colonnade and building should be retained as long as possible.

MR. POWELL said, he regretted that this discussion must come to an end without such a clear statement of the relations between the Government and the Royal Academy as could be desired. He hoped at a later period of the Session the negotiations between the Government and the Academy might come to a conclusion, and that the House might have the result laid before it. He rejoiced greatly that the Royal Academy should have risen to a higher conception of their position as a British school of painting. He did not agree with the hon. Member for Stoke in the eulogy which he had pronounced upon Burlington House. For his own part, he had much more reliance upon our indigenous school of Gothic than upon any school of pseudo-Italian art. He did not feel surprised at finding that the Royal Academy had been elevated by a grander view of their mission to desire the more ample space which they could obtain at South Kensington. He believed he might add that a great mistake had been made in the refusal to sanction the removal of the National Gallery to Burlington House, and the country would, he felt assured, learn at some future day to regard the cry which had been raised in favour of "the noblest site in Europe" as simply a trading on a mere phrase. The past could not, however, be recalled; but if the Royal Academy were to take up a position at South Kensington, he believed it would rise in a few years to be—he did not mean technically—a great university of painting and art. Without laying himself open

Mr. Cowper

to the charge of being, to use an American phrase, influenced by South Kensington "proclivities," he must say that he regarded the abuse which had been heaped on that part of London as altogether undeserved. The crowds which flocked to the Museum at South Kensington proved that it could not fairly be looked upon as being situated in that isolated and remote spot which some persons supposed. If any Member of the House were to visit it that evening he would find his fellow-citizens deriving from the works of art there exhibited at once instruction and amusement, and gathered in numbers which compare very favourably with those frequenting the British Museum and the National Gallery. He could not, therefore, help regarding with some satisfaction the proposal that the Royal Academy would make South Kensington the scene of their future operations, and he had no doubt that as the number of railways increased it would be found to be year by year more accessible and better fitted to become a centre for the study of art.

LORD JOHN MANNERS said, he had never been one of those who had taken a part in condemning the conduct or management of the Royal Academy. So far as he had been able to form an opinion of their motives and course of action, he had always thought that, as a body, they had discharged their duties with fidelity, and with an honest desire and intention of promoting the improvement of art—for which object the Academy was originally established. He was glad to learn from the First Commissioner of Works that the Government were satisfied with the course which was proposed to be taken by that institution with reference to the reform of its constitution, as indicated in the correspondence to which the right hon. Gentleman alluded. If the proposals which had been made were carried into effect, either by means of the scheme in which the co-operation of the Academy was invited a year or two ago, or by means of the plan which had been shadowed out that evening, his confident belief was that, animated by the spirit which had hitherto dictated their conduct, and with a new and improved field of operations, they would be found to conciliate to a greater extent than ever the public sympathy and approbation, and would become the medium of spreading year by year more and more that knowledge of art which the House must regard as one of the most important

and influential instruments for educating the minds and cultivating the tastes of the great body of the people of this country. The Royal Academy would thus, he hoped, be enabled to make a great start, the influence of which would be felt, not in England only, but in Scotland and Ireland, inducing similar societies in Dublin and Edinburgh to take steps to render themselves more efficient agents in promoting a love of the fine arts. If the House, as he believed it would, acted liberally (not in a pecuniary sense) and fairly, in allowing the Royal Academy to carry out the proposed scheme, without any attempt to fetter its free action, he felt assured it would before long occupy a higher and a more popular position with respect to art than it had hitherto done. He considered that his hon. Friend the Member for Stoke had done great service in bringing this important question before the House.

LORD ELCHO expressed his cordial concurrence in all that had fallen from the First Commissioner of Works and his noble Friend who had just spoken in reference to the position which had of late been taken up by the Royal Academy. Under the rule of Sir Charles Eastlake great improvements had been introduced into that institution, and from all he could learn he was happy to find that its new President, Sir Francis Grant, was not only disposed to tread the same path as his predecessor, but to tread it with a longer stride and greater vigour, with a view to place the Royal Academy in that position which it ought to occupy, and to render it at once a thoroughly popular and useful institution. The late Parliament had, he thought, made a mistake in rejecting the proposal which had been made by the First Commissioner of Works for removing the National Gallery to Burlington House, and leaving the Royal Academy in possession of the whole of the building in Trafalgar Square. He was of that opinion, because he had served as a Member of the Royal Commission which had been appointed to inquire into the whole constitution of the Royal Academy, and which had been led by the evidence given before it to the unanimous conclusion that the best way out of all the difficulties by which the question was beset was the transference of the pictures embraced in the national collection to a new gallery to be built in the rear of Burlington House, and the handing over of the space now occupied by the National Gal-

lery to the Royal Academy. Such a plan offered, in his opinion, many advantages. A building might be erected at the back of Burlington House on the most approved plan; a wall space might have been secured more extensive than was to be found in any foreign gallery, while the place would be comparatively quiet, with the advantage of a double access from Piccadilly and from Cork Street. There would, besides, have been no necessity for incurring anything beyond a comparatively trifling expense in the formation of architectural elevations. All that would be required would be to erect a new front on the side of Cork Street. Whether they looked to convenience of access, to convenience in exhibiting the pictures, to the time which was necessary for re-lodging the pictures—everything, in fact, was in favour of Burlington House; and none of these reasons were in favour of the present site. What, then, was the alternative plan? The estimate for adapting the new buildings at Burlington House for the purposes of a picture gallery was £140,000; and they were about to give for the increased site in the rear of the present National Gallery a sum nearly equivalent to that amount. The feeling of the House of Commons would no doubt be, that if they intended to keep the pictures in Trafalgar Square, it would be unworthy of the nation to go on botching the present building, which was not fire-proof. He imagined that the plan of his right hon. Friend, which had been submitted to these architects, contemplated the sweeping away of the whole of that building and the erection of a new one. What, therefore, with the purchase of land, the expense of erecting the new building, the cost of removing the pictures, and other items of expense, he might say that while in one case their expenditure would be £140,000, and the work could be completed in two years, in the other case, taking the land, the buildings, and other items, there would probably be an expenditure of half a million, and a period of some five or six years would be required for the purpose of re-lodging their pictures, instead of two years as would have been the case if Burlington House had been adopted. There was this further advantage attending the plan proposed in the late Parliament, that the Royal Academy were anxious to obtain the remainder of the building where they had heretofore been; and there was no doubt that if the choice was between going

Lord Elcho

to Brompton, and taking the whole of the building, they would prefer the latter alternative. If the building of the present National Gallery were handed over by the nation to the Royal Academy, they would have to expend a large sum of money in improving it and giving it a new façade and in otherwise embellishing and beautifying the building. Therefore the nation would be in this position, that it would not only save a large outlay in what it did for itself, but it would also benefit by the improvements effected at the expense of other people. The hon. Member for Cambridge had referred to the saying of somebody that Trafalgar Square was the finest site in Europe. That saying had been attributed, by mistake, to the late Sir Robert Peel; its real author, he believed, being the hon. Member for the Tower Hamlets (Mr. Ayrton). That hon. Gentleman was much in favour of that site, and perhaps he would give them his reasons for thinking it the finest in Europe. The hon. Member for Stoke (Mr. Beresford Hope) had dilated upon the merits of Burlington House, and was very anxious that it might not be destroyed. He rather shared his hon. Friend's view on that point, and thought it would be a pity that Burlington House should be swept away. About two years since, Mr. Norton, the architect, drew a finished plan of Burlington House, which was placed in the library, which proposed the piercing of the front in Piccadilly, throwing down the wall at the back of the colonnade, so as to give a clear view into the yard and gardens. That alteration was estimated might be effected at a cost of only from £2,000 to £2,500. It might, perhaps, be too much to expect the House suddenly to adopt such an idea, but he knew that a great number of hon. Members shared in that view, and he hoped they would endeavour to enforce it.

Mr. AYRTON said, he wished to enter his protest against the character of the debate altogether. This question was discussed a year or two ago, when the noble Lord (Lord Elcho) said the same things that he had said that night. The House upon that occasion heard everything that could be alleged in favour of giving up a portion of Burlington House for the use of the Royal Academy. They heard elaborate accounts of the cost and convenience of the scheme from the Chief Commissioner of Works, but these irrepressible Members who were on that occasion completely beaten by a large majority, now took

advantage of the empty state of the House to reproduce their opinions and endeavour to persuade the House and the country to adopt a scheme which had already been condemned. He agreed with the truism uttered some years ago by a distinguished statesman, that Trafalgar Square was an admirable site, and he believed that instead of having deteriorated, it was of greater value than ever, now that the centre of railway communication in London had been established at Charing Cross. He trusted that the House would not reopen a question which had been so completely settled and determined in accordance with the general opinion of the House and the country. Some gentlemen thought that the court-yard in front of Burlington House was equal to the area in front of St. Peter's at Rome, but for himself he never could understand why it was so much admired. It seemed that the external architecture was of a style that was thought peculiarly suited to Piccadilly. He would admit they owed to the same family two of the finest brick walls in London. First, there was Burlington House, and then Devonshire House; and then a little further on there was Cambridge House with another fine brick wall. He, for one, regretted that the Members of the Royal Academy had not accepted the site offered to them by the Government. Something had been said about the Royal Academy going to South Kensington. If they liked to go there it would be a question of finance with them, and they would soon find out by their receipts whether they had acted wisely or not. He had always condemned that site, because a site there had been offered to all the learned and scientific societies, and they all rejected it on the ground that they would lose their subscriptions, and be ruined if they were located there. It was surrounded by public parks, and it was the most inconvenient site that could be found in London. He trusted that the ground at Kensington would not be given too lavishly to the Royal Academy by the Commissioners in whom it was vested, and who held it for the benefit of the country. Although it would be a fair appropriation of the ground to devote a reasonable space for the use of the Royal Academy; it would, in his opinion, be most unwise to give the Council more ground than was necessary. He concluded by again protesting against the proceedings of a very small minority, who had in the

course of the evening taken advantage of the state of the House to reproduce arguments in support of a suppositious opinion which had no real existence either in the House or the country.

MR. GREGORY said, that he had often heard it urged that the Royal Academy sought to suppress young talent. In his opinion that was not the case. He had had the pleasure of the late Sir Charles Eastlake's society and he could name no one of his acquaintance who was more liberal in his views, more desirous of aiding students, or more anxious to make the Royal Academy an efficient exposition of the art of the country. He believed that the feelings and desires of the present President of the Academy might be described in precisely the same terms. He had recently had several conversations with Sir Francis Grant, and he had found him just as anxious as his predecessor to popularize the Royal Academy. It was want of space, and that alone, which obstructed the Royal Academy in its progress and endeavours to do good. The chief charges made against the institution by the press and general society were that it was jealous of rising talent, and that it caused the pictures of young artists to be hung badly if it did not reject them altogether; that it never admitted the works of foreign artists, and that it did not give as much attention to teaching as was desirable. The whole of these charges would be met by the reply that the Academy had not sufficient space. The number of pictures rejected simply from want of space to hang them was 180 per annum. Foreign pictures would be gladly admitted if the Council had space to hang them; and teaching would be proceeded with to a much greater extent if the difficulty of want of space were removed. At present, however, teaching had to be suspended entirely during the time the exhibition remained open. Notwithstanding the protest of the hon. Gentleman the Member for the Tower Hamlets, he must say that he cordially agreed with the suggestion that it was desirable to submit a substantive Motion—that the House preferred the site of Burlington House to the present one—and was very much inclined to think that if the question were again put, the decision of 1864 would be reversed.

MR. BENTINCK believed he expressed the opinion of those who voted with him in 1864 when he said that he should be

glad to see another vote of the House taken upon the subject. But if the subject were revived at all, it ought to be revived in a proper manner, and if the previous decision were reversed, substantial grounds for reversing it ought to be given before that step was adopted. He endorsed the opinion expressed by the last speaker with regard to the zeal displayed by the late Sir Charles Eastlake in the interests of art; and from what he knew of Sir Francis Grant, he believed he was equally desirous to assist young artists and increase the usefulness of the Royal Academy. Burlington House was considered by architectural authorities as a building of the highest class, and such structures, he contended, ought to be preserved. He had never had great confidence in the architectural taste and qualifications of the First Commissioner of Works; and he thought it would be a very advantageous course to pursue if the right hon. Gentleman were associated with a number of gentlemen experts in architecture, and thoroughly competent to form an opinion on the various works undertaken by the Government. That course would have a very beneficial effect upon such questions as the building of the new Law Courts and the new National Gallery. The Chief Commissioner of Works had not at present done much credit to the Government in the erection of new buildings, his principal achievements hitherto having consisted of the erection of a few drinking fountains here and there, and the removal of the Duke of Wellington's funeral car from Marlborough House to St. Paul's, where hon. Members might see it for the small charge of 6*d.* per head.

Mr. LAYARD said, he did not wish to continue this debate, but, as a trustee of the National Gallery, he begged to make one or two observations on the subject under the consideration of the House. He might say for himself, and the majority, at least, of his colleagues, that they were all desirous that the Government should reconsider the decision arrived at about two years ago. They were firmly impressed with the conviction that the difficulties of erecting a suitable building at Charing Cross were so great that it was of the utmost importance for the country that they should recur to the scheme of the First Commissioner of the Board of Works, and build a National Gallery at Burlington House, leaving the present National Gallery for the purposes of the Royal Academy. After the very conclusive

speech of the noble Lord the Member for Haddingtonshire, there was no need for going over the various reasons for having the National Gallery at Burlington House, instead of Charing Cross. He would, however, advert to one consideration which had not been mentioned that evening, though it was of great importance. The National Gallery comprised a collection of works of art of the greatest value, which when once destroyed could never be replaced. It was, therefore, of the greatest importance that it should be placed in a building removed from all chances of injury or attack. The present National Gallery at Charing Cross was in a building which formed a screen to the barracks in the most central part of London, and access to those barracks was partly through the building itself. Many persons believed that it was essential to the peace and security of the metropolis that these barracks should remain where they now are. He did not say whether the opinion was or was not well founded, but it was said to have been expressed by the Duke of Wellington. If the barracks at Charing Cross were essential to the peace of the metropolis; in case of an outbreak—which, he trusted, would never happen—the National Gallery might be the first building attacked. In 1848 these barracks were the first place that was placed in a state of defence from an apprehension of the peace of the metropolis being disturbed at that time. If a new National Gallery were built upon the present site there must necessarily be access through it to the barracks. Under such circumstances he thought such a site would be most insecure and inconvenient for such a building. The difficulties also to be encountered in erecting another edifice upon the site of the present building were very great, and additional ground would have to be taken in order to construct an edifice sufficiently large for a national collection. It was, however, only possible to build on the east side as the barrack-yard and building could not be obtained, and the result would be anything but satisfactory. All these considerations had weighed with the Trustees of the National Gallery, and they were most desirous, as he had before stated, that the former decision of the House should be reconsidered. Had the proposal of the right hon. Gentleman the First Commissioner of Works been accepted, the country would by this time have had one of the finest National Galleries in Europe. The building at the present time would have been in

an advanced state, and the question of the Royal Academy would have been settled. He could not sit down without adverting to some of the remarks of the hon. Gentleman who last addressed the House; for he had spoken of the right hon. Gentleman the First Commissioner of Works in a way entirely undeserved. He believed that there was not a man in this great metropolis, whether rich or poor, who did not owe a debt of gratitude to his right hon. Friend for the wonderful improvements he had made in the metropolis. The great improvements in the parks, making them a place of public resort and an ornament to London, exceeding anything of the kind to be found in any city of the world, were due to his right hon. Friend. When the hon. Gentleman cast the slurs he had upon the First Commissioner of Works, he must have forgotten all that the right hon. Gentleman had done in beautifying the metropolis, and contributing to the comfort and enjoyment of the working classes.

SIR GEORGE BOWYER said, he regretted to hear that Her Majesty's Government again contemplated the destruction of Burlington House. When this course was recommended to Lord Palmerston, a strong protest was made against it, and the noble Premier agreed that to pull down Burlington House would be simply an act of vandalism. The Government now seemed to disregard the good sense and wisdom of Lord Palmerston in this as in weightier matters. Burlington House was a building of great architectural merit, and, as few such buildings existed in the metropolis, the country could not afford to lose it. As far as his recollection went, excepting churches and the Banqueting House at Whitehall, there was no really beautiful and perfect building of the character of Burlington House. He should have no confidence as to anything the Government might erect in its place. He might point to the new Foreign Offices, in which any one acquainted with architecture would be able to point out a number of gross anomalies by no means creditable to the taste of the country. There was simply a strip of pavement in the place where the frieze ought to be; he would much prefer to have had a plain stone. Then there were the columns, which were neither Corinthian, Ionic, nor Doric; it was difficult to tell what they were. If anything could be invented better than the productions of the great masters, he would throw no obstacle in the way; but till that

was achieved it would be better to stick to the old proportions and to the old rules. Architects of the present time seemed to be too much influenced by vanity, and if they could produce anything singular, although characterized by great deformity, they were pleased. The Government originally wanted to spend an enormous sum at South Kensington, but the House would not allow them to do so. He trusted it would show itself equally resolute with regard to the proposal to pull down Burlington House; for if picture galleries were to be erected in the rear of Burlington House, they must not only be buildings of a hybrid character, but defective also in the essential conditions of space and light. Trafalgar Square was said to be the finest site in the world; but he hoped the Government, if they decided to build there, would pull down the present National Gallery, and not attempt to tinker with it. If the communication with the barracks behind was so essential as was represented, there could be no real difficulty on that point. What was required was first a handsome basement story in which the collection of the Royal Academy, and possibly the overflowing of accumulations at the British Museum and elsewhere, might be accommodated; and above this should be erected a building worthy of the object to which it was to be devoted, and of commanding height, for without this the advantages of the site would be thrown away. The Under Secretary of State told them that the building at Kensington, if the Government had been allowed to carry it out, would have been a beautiful structure. He did not believe it; they had never yet erected a beautiful building. By the manner in which they had dealt with it, they had ruined the new Foreign Office. They compelled a Gothic architect to produce a palace in the Italian style. They might as well send for a blacksmith to mend a chest of drawers. Now that it approached completion, it was found to be sufficiently Italian to displease all lovers of the Gothic style, and not Italian enough to please the admirers of Italian architecture. Externally it was a hideous building, and he had little doubt that the internal arrangements would be found quite in harmony.

MR. HUBBARD said, he was desirous of knowing what measures were really in contemplation to obtain the additional room that was now required for our National pictures. It seemed that many Gentlemen who had taken part in the former division by which it was settled

that the site for the new building should not be at Kensington had declared their remorse for the course which they then adopted. Under such circumstances as those stated, he thought it was far better to take again the opinion of the House as to the site and mode on which the National Gallery was to be constructed. To lay out large sums of money on the site of the present National Gallery was certain to end in disappointment. The hon. Baronet the Member for Dundalk argued the question in a very contradictory way. It would be barbarism, he thought, to pull down Burlington House, but he was eager to destroy the National Gallery. [SIR GEORGE BOWYER: Because it is ugly.] Well, but tastes differed as to what was beautiful; and Burlington House, whatever its merits, was enclosed by an impervious screen, and whatever beauties it might possess were entirely hidden from the public eye. Its preservation, he did not think, was to be regarded when they were considering the question of the accommodation for our pictures. Laying aside for the moment the question of architecture, he would say with respect to the remarks of the hon. Member for Whitehaven that remembering what Hyde Park and Kensington Gardens were only a few years ago, no Chief Commissioner of Works, he thought, more deserved the gratitude of the country than the right hon. Gentlemen who now filled that office. At that time Hyde Park was a dry, dusty space. Now, its perpetual verdure, graceful slopes, gay parterres, and luxuriant flowering shrubs afforded pleasure to thousands who, perhaps, would not be so well qualified to appreciate the merits of architectural designs. If a statue were to be raised in the present day to any man who had deserved well of the people, in his opinion, the right hon. Gentleman ought to be selected.

SIR WILLIAM JOLLIFFE said, he thought the time had come when the members of the Royal Academy ought to be ashamed to occupy a space which was so much needed for our great National collection of pictures. If the academicians themselves would not take the initiative in the matter, and if they would not accept the sites that had been offered to them, it appeared to him that the Government ought to employ something like coercion for the purpose of obtaining their removal from the National Gallery. He agreed with hon. Members who had spoken in thinking that the National Gallery as a building was mean and quite unworthy

of the position which it occupied; but it was not worse than many other public buildings in London, to inspect which, one after the other, would really be a day of humiliation to any Englishman. He had hoped at one time that the erection of the new Foreign Office might form an exception to that unfortunate display of our artistic taste; but for some reason or another the effect of the work seemed wholly frittered away, and he could not help regarding it as an entire failure in an architectural point of view. If they had adopted the Roman or the Grecian style of architecture, they would have had an opportunity of having a fine façade, but this opportunity had unfortunately been lost probably through the building having been erected upon some Gothic or similar foundation. With regard to the National pictures he would ask, as he had done before, whether there was any chance during the next seven years of the whole of the gallery being devoted to the purposes for which it was constructed? He should be glad to receive an assurance from some Member of the Government that the whole of the matter would receive the consideration to which it was entitled.

VISCOUNT CRANBOURNE said, he thought the discussion of such matters in that House appeared to have a most depressing effect on every one who was not initiated in the mysteries of the subject; and were calculated to produce in the mind a general and a deplorable scepticism. Such discussions, indeed, reminded him of the opinion expressed by the late Sir George Lewis, who stated that it was always possible when a scientific man was brought forward to prove anything to produce another scientific man of equal celebrity to prove under the same conditions the exact reverse. He himself, though a humble learner, and always desirous of sitting at the feet of those who were capable of teaching, had been unable to make up his mind owing to the conflict of opinion as to whether Burlington House was beautiful or not. There was the Member for the Tower Hamlets—a great authority upon such a question—whose imagination seemed peculiarly impressed with that high wall which separated the building from Piccadilly, and which, perhaps, might be regarded emblematical of that dead level of equality to which the leading Members of the great House of Cavendish were at present prepared to reduce the political Constitution of this country. But his hon. Friend the Mem-

ber for Dundalk was positively enthusiastic in his admiration of Burlington House, and in language apparently affected by the late debate he entreated the House to stand by the ancient path, and not to abandon what was old and good unless they could devise something better in its place. He trusted that his hon. and learned Friend would, in the future discussion of political questions, entertain views as sound and as just as those he had thus expressed on the subject of architecture. The hon. Member for the Tower Hamlets censured the discussion of such subjects in the House as being useless, but in such an opinion he could not concur when he remembered the large amount expended by the country in connection with this subject. The subject of art expenditure, too, had been denounced in strong and felicitous terms by the Chancellor of the Exchequer, who, after employing a series of epithets too copious and numerous to repeat, said that nothing short of a revolutionary reform was needed. Five years certainly constituted a long period in the consistency of the Chancellor of the Exchequer, whose opinions, like certain electro-plated goods, appeared to be made more for the purpose of shining brightly than of lasting for any length of time. Those opinions, however, were recorded, and the fact remained that the Chancellor of the Exchequer had apparently made no effectual attempt to bring into rule that expenditure which he described as so irregular, or to carry out that revolutionary reform which he had designated as so necessary. He did not intend to enter into a consideration of the site which it was desirable to adopt for our art treasures; but he felt bound to protest against the opinion expressed by the Under Secretary of State for Foreign Affairs who founded this predilection for Piccadilly on the ground that owing to the presence of the barracks in the rear of the Royal Academy the pictures, if kept in the latter building, might be subject in times of danger to injury from cannon balls. That appeared to be a very remote contingency, but it was, of course, desirable to be prepared for every accident that might arise. It seemed, however, that there would be no great difficulty in taking ample precautions against the danger to which the hon. Gentleman had alluded. He would remind the hon. Gentleman that one of the first collections in Europe—he referred to that at Dresden—was kept in a place which, though undoubtedly dan-

gerous, was extremely convenient for purposes of inspection. Visitors to that collection were shown the places where cannon balls had formerly fallen, and on the slightest anticipation of danger the pictures were always removed to places of safety. If, therefore, the Royal Academy was open to no other objection than its exposed situation in cases of riot and insurrection, he thought they might reasonably ignore such considerations, and trust to Providence and the care of the guardians of these treasures, who would, he believed, see that they were in such an emergency removed to a place of safety. He rose, however, to observe that the National Gallery did not constitute the only collection of pictures which they had to take into their consideration. He had heard something from one hon. Gentleman about removing all the National collections to Kensington. As a trustee of the National Historical Portrait Collection, which, though small, was prosperous, and increasing in size and popularity every year, he desired to say that the guardians of that collection were continually in apprehension lest the treasures consigned to their care should be banished to the dreadful wilderness at South Kensington, lest their pictures should be drawn to the so-called centre by the gravitation which appeared to have had so much influence in other directions. He was anxious not to let that opportunity pass of protesting on behalf of the managers of the National Gallery against a removal to that quarter. It was not the collection at South Kensington, but the collectors, to whom they objected; it was not the things which people went to see there, but the self-assertion, the self-aggrandisement, and the spirit of intrigue which appeared to animate the managers at South Kensington, and which filled with terror the guardians of other collections. It was easy to say that that was the best centre for artistic objects; but a centre must have a radius; it must be the middle of something; and it was well known that South Kensington was placed at one extremity of the metropolis, and could not in any just sense be regarded as a central position. It was useless to cite the number of visitors to South Kensington as an argument in its favour, because, before such an argument could be accepted as worth anything, it must be shown that the visitors belonged to that class for whom these collections were intended. If these collections were to be merely the luxurious

resort of the rich, of those who from their wealth and position were able, if they pleased, to set up galleries and create collections for themselves, they gave to the people no adequate return for the taxation which was imposed upon them. He knew that such a doctrine was not popular in that House. They had constantly witnessed the most extravagant expenditure on objects of art which could afford pleasure and gratification to none but those who from their circumstances and position might easily obtain such gratification and pleasure at their own expense. The only thing resembling an *octroi* in our taxation was the coal tax. It was raised from one of the necessities of life, and yet it had been selected as a source out of which payments were to be made for objects which, practically, were enjoyed by the wealthy classes only. It appeared to him that there was great injustice in such a system; and he thought the House ought to take into consideration the question whether it was right to expend in mere luxuries money much of which was raised from a class which did not participate in the enjoyment of those luxuries. The principle which he was advocating applied very cogently to South Kensington. If these collections were for the people at large, they ought to be placed among the people, where the people could see, enjoy, and study them; because if such collections were to be only for the benefit of the wealthier and more educated classes, and if they were removed with that view, the Government would not be able to defend them long in the face of the public who were taxed for them. He especially protested against the removal under such circumstances of the National Portrait Gallery, and he could not conclude without expressing a hope that the House would hear a satisfactory statement from the Government as to what their policy was likely to be. The Under Secretary for Foreign Affairs had favoured the House with his views, but as that hon. Gentleman had spoken rather as the representative of art, they were no doubt anxious to hear some observation from the leader of the House as to what was intended to be done in the matter.

Amendment, by leave, *withdrawn*.

DANUBIAN PROVINCES.

MOTION FOR PAPERS.

MR. DARBY GRIFFITH asked the
Viscount Cranbourne

Under Secretary for Foreign Affairs, What course the Conference on the Danubian Provinces were taking in reference to the expressed wishes of the Moldo-Wallachian population? and added that he was quite aware of the difficulties of dealing with the matter. The elements of the subject were so various that no Government appeared to be able to look at them in such a light as would afford fair hope of a settlement. In ancient times the provinces were a mere appanage of the Porte, but by the intervention of the European Powers that state of things had been altered, and they had become more or less European in their character. The maxims, however, which were applied to them in the present day seemed to suit neither their old character nor their new one. They were not considered as actually subject to the Porte nor as actually independent. The Treaty of 1856 assumed to settle the position of the provinces, but soon afterwards it was found that its provisions would not be tolerated in the country; and therefore the provision that required the separation of the provinces was abrogated, and the union of the two countries was allowed. If this part of the treaty was so easily abrogated by the consent of the Powers, in what particular was the other part of the treaty as to their not being governed by a foreign prince, entitled to a greater amount of respect? No doubt the inhabitants had excellent reasons for selecting a foreign Prince, and especially that one which was founded upon the existence of internal jealousies. The state of feeling there was accurately described by the present leader of the House (the Chancellor of the Exchequer) eight years ago, when he said that—

“If the rule of a foreign Prince is thought to be desirable, depend upon it such a choice is made as a means of avoiding internal jealousies. No people in their senses ever preferred the rule of a foreign Prince, except as a means of preventing internal dissensions.”

If the people of Wallachia and Moldavia were now acting on that principle, why should we interfere to prevent them from doing so? This was not a mere caprice on their part, for the very same jealousy existed in this country, as appeared by the Royal Marriage Act, the object of which was to avoid the possibility of internal dissensions, by preventing members of the Royal family from contracting marriages with English subjects. The first attempt had been made in Belgium to obtain a prince, and that having failed, the

people had looked elsewhere. But it had been said that the interests of the Porte were affected and perhaps injured by this election. He altogether denied it. The only object these provinces had in view was to obtain their reasonable independence. It was the true interest of the Porte to consult all the reasonable wishes of the people in the Danubian Principalities, just as it was the interest of England to do the same with respect to her colonies. The Principalities were quite aware of the value of their nominal suzerainty to the Porte, just as the colonists of England were conscious of the benefits they derived from their nominal dependence upon us; but in the one case as in the other, it was felt to be desirable that the dependence should be nominal, and that it should not be made the excuse for an injudicious and unnecessary interference with the privileges and desires of the people. The reason why the provinces were valuable to the Porte was because they were a bulwark against any other Power. There could be no doubt that the real policy to be recommended to the Porte was to acquiesce in the wish of the people. In Belgium, under circumstances substantially similar, no objection was made to the election of Prince Leopold, nor were the consequences of that exercise of the popular will such as to inspire them with any feeling of regret that it had taken place. The relations between Holland and Belgium had grown more intimate in consequence, and the result was that those two countries would cordially assist each other, if any common enemy should menace them. He believed it was wrong to prefer any policy of any other Continental Power in the East to that pursued by France. That policy was the best for the preservation of the peace of the world, though he did not deny that there might be a certain amount of ambition in it, and an occasional hankering after an extension of territory. At all events, the policy of France was based upon some kind of principle, and showed consideration for the rights and the habits of other people; and it was a great mistake to depart from the policy of France without having a paramount reason for doing so. Now, the Emperor of the French either avowedly or tacitly had given his countenance to the election of the Hospodar, and England could not do better than follow the example thus set. He was afraid that unless some steps were speedily taken in the matter, a serious col-

lision would occur between Turkey and Russia. He did not wish to make Her Majesty's Government responsible for what might happen, but it was not sufficient that the intentions of a Government should be good, their conduct should be wise, and of this wisdom success might be taken as a test. He wished to ask, what was the present state of the negotiations, and especially whether the Turkish troops had entered these provinces? And he also begged to move for any papers that there might be relating to the subject.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, Copy of any Correspondence relative to the Conference on the Danubian Principalities,"—(*Mr. Darby Griffiths*.)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. LAYARD said, he would not detain the House at greater length than he could help; but, at the same time, he wished to say a few words in order that the whole matter might be correctly understood. His hon. Friend said the subject to which his question related had been very much misunderstood in this country and still more so abroad, and he was not sorry to have an opportunity of placing the matter before the House in a proper light. The hon. Gentleman, however, had altogether misstated the history of the Danubian provinces. He had spoken of them as though they had long been conquered and governed by the Turks; whereas, in truth, those provinces at a distant period of time, for reasons of their own, voluntarily placed themselves under the suzerainty of the Porte. Turkey was then a strong Power, and they considered that she was then enabled to protect them. At first the Turkish Sultan was in the habit of sending as Hospodars or Governors of the provinces Turkish subjects; but, after a time, the provinces became dissatisfied with that arrangement, and claimed the right of electing their own Princes. That right was conceded to them by the Porte, and the two provinces had for a long course of years themselves through their Assemblies selected their Hospodars. The Russian Government who always felt or professed to feel a great interest in those Princi-

palities interfered on various occasions in consequence of what they considered to be the improper conduct of the Turks towards the Principalities. It was, however, but fair and just to the Turks to say that during the whole of their long connection with Moldavia and Wallachia, on no occasion had they interfered with the internal self-government of those provinces. No Turks ever lived there, nor, except in case of war, were ever seen there, and he believed that no two provinces were ever more independent and self-administered than Moldavia and Wallachia. There existed in Moldavia and Wallachia a Christian aristocracy, which was not the case in the other Christian provinces belonging to the Turks, where the land was almost entirely in the hands of Mahommedans. While in nearly all the other provinces of Turkey the landholders and chief persons were Mussulmans, in the Principalities they were all Christians, and the population was purely Christian. In no other provinces of the Turkish Empire was there a Christian aristocracy, which stood between the power of the Hospodar and the people at large. It was the want of such an aristocracy that he believed had been the cause of the great misfortunes that had befallen Greece since its severance from Turkey. In consequence of the presence of that Christian landed aristocracy, the provinces were far advanced in civilization, and were the richest and most prosperous of any of the Sultan's dominions. By the treaties of Adrianople and Bucharest, the Russian Government had obtained from the Porte a right of protectorate over the provinces, and a right to interfere in their internal affairs. The Crimean War arose in consequence of the Russian troops crossing the frontier of the province. At the termination of that war by the Treaty of Paris the suzerainty of the Sultan over the provinces was solemnly recorded, although it was especially stipulated that the Hospodars should be elected from among the natives of the provinces, and that treaty further declared that the exclusive right of protectorate over the provinces claimed by Russia should be transferred to the great Powers jointly who were parties to that treaty. As the interests of Moldavia and Wallachia were not well understood in Western Europe, a sort of joint Diplomatic Commission, of which Sir Henry Bulwer was a member, was sent by the

great Powers who were parties to the treaty to inquire into the affairs of those provinces. Eventually, in consequence of the Report of that Commission, an additional convention was entered into between the great Powers, whereby it was stipulated that while the suzerainty of Turkey over the provinces was fully recognized, the inhabitants should have power to elect as Hospodar of each province a native not less than thirty-five years of age, whose father was also a native of the province. No doubt there had existed a party in Moldavia and Wallachia who were anxious for the separation of the provinces from Turkey. The first object of the party in endeavouring to carry out that design, was to induce Turkey to allow them to elect a foreign Prince as Hospodar. That design did not succeed, and then they sought for a union of the provinces, and to have one prince, and Moldavia having elected Prince Couza, the object was that the Wallachians should also become subjects of the same prince. By taking this step they had not violated the Paris Convention, although it was certainly an infringement of the spirit of the treaty, and the parties to that arrangement represented to the Turkish Government that it would not be worth while to insist upon the provinces electing separate Hospodars. The Porte voluntarily accepted the recommendations of the Great Powers, but made this reservation, that in case of Prince Couza's death or deposition, the two Assemblies should be convened, and the people should have the opportunity of deciding freely whether union or separation was most conducive to their interests. The Porte made this stipulation from no interested motive, but because it entertained a firm opinion that the supporters of the union and of a foreign Prince formed a small minority, and that the greater portion of the population were in favour of separation of the Principalities. Whether that opinion was right or wrong he would not discuss, but many persons acquainted with the Principalities still believed that separation would be more conducive to their prosperity, and there was undoubtedly a very large party in Moldavia who objected to that principality being merged into Wallachia, which was what the union really amounted to. The reservation of the Porte was accepted by all the Great Powers. He would not go into the events of Prince Couza's reign, but one of his first

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acts was to destroy the landed aristocracy, by taking away their lands and dividing them among the people. After a few years, as they all knew, he raised loans and did other things which excited a popular rising; and he was forced to leave the country. Upon this the Porte desired that the reservation which it had insisted on should be carried out, and that the Assembly should be called together to declare whether the provinces should be separated or remain intact. The great Powers assembled in Conference at Paris resolved to wait until the Porte had, with the advice of the Great Powers, declared what steps should be taken for the future government of the provinces. But at this juncture the extreme democratic party that had deposed Prince Couza called upon the people to declare by *plébiscite* who should reign over them, without any reference to treaty engagements with the Porte and the Great Powers. He had heard with astonishment his hon. Friend's remark against what he called a priggish adherence to treaties, which he seemed to think was characteristic of some Members of the Government. This was a very dangerous doctrine, and one, he was afraid, that had too much prevailed of late years in Europe. If ever a time came when nations were to have no respect for treaties there would be the utmost danger to civilization and liberty. The present dreadful state of Europe, the muster of 2,500,000 of armed men ready to go to war, and the horrible slaughter which, before many days, might take place, were entirely owing to the disregard of what his hon. Friend termed a priggish adherence to treaties. His hon. Friend seemed to think that every Power had a right to deal with a treaty as it chose, except the Power specially affected, for he left altogether out of consideration the position of the Sultan, and seemed to forget that the Treaty of Paris and the Convention of 1858 solemnly ratified the suzerainty of the Sultan, and prescribed the manner in which the Hospodar should be elected. Whether, however, we might think it advisable for the Principalities to be separate or united was not the question, for we were bound by this treaty, and if it was to be set aside only ten years after being solemnly entered into, what treaty, he would ask, could be regarded as binding? What, then, had the Powers done? On the supposed election of Prince Charles of Hohenzollern by the Moldavians and Wallachians their representatives assem-

bled in Conference at Paris, and conjointly—for France, contrary to what his hon. Friend supposed, acted with us—issued directions to their Consuls in the Principalities not to take any step which might commit them to the recognition of Prince Charles. The Powers were bound by treaty to take this step, and they could not honestly have acted otherwise. Now, his hon. Friend seemed to think that the Porte had no right to interfere without the consent of the other Powers; but in that he was quite mistaken. It was true that an article in the treaty stipulated that, in case of the disturbance of internal order in the Principalities, the Turkish Government should not interfere except with the consent of the other Powers. This, however, was not a question of internal order, but was an infringement of the sovereign rights of the Sultan. Suppose, for instance, Austria or Russia should send troops into either of the provinces, did his hon. Friend think that the Porte could not defend its rights without the sanction of all the parties to the treaty? [Mr. DARBY GRIFFITH: It cannot interfere alone.] His hon. Friend was entirely mistaken with regard to the interpretation of that article, for what it laid down was that the Porte should not interfere in case of any internal revolution, whereas in the present case the inhabitants had acted in defiance of the treaty and had violated the sovereign rights of the Porte. Undoubtedly, therefore, the Porte had a right to interfere; but then came the question whether it was advisable or prudent to exercise its right, and the British Government, so far from having advised the Turkish Government to insist upon their right, had advised them to act with the utmost moderation, and not to endanger the peace of the Principalities by a military intervention. His hon. Friend asked whether the Government had received any information with reference to the entry of Turkish troops into the Principalities. His reply was that, though he saw rumours in the public press that Turkish troops were about to cross the Danube, they had received no official information to that effect, and he earnestly hoped that the Porte would not at the present time take a step which might have the effect at that moment of exposing them to serious inconvenience, and of lighting up the flames of war in the Eastern parts of Europe. The British Government did not deny the undoubted right of the Porte to interfere, but while

recognizing the provisions of the treaty, they espoused the side of prudence and conciliation by advising the Turkish Government not to take any measure which might add an additional complication to the present lamentable state of Europe.

SIR JOHN WALSH said, it would appear from the able statement of the Under Secretary that they ought to look upon Wallachia and Moldavia as the Venetia of Turkey. He hoped the Government would give the best advice in their power to the Porte, but all experience demonstrated the mischievous effects of interference with the relations of distant countries, and he trusted that our treaty obligations would not involve us in anything beyond advice. He quite agreed with the Under Secretary for Foreign Affairs that it would be a lamentable thing if, in addition to all the serious complications which menaced Europe with a general conflagration, these provinces should be also the scene of hostilities. If that result could be prevented he should be glad. He was anxious to urge upon the Under Secretary and upon the House that we should be careful and refrain from involving ourselves in any treaty obligations, as on former occasions these had led us into awkward complications, from which we had retired with some loss of national credit.

Amendment and Motion, "That Mr. Speaker do now leave the Chair," by leave, *withdrawn*.

Committee deferred till Monday next.

REPRESENTATION OF THE PEOPLE BILL [BILL 68], AND RE-DISTRIBUTION OF SEATS BILL—[BILL 138.]

(*Mr. Chancellor of the Exchequer, Sir George Grey, Mr. Villiers.*)

COMMITTEE.

Order for Committee read.

THE CHANCELLOR OF THE EXCHEQUER said: There has been an understanding in the House that eleven o'clock should be the limit beyond which we should not proceed with these Bills. We have endeavoured to bring these measures on, but the fates have been against us. I am sorry that we have just passed that hour, and I have only to move that the order be postponed until Monday.

MR. BOVILL asked whether any further information was likely to be laid on the table of the House with respect to the

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franchise portion of the Reform Bill and also with reference to the enfranchisement and disfranchisement clauses.

THE CHANCELLOR OF THE EXCHEQUER said, he was not aware that there was any intention on the part of the Government to present any further information. The Returns moved for by hon. Members were not prepared in his Department. The question of the hon. Member might be addressed to the heads of the Departments who would produce those Returns, or if a specific question were addressed to himself he would cause inquiries to be made.

Committee deferred till Monday next.

COURT OF CHANCERY (IRELAND) BILL. (*Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland.*)

[BILL 19.] COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

MR. WHITESIDE suggested that, as it would not be necessary to trouble the House much upon this question, seeing that an arrangement was likely to be come to, the further consideration of the Bill should for the present be postponed. It was his intention to assist in passing the Bill, and in making it as useful as possible.

Bill considered in Committee.

(*In the Committee.*)

Preamble postponed.

MR. WHITESIDE again offered, if the Committee were not now troubled with details, to facilitate business on another night.

House resumed.

Committee report Progress; to sit again upon *Tuesday next*.

TRANSUBSTANTIATION, &c., DECLARATION ABOLITION BILL—[BILL 82.]

(*Sir Colman O'Loughlen, Sir John Gray, Mr. Cogam.*)

COMMITTEE. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Question [7th June], "That Mr. Speaker do now leave the Chair."

Question again proposed.

Committee—*Debate resumed.*

Question put, and *agreed to*.

Bill considered in Committee.

(In the Committee.)

MR. WHITESIDE said, that in the temporary absence of the hon. Member for North Warwickshire, who had a Motion on the paper relative to this Bill, he thought it inconvenient to proceed with it. A Commission had been properly issued by the Government to inquire into the tests and oaths that were taken in addition to those that had just been disposed of by Parliament, and he thought that legislation should be deferred until that Commission had reported. The peculiarity of the Bill was that the promoters of it, as far as concerned the Roman Catholic Members, fancied that they were labouring under a grievance, but found that in fact they were labouring under no grievance, and were much affected by that circumstance. He was stating the case fairly, for those hon. Members had discovered that they had no grievance on their own part nor on the part of their people, and the grievance they sought the power of redressing was borne by the Lord Lieutenant of Ireland. For a variety of good reasons, such as that he disposed of Church patronage and recommended Bishops, the Lord Lieutenant was obliged to declare that he belonged to the Church of England, and the hon. Member for Clare (Sir Colman O'Loughlen) objected to the manner in which this declaration was made. In the absence of his hon. Friend the Member for North Warwickshire he (Mr. Whiteside) was endeavouring to support this declaration. No doubt if this was the first time it was proposed it might be put in a more inoffensive form; but neither the hon. and learned Member for Kildare nor the hon. and learned Member for Clare (Sir Colman O'Loughlen) would be asked to take the test, and it was for the Protestants from whom it was required to object to its forms if they entertained objections to it. He expressed a hope that this question might be referred to the Commission which had been appointed to inquire into various tests and oaths that were now taken, and that the hon. Member for Kildare would not beforehand spoil the matter by rash legislation on the subject.

MR. NEWDEGATE apologized to the Committee for his absence when the Order of the Day was called, but stated that it was owing to a misunderstanding, inasmuch as he had supposed that the Bill

would not be pressed that evening. This Bill comprised one of the objects proposed at a meeting of the Dublin corporation a year ago, that was in fact a meeting of that which designated itself the Irish National Association, which was under the patronage of Legate Cullen. At that meeting it was stated by the hon. Member for Kilkenny (Sir John Gray), that the Lord Lieutenant and Lord Chancellor of Ireland felt it to be against their consciences to take this declaration before entering on their offices. On what authority he made that statement had never appeared. The relations between the inhabitants of Great Britain and the Sovereign had been arranged in the Act of Settlement, which secured that the Sovereign should be a Protestant, and it was but reasonable that the direct Representatives of the Sovereign in Ireland should be of the same religion. While anxious to retain this security he was at the same time willing to consider every plea of offence being given by the form of the Declaration so far as it was possible; and the proposal of which he had given notice would show that he had no desire to give offence. With this view he proposed to move the following declaration in lieu of that proposed to be repealed:—

“I, A. B., do solemnly and sincerely, in the presence of God, profess, testify, and declare, that I do agree in the true, usual, and literal meaning of the twenty-second and twenty-eighth articles of religion, which articles are received and held by the United Church of England and Ireland, and that I do assent to, and do hold the said articles, as truly setting forth my belief with respect to the doctrines contained in the said articles.”

The late Lord Lyndhurst, who had proved that upon religious subjects he was far from an illiberal politician, had declared in the House of Lords, when moving the second reading of a Bill for the admission of Jews to Parliament, that he could conceive no greater misfortune to this Protestant community than that the Throne should be filled by a Roman Catholic. Now the declaration—the repeal of which was suggested—was one of the outworks of the great settlement which secures that the Sovereign should be a Protestant, and by that Bill it was proposed, not that the Lord Lieutenant of Ireland should cease to be a Protestant, and Lord Chancellor for Ireland, but that they should cease to declare themselves to be Protestants. One of the characteristics of the legislation of this country

was, that a person accepting office, which could only be filled by a Protestant, should declare his religious belief, and should be accepted upon his own declaration. But, it was said that the form of the declaration was offensive to Roman Catholics. It was odd that this should be first discovered by Protestants, for until the hon. Member for Kilkenny, who declared himself to be a Protestant (Sir John Gray), complained of it before the Dublin corporation, no Roman Catholic took it up as a grievance. Now, however, since this Declaration had been represented a grievance he (Mr. Newdegate) wished to remove the shadow of complaint and proposed the Amendment of which he had given notice. He thought the clauses agreed to by Sir Robert Peel in the Roman Catholic Relief Act of 1829 should not be swept away as now proposed. He would be glad to know from the Secretary of State for the Home Department why the Commission appointed to inquire into oaths and tests should not also inquire into this Declaration. He knew that those securities were now described by hon. Members chiefly of the Roman Catholic persuasion either as offensive or as idle. But Count Montalembert had declared that there was no country in the world in which the Catholics enjoyed greater freedom than in this country, and the late Archbishop Murray sent Dr. Ennis to Rome to state the same thing to the Pope. It was with the view of preserving the supremacy of the Constitution as Protestant, and the freedom thus ensured, that the declaration now sought to be abolished was of use. The Articles of the Church of England were carefully drawn up soon after the period of the Reformation in the most inoffensive terms compatible with a clear enunciation of principle, and it was in those terms assented to by the Church of England, and by a great body of the Protestants, that he should propose to substitute the declaration that now stood on the paper. He considered that some declaration of their religious convictions on the part of these two officers as necessary, since one was the direct representative of the Crown in Ireland, while the Lord Chancellor exercised patronage in the Church, and connected with education, and in the administration of ecclesiastical affairs. In this view he was supported by the opinion of the late Sir Robert Peel. He should conclude by asking the Government why

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it declined to permit the Commissioners on Oaths to consider this subject. If the Government refused this, he should oppose the Bill in its present stage, and if it was afterwards proceeded with, move the Amendment of which he had given notice in Committee. It seemed the Government had not confidence in the Commissioners.

SIR GEORGE BOWYER said, he was surprised to hear it alleged that no grievance existed because the Lord Lieutenant and the Lord Chancellor, who took this declaration, were Protestants. But there was a great difference between the expression of a man's own views and his condemning the views of other people. The grievance was that the Lord Lieutenant had to appear before the Privy Council, the members of which were Roman Catholics, in a country in which the greater part of the population were Roman Catholics, and to condemn in most unmeasured and offensive terms one of the fundamental articles of the Roman Catholic faith. What possible good could this do? He was surprised that anybody should object to remove this grievance. Assuming that the terms of the Commission on Oaths allowed it to consider this subject, the House did not want a Commission to tell them that which any sensible man ought to know of himself. The Bill took away no security from the Protestant Church; it left the law untouched which provided that the Lord Lieutenant and the Lord Chancellor should not be Roman Catholics; it merely removed what was offensive to Roman Catholics, and what, he thought, must be equally offensive to right-minded Protestants, who must surely feel uncomfortable in being compelled to make such a declaration.

MR. SYNAN said, that the declaration was of no use, and afforded no security to the Protestant religion. It only affirmed—

“The right of each to do his best
To damn and perjure all the rest.”

And a right-minded Protestant should be more in favour of repealing this declaration than a Roman Catholic. But if it was the wish of the Protestants to damn and perjure their Roman Catholic brethren, they might at least do it in the most offensive way by compelling the Lord Lieutenant, presiding over a Roman Catholic country, to condemn the faith of its people.

SIR GEORGE GREY wished that his hon. Friend who had charge of the Bill had allowed this subject to be considered

by the Commission; but as he had declined to take that course, and pressed for the decision of the House, he (Sir George Grey) entirely concurred in the expediency of removing from the statute book a declaration of this kind, necessarily offensive as it must be to our Roman Catholic fellow-subjects.

SIR COLMAN O'LOGHLEN stated that two years ago a Commission consisting of several archbishops and bishops, and Members of both Houses, and also the late Lord Chancellor of Ireland, was appointed in Ireland to inquire respecting certain tests, among which was this most offensive declaration, which were required to be taken by clergymen of the Church of England in that country; and that Commission unanimously reported that the declaration should be repealed, and last Session an Act was passed to effect that object.

SIR JOHN GRAY said, that the recommendation of the Commission was, that the Oath required by the Statute of Henry VIII., and the Declaration required by the Statute of William and Mary be discontinued; not that one thing should be substituted for another, but that the old law should be repealed.

MR. WHITESIDE observed, that the question of tests was under the consideration of the Commission recently appointed, and the present occasion afforded a most painful example of the mode in which the Administration were ready to yield to suggestions against their own reason and judgment.

Preamble *postponed.*

Clauses 1 and 2 *agreed to.*

MR. NEWDEGATE moved a new clause, substituting a new declaration for that repealed by the Bill. He observed that the two Articles named referred to Transubstantiation and Purgatory; and though the hon. Member for Dundalk characterized the declaration proposed to be repealed by the Bill as nonsense, it was very singular that the House of Commons, which was supposed to contain some sensible men, and the House of Lords, had very recently declared it was necessary that the Sovereign of this realm should make that very declaration.

New Clause (The following Declaration shall be substituted for the Declaration hereby repealed—

I, A. B., do solemnly and sincerely, in the presence of God, profess, testify, and declare, that

I do agree in the true, usual, and literal meaning of the twenty-second and twenty-eighth Articles of Religion, which Articles are received and held by the United Church of England and Ireland, and that I do assent to, and do hold the said Articles, as truly setting forth my belief with respect to the doctrines contained in the said Articles)—(Mr. Newdegate,)—brought up, and read the first time.

MR. COGAN said, that the principle of the Bill had been unanimously accepted by the House. Even the hon. Member for Peterborough (Mr. Whalley) had withdrawn his opposition, because the Bill had received the sanction both of the leader of the House and of the right hon. Gentleman the Member for Cambridge University, speaking on the part of several hon. Members of the Opposition. A new limitation would be imposed by the clause of the hon. Gentleman, because it would exclude every person who did not accept the Thirty-nine Articles. He therefore trusted that the Amendment of the hon. Member for North Warwickshire would be rejected.

MR. CHICHESTER FORTESCUE said, that nothing could be more undesirable than to continue to make use of such solemn words upon sacred and mysterious dogmas, according to the practice of our forefathers, who prostituted the dogmas of religion by applying them to such purposes. He hoped at this hour of the day we were not going to continue the practice. The hon. Gentleman the Member for North Warwickshire, by his proposal, was actually extending the test imposed by the old declaration, because the new declaration dealt with the doctrine of purgatory—that was dragging a new question into the arena. It would be most undesirable to require a high officer, including the Lord High Commissioner for Scotland, to adopt the Thirty-nine Articles. [Mr. NEWDEGATE: It is only two of them.] That made no difference in point of fact. There was no occasion to wait for the Report of the Commission, because every one must be satisfied that it would be in accordance with the spirit of the Bill.

MR. THOMAS CHAMBERS said, he desired to know whom did the hon. and learned Member who introduced the Bill represent? Was it the Protestant portion of the population? Where was the grievance to Roman Catholics? There was none whatever. It was entirely unprecedented that solemn declarations should be altered, not because they were offensive to the consciences of those who took them, but because they were disagreeable to other

persons, who need not be present when the declarations were made. He could not see any objection whatever to the Amendment of the hon. Member for North Warwickshire.

SIR PATRICK O'BRIEN rose, but being met with loud cries of "Divide!" he resumed his seat.

MR. WHITESIDE expressed his wonder that in a matter of this kind hon. Gentlemen on the other side below the gangway should try to prevent others from expressing their opinions. If hon. Gentlemen who talked so much about freedom of discussion on the platform thought to put it down in that way, they would find themselves very much mistaken.

SIR GEORGE GREY said, he trusted that the right hon. Gentleman and his friends would have a perfectly fair hearing.

SIR PATRICK O'BRIEN observed, that when he rose to speak he was prevented from doing so by cries of "Divide, divide!" from the Opposition side, whereupon he had desisted.

MR. VERNER moved that the Chairman report Progress.

Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Verner.*)

The Committee divided:—Ayes 40; Noes 78: Majority 38.

MR. WHITESIDE said, he had no wish to oppose the progress of business in pressing a division, but simply to uphold the right of free discussion. In accordance with the law of this country the Lord Lieutenant of Ireland must be a Protestant. The hon. and learned Member for Dundalk would, no doubt, deem it a perfectly reasonable course to bring in a Bill to alter that law, nor should he be surprised to find him proposing a measure to alter the succession to the Throne, a proposition to which, if it were made on the eve of a critical division, Her Majesty's Government would, in all probability, give their assent. He, at all events, should be sorry to trust them on that point after twelve o'clock at night. It mattered not, of course, to many hon. Gentlemen to what religion the Lord Lieutenant might belong. Some would not object to see the office held by a Quaker, but he should, because a Quaker would possibly be opposed to the use of armed force to repress conspiracies or to defend the country. The law, however, declared that the Lord Lieutenant

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should be a Protestant, because, among other things, he had church patronage to dispense, and he thought a more tolerant or simple test than that suggested by his hon. Friend the Member for North Warwickshire to affect a rational and legitimate object could not well be devised. It was, at all events, a perfectly reasonable demand to ask the House to await the Report of the Commission under whose consideration the subject now was before proceeding to legislate with regard to it.

MR. O'BEIRNE must say he thought the Committee was extremely tolerant in listening to four lectures from the right hon. Gentleman (Mr. Whiteside) on the subject of that Bill. The right hon. Gentleman had failed to give any reason which could satisfy any sensible man why they should refuse to pass that measure; and he was sorry to find him introducing something like *Nisi Prius* practice into their discussions. The right hon. Gentleman addressed the House on almost every question that came before it, and, although he always sought to amuse them, he seldom instructed them. The declaration which that Bill sought to repeal was most offensive.

MR. WHITESIDE: That is not the question. He appealed to the Chairman to state what was the question before the Committee.

THE CHAIRMAN said, the question was that the clause of the hon. Member for North Warwickshire be now read a second time.

MR. O'BEIRNE said, that if, as a young Member of the House, he had transgressed the rules, he begged pardon; but he could only repeat that not a single sound argument had been adduced against that Bill.

MR. NEWDEGATE said, that Roman Catholic Members below the gangway would not promote their object, or induce people out of doors to believe that Roman Catholics were free from the charge of intolerance, by their attempts to stifle discussion in that House. His reason for proposing that test was the same as had actuated the Legislature of England for the last 300 years. He had taken every means in his power to eliminate from the declaration every word which could be deemed offensive by those who entertained different religious opinions from himself. But it was only prudent to insist that those who were made the depositories of great powers by virtue of their being supposed to be of the Protestant faith should declare

that they were so in terms which could not be offensive.

SIR PATRICK O'BRIEN said, he repelled the charge of intolerance against Roman Catholic Members, which came with an ill grace from an hon. Gentleman who had himself always spoken and voted for the maintenance of civil disabilities upon persons of a different religious persuasion from his own. The Roman Catholics did not wish to interfere with the existing law; all they desired to do was to take off the statute-books phrases which had for years been creating bad feeling in Ireland.

Question put, "That the Clause be now read a second time."

The Committee divided:—Ayes 36; Noes 71: Majority 35.

House resumed.

Bill reported, without Amendment; to be read the third time upon Monday next.

House adjourned at One o'clock,
till Monday next.

HOUSE OF LORDS,

Monday, June 11, 1866.

MINUTES.]—Took the Oath—The Lord Howard de Walden.

SELECT COMMITTEE—On Private Bills, The Viscount Halifax, The Lord Ponsonby, and The Lord Taunton added; on Crown Lands nominated.

PUBLIC BILLS—First Reading—Standards of Weights, Measures, and Coinage* (150).

Second Reading—Charitable Trusts Deeds Enrolments* (146); Lunacy Acts (Scotland) Amendment* (138).

Committee—Drainage Maintenance (Ireland)* (113).

Third Reading—Exchequer and Audit Departments* (108); Landed Property Improvement (Ireland)* (122); Nuisances Removal* (132); Life Insurance (Ireland)* (122); Naval Savings Banks* (129), and passed.

Royal Assent—Customs and Inland Revenue [29 Vict. c. 64]; Divorce and Matrimonial Causes [29 Vict. c. 32]; Land Drainage Supplemental [29 Vict. c. 33]; Cattle Assurance [29 Vict. c. 34]; Contagious Diseases [29 Vict. c. 35]; Poor Persons' Burial (Ireland) [29 Vict. c. 38]; Hop Trade [29 Vict. c. 37].

ELECTION COMMISSIONS.

MESSAGE FROM THE COMMONS.

That they have appointed Mr. Chancellor of the Exchequer, Sir George Grey, Mr. Secretary Cardwell, and Mr. Bruce, to wait upon Her Majesty with the Address to Her Majesty respecting the last Election and Return for the Borough of Lancaster, the Borough of Great Yarmouth, the Borough of Reigate, and the Borough of Totnes.

BOOK OF COMMON PRAYER.

PETITIONS FOR A ROYAL COMMISSION.

THE EARL OF CHICHESTER rose, pursuant to Notice, to present Petitions praying for the Appointment of a Royal Commission to consider of certain Alterations in the Book of Common Prayer. The noble Earl said, that the petitions, which were forty-seven in number, were signed by upwards of 7,000 persons, many of whom were persons of great responsibility and learning, including among the number many professors and clergymen. He had given notice of his intention to present these petitions because his most rev. Friend (the Archbishop of Canterbury) and the noble Earl at the head of the Government had both at an earlier part of the Session expressed their unwillingness at present to entertain the question. The petitioners in nearly every instance prayed for the appointment of a Royal Commission, one of their reasons being the great evil resulting from the present extravagant ceremonials practised in some of our churches. While he concurred with the petitioners in regarding these practices as at variance with the spirit of the Church of England, he confessed he did not see how these practices would be affected directly or indirectly by a revision of the Prayer Book. He thought, indeed, that their aim in any revision of the Church services should be rather towards comprehension than exclusion. It might be possible, by a more vigorous application of the law, to put a stop to any practices which were illegal; but he did not see how it could be done by a legislative revision of the Liturgy. Some vigorous executive administration might perhaps be possible, and in that case some of those practices which were against the law might be checked by means of the law.

ESTABLISHED CHURCH—REVISION OF THE LECTIONARY AND THE BURIAL SERVICE.

ADDRESS FOR A COMMISSION.

LORD EBURY, in rising to move that an humble Address be presented to Her Majesty for the appointment of a Commission to revise the Lectionary of the Established Church, and also to consider what steps should be taken to obviate the evils complained of as arising from the compulsory and almost indiscriminate use of the Burial Service, said :—The Motion which I am about to submit to your Lordships' notice for a Royal Commission embraces two objects—one, the revision of the Calendar of Lessons, which is called the Lectionary ; the other, the amendment of the law with reference to the reading of the Burial Service. As to the first I need say but little, inasmuch as this has been the spontaneous proposition of my most rev. Friend who presides over the archdiocese of Canterbury, who not satisfied with stating his willingness to concur in this object has already applied to the Home Office for the issue of a Commission, and my object would already have been effected but for a notion on the part of the Secretary of State, as I understood him, that it would be better not to appoint a Royal Commission for what appeared to him, unfortunately, as I think, too small a matter to be made by itself the subject of a Commission, but that it would be better to wait until other subjects of a cognate nature could be included with it. I presume, therefore, that to this part of my proposal there will be no objection ; and I do not know why I should anticipate any objection to the remainder, and for this reason—that the present state of the law of burial has been twice discussed in your Lordships' House and condemned on all sides—Government, Opposition, cross-bench, and right rev. Bench—with a very remarkable unanimity ; so much so that I thought at one time the best thing I could do to save your Lordships' time would be to make this statement and sit down. I think, however, that I should best perform the task I have undertaken by simply recalling to the recollection of the House the history of the question since it has more prominently occupied the attention of Parliament. Some fourteen or fifteen years ago, in the town of Cambridge, a notorious evil liver, turned drunk out of a tavern, fell into a gutter and died. The clergyman, Mr. Dodd, who

was called upon to read the service at the deceased's funeral, and who behaved throughout the whole transaction with great good sense and moderation, feeling what a scandal it would create, very properly declined to do so. It is well your Lordships should be made aware of the exact words which he would have had to read—

"Forasmuch as it has pleased Almighty God of His great mercy to take unto Himself the soul of our dear brother here departed, we therefore commit his body to the ground ; earth to earth, ashes to ashes, dust to dust ; in sure and certain hope of the resurrection to eternal life."

Again—

"We give Thee hearty thanks for that it hath pleased Thee to deliver this our brother out of the miseries of this sinful world."

Again—

"We meekly beseech Thee, O Father, to raise us from the death of sin unto the life of righteousness ; that when we shall depart this life, we may rest in Him, as our hope is this our brother doth."

Well, my Lords, for declining to read these words Mr. Dodd was prosecuted, condemned to pay the costs of the suit, and suspended for six months. These circumstances excited a very strong feeling of sorrow and anger in the University and the town, the result of which was a memorial to the right rev. Bench, signed by about 4,000 clergy of all ranks and shades of opinions, many of very high standing and eminence, which contained the following clauses :—

"We beg to express our conviction that the almost indiscriminate use of the Order for the Burial of the Dead as practically enforced by the existing state of the law imposes a heavy burden upon the consciences of clergymen, and is the occasion of a grievous scandal to many Christian people. We therefore most humbly pray your Lordships will be pleased to give the subject such attention as the magnitude of these evils appears to require, with a view of devising some effectual remedy."

The reply of the Archbishop on behalf of his brethren was, I venture to think, most unfortunate. It stated—

"The Bishops generally sympathize with the memorialists in the difficulties to which they sometimes find themselves exposed with reference to the terms of the Burial Service ; but I am sorry to report further that the obstacles in the way of remedying these difficulties appear to them, as at present advised, to be insuperable."

When I brought this case before Parliament in 1863 by a Motion much the same as the present, your Lordships, one and all, took the same view of the case as those reverend petitioners. Every Lord who

addressed the House, whether spiritual or temporal, admitted that the grievance was intolerable and absolutely required a remedy; and the most rev. Primate undertook to consult the clergy generally as to the best means of finding a solution to the difficulty. I believe every one of your Lordships then present felt as I did, that the question was upon the eve of a satisfactory adjustment. Unfortunately, however, this attempt failed, and the most rev. Primate announced in the next Session that he was unable to propose anything, as the great majority of the clergy, so far as as he could ascertain, had declared against any change of any description. He did not say what their reasons were, but he stated that, such being the fact, he could not proceed. This House, then, was thus unfortunately brought into collision with the majority of the clergy, this House declaring that the present state of the law urgently required alteration, the clergy declaring that in their opinion no alteration was requisite. I waited for some time, hoping that this feeling would subside, and that, as so little was really required to set the matter straight, some plan of reconciliation might have been devised by the clerical element in the country. Now, your Lordships will bear me witness that in all these matters I have done my best to put these questions out of my own hands, and to place them in those of the Spirituality of our Church, so that they might appear to come from that quarter. After waiting, however, nearly two Sessions, towards the close of last Session I renewed my previous Motion but in the most conciliatory form I could devise—namely, that the subject was one which required the attention of Parliament. I showed the Motion to the most rev. Primate who presides over the Northern province before I introduced it, and was happy to find that he approved it. I only regret that he was unable to be present on that evening. On that occasion I could have cited dozens of instances of the continuance of those scandals arising out of the state of the law; but I contented myself with one of recent occurrence, where a clergyman in Devonshire had, under circumstances which, in my opinion, fully justified him in so doing, refused to read the Burial Service, and was accordingly prosecuted and fined. I am very happy to say, my Lords, that my Motion was not opposed upon its merits, but merely upon the ground of the lateness of the time at which it was brought forward, near the end of the

Session, and on the eve of a dissolution. Although I did not consider this a good reason, I accepted it because it seemed to suggest a hope that we might arrive at a satisfactory solution of our difficulties. I now bring it forward again at a moment when of course no such objection will be taken, and I earnestly entreat your Lordships not to negative a Motion which has for its object the most practical method of dealing with an admitted evil. But whatever you do, my Lords, one thing I think I have a right to ask—namely, that you will settle this question now one way or the other. It is not fair to those I represent—it is not fair to myself—it is injurious to the Church of which we are members, to delay your decision. Either say that the grievance is imaginary and requires no remedy, or if you admit the grievance say you intend to deal with it. If you are of opinion that some overpowering and strange necessity exists which prevents your dealing with an admitted grievance—which prevents your even attempting the alteration of a law which is said by some of the best of our Ministers to impose a heavy burden upon their consciences, and to cause grievous scandal to many Christian men, then, my Lords, you will reject my proposal; but if you are of a contrary opinion—namely, that no such overpowering difficulty stands in your way—then you will vote for a Royal Commission; and I will venture to say that if Her Majesty should be advised to nominate one similar in its composition to that which had to consider the oaths and declarations made by the clergy, not ten days of sitting, which it cost us to arrange the new terms of subscription, not ten hours, I had almost said not ten minutes, would elapse before a satisfactory basis would be agreed upon for the settlement of this question, and your Lordships would hear of it no more. I beg to conclude by making the Motion of which I have given notice.

Moved, That an humble Address be presented to Her Majesty for the Appointment of a Commission to revise the Lectonary of the Established Church, and also to consider what Steps should be taken to obviate the Evils complained of as arising from the compulsory and almost indiscriminate Use of the Burial Service.—(*The Lord Ebury.*)

THE ARCHBISHOP OF CANTERBURY said, he felt himself compelled to object to the Motion of his noble Friend. Before entering into his reasons against the proposition contained in that Motion, he might

be permitted to make a remark personal to himself, and to state that he was no determined opponent to all reforms in the Church. He was the first to propose a reform in the Statutes of the University of Oxford, by which the forms for conferring degrees in the House of Convocation were much simplified, and many unnecessary oaths abolished. In 1854 he did not hesitate to become a Member of the Oxford University Commission, whose labours had resulted in a considerable change being made in those statutes, and very large reforms in the government of that University. Again, two years since, he had not objected to become a Member of the Commission appointed to inquire into the subject of clerical subscription. In all those instances he foresaw that successful results would be obtained, but he could not consent to take part in a Commission where he foresaw that the inquiry was likely to have no practical or useful result. His noble Friend was of opinion that if a Commission were appointed to sit upon this question, similar to those that had been appointed to consider the questions to which he had referred, a satisfactory result would be immediately arrived at. He (the Archbishop of Canterbury), however, was of a totally different opinion, for he believed that great differences of opinion would arise, and the Report of the Commissioners would be such that no Government would venture to act upon it. He was therefore decidedly not prepared to take part in a Commission whose investigations must result in such an unsatisfactory termination. The noble Lord's Motion was divided into two parts, one having reference to the Lectionary of the Church of England, and the other relating to the Burial Service. He certainly should object to a Royal Commission being appointed to take the former subject into consideration at the present time, when there was a good deal of anxious discussion going on with regard to the ritualistic question, and therefore they ought not to deal with it at present, while at the same time he had no objection whatever that the subject should be discussed at a proper season. He, however, did not think it right that the two questions, very different in themselves, should be mixed up in the same Motion. It was a serious question to touch the main body of the Liturgy, and he hoped that their Lordships would not hastily consent to that being done. The noble Lord said that forty-seven petitions had been presented upon this subject,

The Archbishop of Canterbury

signed by 7,000 persons. Now, some months ago, he (the Archbishop of Canterbury) had received a memorial signed by 37,000 lay communicants, and another signed by 4,000 of the clergy, against any alteration in the Prayer Book being made, and therefore he felt convinced that there could be no chance whatever for a general revision of the Liturgy if a Commission were appointed as proposed by the noble Lord. Either matters would remain just as they were, or one party in the Church would gain a great victory at the expense of the other, which was most undesirable. Therefore he earnestly deprecated this part of the noble Lord's Motion. The noble Lord had adverted to the great scandals which sometimes arose with reference to the Burial Service. But suppose that in order to prevent such scandals arising, they were completely to remove from the Burial Service the objectionable expressions—did their Lordships imagine that they would get rid of all the difficulties which were raised? The language of the Burial Service was entirely consistent with the spirit of the Christian religion, and he should be sorry to see removed from it all expression of a hope in a resurrection to eternal life. It was better to be charitable than the opposite, and he thought an over-scrupulousness was sometimes shown, and that there were very few cases indeed in which a clergyman need scruple to employ that language. Some cases, indeed, there were, such as that of a person dying in the avowed utter and resolute unbelief in which these scruples were justified, for if such a man after death could express an opinion he would be indignant at the Burial Service being read over him. Again, there was another case which had actually occurred, of a person living in gross and avowed sin, and dying in the act of declaring that she was resolved not to forsake it. A clergyman was fully at liberty to refuse to use the expressions in question in cases like these. But where a clergyman could not undertake to say that there was no hope whatever of a person's salvation, charity ought to induce him to employ the language of the Burial Service. Various attempts had been made to settle the difficulty, but all had failed; and the obstacles being such that he could see no prospect of a satisfactory solution, he could not accede to the proposal of his noble Friend. The noble Lord had spoken of his desire for conciliation; but he (the Archbishop of Canterbury) was certain that more persons

would be alienated than would be conciliated by the changes he proposed. The Protestant Episcopal Church in America had made some slight alterations in the Liturgy, but he could quote the opinion of one of the bishops of that Church that though larger concessions had been made than the early Nonconformists demanded, the effect had not answered the reasonable hopes that were entertained; and he had heard from another source that it was the stability and fixedness of the formularies of that Church which led so many members of Dissenting bodies to join it. He had now touched upon the principal points raised by his noble Friend, and would again repeat his objections to his Motion.

THE EARL OF CHICHESTER said, he was sorry to differ on a subject of this kind from his most rev. Friend, and in some respects also with his noble Friend (Lord Ebury) who had made the Motion. If he at all differed from the noble Lord it was not because he did not admit the existence of a grievance which it was the duty of Parliament and of the heads of the Church to deal with as far as they were able, but because he thought any Commission that might be appointed should be empowered to take a wider view of the subject, and not be confined to the few and comparatively small points mentioned by his noble Friend. The most rev. Prelate, in urging the danger of a revision of the Liturgy, assumed that that revision would result in some great change, which might alienate a larger number than it would conciliate. He (the Earl of Chichester), however, was not prepared to suggest any extensive change. Having considered the question for many years, he was quite aware that it was involved in some difficulties, but he did not believe that those difficulties were insurmountable, and that being so, it was the duty of the Legislature, and a Christian duty rested upon them to solve them. Indeed, his belief was that if the whole subject was referred to a competent Commission—a Commission composed of men of learning and piety, and whose names would inspire confidence in the country generally—their inquiries would lead to important and useful results, and the circulation of the report which they might agree to would give a great deal of useful instruction to the clergy, and would prepare men's minds for a moderate reform. Let their Lordships consider the circumstances under which the Liturgy was framed. The great

Fathers of the Reformed Church were men who had been brought up in the Roman Catholic Church, they were nurtured in principles of superstition and intolerance; it would not therefore have been surprising had those worthy men been imbued with many prejudices, and had they been somewhat exclusive and dogmatical, and indisposed to make the Church as comprehensive as it ought to be. On looking, however, into the history of those times, we found that so far from such being the case, they were influenced by a feeling of Christian charity, and that they not only endeavoured to conciliate the members of the old communion by altering the formularies as little as necessity required, but that they also endeavoured to effect and maintain Christian communion with the reformers of other Churches on the Continent; and we could not be too grateful for the fact that the Liturgy, which was the result of these different efforts during the 16th century, was so comprehensive and so free from fault as we found it. Subsequently to the time of Elizabeth, and down to the period of the Great Rebellion, a more exclusive feeling no doubt crept into the Church; arbitrary attempts were made to enforce conformity, and all moderate reforms were refused. The consequence was what he considered to be a bane and reproach to the Church of England—that for nearly 300 years she had never made a single honest attempt to rectify acknowledged and repeatedly alleged grievances in her system, and thus to become more comprehensive, and, in fact, a national Church. He said no honest attempt had been made, for he thought no man who had fairly studied the history of the Hampton Court and Savoy Conferences, or the still more futile attempts made at the Revolution of 1688, would for a moment maintain that the Church of England had ever honestly attempted to meet the views of Nonconformists. It was represented, indeed, by some Church historians that those efforts were really marred by the unreasonableness of the Nonconformists; and no doubt the Nonconformists on two of those occasions were not so moderate or reasonable in their demands as they might have been. More conciliation and Christian charity might, doubtless, have been manifested on both sides. One very remarkable fact connected with the history of those transactions was that during the whole of that period they found from time to time that some of the most learned and pious

defenders of the Church had acknowledged those evils, and were advocates for their removal. Another fact was that there appeared to be a very great accordance of opinion as to the alterations required and the smallness of their amount, and that few and unimportant as these alterations were they would have conciliated a great number of the Nonconformists. The fact that the very alterations now urged were urged then partly by members of the Church and partly by Nonconformists surely went a long way to prove that there was something to be said in their favour. He was not disposed to discuss point by point these proposed alterations, which seemed to him not only desirable, but practicable. He, for one, particularly disliked discussions of that sort in their Lordships' House. It was quite sufficient if he could convince the House and the right rev. Bench, that an inquiry into this subject must some day or other take place, and that the sooner it began the more likely it was to lead to a favourable issue. It was a paramount duty on the part of those to whom were intrusted the government and well-being of the Church to endeavour from time to time to remove every cause of offence to the weaker brethren, to make the Church as comprehensive as possible, and promote, as their fathers had done, that intercommunion between the Churches of different countries who believed substantially the same great truths—and the greater the intercommunion of Church with Church—the more comprehensive the more Protestant would each Church become. These were among the reasons which induced him to think that some such inquiry was desirable; but whether it was wise or prudent to issue a Commission on the two points raised by his noble Friend he would not undertake to decide.

THE BISHOP OF LONDON said, that when his noble Friend (Lord Ebury) brought the same question before their Lordships last summer, he had thought, upon the whole, the most prudent course for him (the Bishop of London) to take was not to vote at all; and he felt very much inclined to follow the same course on the present occasion. What had been stated by the noble Earl who had just addressed their Lordships (the Earl of Chichester) somewhat strengthened him in that inclination. He did not think the arguments of the noble Earl went much in favour of the proposition of his noble Friend (Lord Ebury); and his observations

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took a much wider range. The noble Earl had spoken of such a revision of the Liturgy as would conciliate foreign churches. He (the Bishop of London) did not believe that our brethren in America or those who belonged to Protestant bodies elsewhere would be deterred from uniting with the Church of England, either by the length or the character of its Lectionary, or the use of the Burial Service. The noble Lord (Lord Ebury) had said that while the evil had been admitted he had always been met by the objection that the time had not arrived for remedying the evils complained of. He (the Bishop of London) thought he might honestly say that this was not exactly the right time, and that the matter was not of such paramount importance to the Church as to require that it should be taken into consideration at the present moment. The noble Earl had spoken of the refusal of the Church for many years to make any changes in its system. Certainly, if he (the Bishop of London) were convinced that the question at issue was between allowing all things to continue as they were, whether suited to the present time or no, and voting for the Motion of his noble Friend, he should vote with the noble Lord. But he thought his noble Friend must have observed during the many years he had been a Member of that House, that the Church of England had not been altogether stationary. He did not think the Church was liable to the imputation of a senile adherence to things as they were, and an unwillingness to make any change even when her forms had altogether ceased to influence the generation in which they lived. The noble Lord himself had been the principal instrument in inducing the Government to issue the Commission to which the most rev. Prelate had alluded; a Commission which had remedied an abuse of very long standing, which had conciliated many persons who long had stumbled at the mode of subscription to Articles of the Church, and which had conferred, as he (the Bishop of London) knew from his own experience, a great boon upon the Church. The matter taken in hand was a difficult one, and occupied a great deal of time. They had to deal with subscriptions which many thought to be absolutely essential for the preservation of the unity of faith in the Church. They had on the one hand to guard against the notion that a man denying the truths which the Church taught might become one of her ministers; and

on the other hand, they had to conciliate men of tender consciences, who were truly attached to the doctrines of the Church, and yet were not disposed to make a public declaration that they agreed with every *iota* of its forms. With great difficulty and after many discussions the matter was settled. A most remarkable change was thus introduced into the system of the Church, reaching even to the alteration of a most solemn service of the Church—the service for the Ordination of Priests and Deacons, and even, he believed, for the Consecration of Bishops. That alteration had been sanctioned by both Houses of Parliament, and by the Convocation of the Province of Canterbury. Consequently it could not be said that the Church of England had been altogether idle, or indisposed to adopt any change simply from an unworthy love of things as they are. Again, it was but a short time since a noble Earl now present (Earl Stanhope) had induced their Lordships to concur in removing from the Prayer Book those services which were called State Services, which were binding not indeed by an Act of Uniformity, but still by an authority recognized throughout the kingdom. This was a most important concession, which he believed had done great good, and had removed a great objection which had been felt in cathedral and collegiate churches against the retention of forms which had ceased to be anything but forms. There was, however, one of these State services which had been preserved—it was that in which thanks were returned for the commencement of Her Majesty's reign and blessings were prayed for on the reigning Sovereign. The reason that service had been retained was that it was felt that its spirit had not departed from it. He therefore said that the Church did not hold to forms when the spirit had left them; but where they were capable of being made instinct with more spirit, the Church in retaining would seek to breathe into them the new life required. Furthermore, there was at the present moment a Bill in the other House of Parliament which contemplated an alteration of the service for the consecration of Colonial Bishops. All this he felt was a sufficient proof that the Church had not been dead or torpid, but was anxious to adapt the services, where this could be done to the changed circumstances of the age in which we live. Great changes had also taken places even under the existing

law. They could all remember how different in former times were the somewhat slovenly performances of public worship in many parish churches from the present practice—certainly it could not be laid to the charge of the young clergy of the present day that they adhered too much to things as they are. Many thought that they were too much inclined to violent change. One of the reasons why he could not assent to the proposition of the noble Lord was that there were at the present moment more important questions than those brought forward by the noble Lord demanding consideration, and he thought that the Bishops should apply themselves to the pressing matters before them, rather than turn aside to the discussion of those questions which the noble Lord believed to be most important. Every man was liable to have—he would not say his own crotchets—but his own favourite ideas, and the noble Lord appeared to attach greater importance to the questions of the Burial Service and the Lectionary than in his (the Bishop of London's) eyes they really possessed. He granted that there was a grievance in regard to the Burial Service, and that it was very awkward when the law said one thing and the clergy did another. Though he desired to see a remedy applied to these matters as speedily as possible he did not know that this evil was very pressing. He had had few cases in his own diocese, and in the one or two instances in which he had been asked beforehand what ought to be done, he had given the best advice he could, and no legal prosecution had followed in any case in his diocese when the law had been slightly departed from. He did not think that the fear of legal prosecutions was so great as the noble Lord seemed to imagine, and he believed that by an arrangement such as was now entered into in some dioceses the evils and scandals of such cases as had occurred might be obviated. As he should not have an opportunity of addressing their Lordships to-morrow evening on the subject of ritualism, when it was proposed by a noble Marquess to subject himself and other Prelates to a catechetical examination, he would say that the Bishops had for some time been occupied in considering the difficulties which the petitions presented that evening set before their Lordships. It had been assumed by ardent spirits that they were too slow; but they desired before acting to ascertain what the law was. Instead, therefore, of

rushing at once into a Court of Law and putting forth what authority it gave them, they thought it best to ascertain with the utmost accuracy what was the real state of the law upon the subject. There being different rulings upon the subject, a case had within the last three months been carefully prepared and laid before the Attorney General and Sir Hugh Cairns. The questions submitted to those eminent lawyers embraced all the particular matters which had excited confusion in the Church during the last few years, and the answer given by those learned gentlemen was to the effect that there would be no difficulty in proceeding against the persons who had disturbed the Church in those matters. Having obtained those opinions, it must be obvious to their Lordships that the Bishops could hardly stand inactive; they were bound to go further after having gone so far; and he was sure, therefore, that their time would be sufficiently occupied without entering at present on the points that had been raised by the noble Lord. There was another difficulty which was also likely to occupy their time—he referred to that which arose as to the discretion which existed in certain cases referred to in the Preface of the Prayer Book, and he feared it might be necessary to ask the Legislature to give Bishops a greater discretionary power in dealing with matters which endangered the church. He said “endangered the Church,” because he believed that those things did greatly stir the feelings of a vast number of Protestants, and tended to shake the influence of the Church of England which had always been recognized as the greatest Protestant Church in the world.

LORD HOUGHTON expressed his regret to hear the liberal and enlightened Prelate who had just sat down intimate that it was the intention of himself and other Prelates to apply to the law of this country on the subject of ritualism. He looked forward with dread to such an appeal. He really believed that that matter might be left to the good sense and Christian feeling of the people of this country, which was deeply rooted in Protestantism, and which had on a previous occasion put aside a far more serious Tractarian movement than that which at present existed. He could not, he thought, put the question before their Lordships in a more practical way than by stating that it had now become the habit of almost the entire of the middle and lower classes of this country to attend

the afternoon and evening rather than the morning service of the Church, and that the result was that they, in the present state of the Lectionary, never heard read there one chapter of the historical Books of the Old Testament. That was a condition of things which caused considerable annoyance, and which he contended ought not to be suffered to continue. As to the latter portion of the Motion of his noble Friend, he must say that, while ignorant as to what interpretation the right rev. Bench as a body placed on the Burial Service, his own interpretation of the English language and the documents of the Church was that the words “sure and certain hope of eternal life” expressed the doctrine of the Church, while it was left to the feeling of the clergyman ministering whether he referred that doctrine to the individual destiny of the person interred. There was in our Church a large freedom which distinguished it from the administration of other Churches, and its services breathed the spirit of prayer and benevolence much more than that of exclusive doctrine. He did not wish to oppose the wishes of the right rev. Bench, but he had simply to observe, that the right rev. Bench would, in his opinion, do well to assent to the appointment of a Commission on the Lectionary, which would spread itself over a considerable time while it would deal with a practical necessity.

EARL RUSSELL said, he did not think it expedient, as at present advised, that the Crown should interfere in the matters which had been introduced by his noble Friend to their Lordships’ notice in the manner proposed. Any steps that might be taken in the matter ought to be taken by the right rev. Prelates themselves. With respect to the Burial Service, he must say that he looked upon it as a great misfortune that a clergyman should feel himself bound by a conscientious feeling to do, under any circumstances, that which was contrary to law; and he wished the right rev. Bench would take upon themselves to provide a form of words by means of which the law on the subject might be made more satisfactory. But the right rev. Prelate who had just spoken (the Bishop of London) thought that the difficulties in the way of this course were insuperable. His noble Friend behind him (the Earl of Chichester) had spoken in reference to the very wide question of the general revision of the services; and he (Earl Russell) did not think that the adoption of the proposition to issue

a Commission would tend to the peace of the Church. His (Earl Russell's) opinion was that the revision proposed was not one in which each party would have an equal chance; and it was a change which one school of opinion very much desired, whilst another school of opinion vehemently opposed it. He was, therefore, afraid that if they were to issue a Commission upon the matter, instead of producing greater harmony and peace in the Church, they would give rise to very angry controversies, and this without any chance of settling the matter. He could not, therefore, be a party to the issuing of such a Commission.

LORD REDESDALE said, the noble Lord who made the Motion seemed to think that the whole question of the revision of the Burial Service might be settled by a Commission in ten minutes. Now if that were possible, it could not take more than two or three minutes to tell them how it was to be done, and he should very much like to hear from the noble Lord how so good a thing could be done in so short a time.

LORD EBURY said, the discussion had wandered far from the simple Motion he had made. He would not go into the general question of the revision of the Liturgy, but would content himself with quoting a passage from *The Times* to the effect that no amount of controversy which the revision of the Liturgy would be likely to excite could be half so bad as that 4,000,000 Christians would have nothing to do with it as it stood. In reply to the question which had been just put to him, he thought that an alteration which had been suggested in the work of a clergyman, which he held in his hand, would meet the requirements of the case. The words of the Burial Service in the first Collect, as it now stood, were as follow:—

“Forasmuch as it hath pleased Almighty God of His great mercy to take unto Himself the soul of our dear brother here departed, we therefore commit his body to the ground; earth to earth, ashes to ashes, dust to dust; in sure and certain hope of the Resurrection to eternal life, through our Lord Jesus Christ; who shall change our vile body that it may be like unto His glorious body, according to the mighty working whereby He is able to subdue all things to Himself.”

The words which he proposed to substitute were—

“Forasmuch as it hath pleased Almighty God to take out of this sinful world the soul of our brother here departed, we therefore commit his body to the ground; earth to earth, ashes to ashes, dust to dust; looking for the general Re-

surrection in the last day, and the life of the world to come, through our Lord Jesus Christ, who will judge the quick and dead at His appearing and kingdom, and change the vile bodies of His saints, that they may be like unto His glorious body, according to the mighty working whereby He is able to subdue all things unto Himself.”

If the service were thus altered a heavy burden would, he thought, be removed from the consciences of the clergy, and there would be no further difficulty on the subject. He was not sorry that he had made this Motion, seeing the declarations it had been the means of eliciting from those who had taken part in the discussion. But when the right rev. Prelate (the Bishop of London) said the Episcopal bench were not actuated by an unreasoning desire to adhere to things as they are, he must remark that some ten years ago the right rev. Prelates themselves had actually advocated a revision of the Liturgy, or, what was substantially the same thing, a modification of the Church Services. Since then, however, a change appeared to have come over their minds. Having referred to a speech delivered in Convocation, the noble Lord said the right rev. Bench were certainly acting in a very extraordinary way if they really desired to redress the grievances of the Church. A large body of the clergy felt the present state of things to impose a heavy burden on their consciences, and to cause a grievous scandal to Christian men; and he maintained that, as those evils resulted from the law of the land, it was perfectly competent for Parliament to deal with them. Was there, he asked, some kind of cabalistic virtue in every word and letter of these formularies, that it was impossible to retrench or alter a syllable of them in order to remove these scandals? He trusted that on that occasion he should be supported by such a number of their Lordships as would show that some action ought to be taken in this matter.

THE BISHOP OF RIPON said, the noble Lord who had just sat down (Lord Ebury) had spoken as if certain members of the Episcopal bench had been inconsistent in approving some modification in the services of the Church some years ago, and in now being against a revision of the Liturgy. The noble Lord seemed to think that in approving a modification of the services of the Church they had committed themselves to a revision of the Liturgy. That, however, was not the case. They simply approved a shortening of the services—as, for example, by turning the

Litany into a separate service—and not of any revision of the Liturgy itself. But he had risen more especially to refer to some observations of his right rev. Brother (the Bishop of London), which had been partially misunderstood by the noble Lord who followed him in the present discussion. His right rev. Brother had stated that, in their anxiety to ascertain what was the right course for the bishops to pursue with regard to those ritualistic practices the introduction of which had occasioned so much uneasiness among the best friends of the Church, the members of the Episcopal bench had resolved to obtain the best legal opinion they could as to the exact law of the Church in respect to those practices. They had accordingly done so, and the opinion they had obtained was altogether against the introduction of those ritualistic practices which had been the subject of complaint. In this, in his opinion, the Bishops had adopted a wise course. The only proper course for the Bishops to pursue in the first instance was to ascertain what the law of the Church really was, in order that they might know what were the right steps to take to put down those practices if they were illegal. But the remarks of his right rev. Brother on that point had been partly misunderstood by the noble Lord who followed him, who appeared to take it for granted that, having obtained the legal opinion that these practices were contrary to the law of the Church, they should immediately endeavour to put the law into action; and by pursuing the question into the Courts proceed by the force and authority of the law to repress these practices. That was not their intention. Their intention was having ascertained what the law of the Church was in the first instance, to trust that the good sense of those who were, perhaps unconsciously, violating the law would induce them to retrace their steps, and bring their practice into conformity with the law. He earnestly hoped that such would be the case, and that those who now found that they had been transgressing the law of the Church would have the good sense to desist from doing so without obliging the Bishops to resort to legal process to compel the observance of what the law of the Church required. If, on the other hand, that expectation should be disappointed, then he apprehended they would have but one course before them as Bishops of the Church—namely, to maintain and uphold the law of the Church by

The Bishop of Ripon

the authority of the law, if they could not do it in any other way. Should it unfortunately happen that they had to pursue these cases in the Courts of Law, the responsibility for that would not lie on the Bishops, but on those who had not the good sense, when they saw they were in the wrong, to retrace their steps, and make their practice conform to the law.

On Question? their Lordships *divided*:—
Contents 20; Not-Contents 66; Majority 46:—*Resolved* in the *Negative*.

CONTENTS.

Westmeath, M.	Belper, L.
Westminster, M.	Blantyre, L.
	Charlemont, L. (<i>E. Charlemont.</i>)
Cowper, E.	Churchill, L.
Fortescue, E.	Ebury, L. [<i>Teller.</i>]
Grey, E.	Foley, L.
Minto, E.	Gage, L. (<i>V. Gage.</i>)
Zetland, E.	Harris, L.
	Hunsdon, L. (<i>V. Falkland.</i>) [<i>Teller.</i>]
Clancarty, V. (<i>E. Clancarty.</i>)	Monson, L.
Leinster, V. (<i>D. Leinster.</i>)	Mostyn, L.

NOT-CONTENTS.

Canterbury, Archp.	Sydney, V.
Cranworth, L. (<i>L. Chancellor.</i>)	Bangor, Bp.
	Cashel, &c., Bp.
	Derry and Raphoe, Bp.
Cleveland, D.	Gloucester and Bristol, Bp.
Grafton, D.	Lichfield, Bp.
Somerset, D.	Ripon, Bp.
Bath, M. [<i>Teller.</i>]	Abinger, L.
	Aveland, L.
Bantry, E.	Boyle, L. (<i>E. Cork and Orrery.</i>)
Beauchamp, E.	Brodrick, L. (<i>V. Middleton.</i>)
Belmore, E.	Chelmsford, L.
Cadogan, E.	Clandeboyne, L. (<i>L. Dufferin and Claneboyne.</i>)
Carnarvon, E.	Colville of Culross, L.
Cawdor, E.	Crofton, L.
Dartmouth, E.	Delamere, L.
De Grey, E.	Digby, L.
Derby, E.	Hatherton, L.
Devon, E.	Heytesbury, L.
Effingham, E.	Houghton, L. [<i>Teller.</i>]
Graville, E.	Kilmaine, L.
Hardwicke, E.	Lytton, L.
Harrowby, E.	Lyveden, L.
Huntingdon, E.	Oxenford, L. (<i>E. Stair</i>)
Leven and Melville, E.	Polwarth, L.
Lucan, E.	Redesdale, L.
Malmesbury, E.	Saltoun, L.
Orkney, E.	Silchester, L. (<i>E. Longford.</i>)
Romney, E.	Sondes, L.
Russell, E.	Stewart of Garlies, L. (<i>E. Galloway.</i>)
Stanhope, E.	Talbot de Malahide, L.
Verulam, E.	Walsingham, L.
Wilton, E.	
De Vesci, V.	
Halifax, V.	
Hawarden, V.	
Stratford de Redcliffe, V.	

PRIVATE BILLS—
STANDING ORDER No. 184.

THE SELECT COMMITTEE.

LORD STANLEY OF ALDERLEY moved that Viscount Halifax, the Earl of Bessborough, and Lord Taunton be added to the Select Committee appointed to consider Alterations in Standing Order No. 184, proposing that a subscription contract shall be entered into in certain cases by the Promoters of Second Class Bills.

LORD REDESDALE felt that he had reason to complain of this proposition. He did not know whether the noble Lords who had been appointed to serve on the Committee approved or disapproved of the alteration in the Standing Orders which he had proposed; but because a certain number of them on the Government side of the House had expressed themselves dissatisfied with the present Standing Orders they were assumed to be bound to support his alterations. It was a strong measure to take to add those names; but notwithstanding he (Lord Redesdale) would place himself in the hands of their Lordships, and would still be willing to serve on the Committee.

LORD STANLEY OF ALDERLEY said, that the noble Lord the Chairman of Committees had not, as was the usual practice, held any consultation upon the subject with those on the opposite side of the House who felt an interest in the matter, and he was justified in believing that the noble Lord's Committee was not an impartial one, inasmuch as the names of those noble Lords on the Government side of the House, the Viscount Halifax, the Lord Ponsonby, and the Lord Taunton, added to the Committee who supported an alteration in the Standing Order had been placed on the list. He might add that the opinions of the three noble Lords whose names he proposed were not known to him, though one of them had said, on being asked to serve on the Committee, "I confess I am in favour of some such alteration as that proposed by Lord Redesdale."

Motion agreed to.

House adjourned at a quarter past
Seven o'clock, till To-morrow,
half past Ten o'clock.

HOUSE OF COMMONS,

Monday, June 11, 1866.

MINUTES.]—NEW WRIT ISSUED—*For Nottingham County (Southern Division), v. Lord Stanhope, now Earl of Chesterfield.*

NEW MEMBER SWORN—John Esmonde, esquire, for Waterford County.

PUBLIC BILLS—*Resolutions in Committee*—Court of Chancery (Ireland) [Salary and Retired Allowances, &c.]

Ordered—British Columbia*; Church Rates Amendment.*

First Reading—British Columbia* [186]; Church Rates Amendment* [187].

Second Reading—Princess Mary of Cambridge's Annuity* [183]; Dogs* [181].

Committee—Representation of the People [68], and Re-distribution of Seats [138] [R.P.]; Reformatory Schools* [184]; Industrial Schools* [185].

Report—Reformatory Schools* [184]; Industrial Schools* [185].

Withdrawn—Curragh of Kildare [136].

IRELAND—POSTAL DELAYS—QUESTION

MR. W. ORMSBY GORE said, he would beg to ask the Secretary to the Treasury, Why the mails arrived at Carrigallen and Killygar Post offices later now than they did last year; and whether there is any intention of accelerating them, so as to avoid the inconvenience to which the public in that neighbourhood are now put?

MR. CHILDERS: In reply, Sir, to the hon. Gentleman, I have to state that I have ascertained that the mails arrive in the morning at Carrigallen at 8 25 and at Killygar at 9, and leave Killygar in the afternoon at 3 50 and Carrigallen at 4 30. These appear to me very reasonable arrangements as things go. It is true that last year they arrived a little earlier in the morning, but since then the Derry mails have been sent from Dublin by the direct express line, *vid* Portadown and Omagh; and all country gentlemen know that when a mail service is taken off a roundabout route and put on a new direct line, the small towns on the former line must lose some advantages.

NAVY—MEDICAL OFFICERS.

QUESTION.

SIR JOHN HAY said, he rose to ask the Secretary to the Admiralty, Whether there is still any difficulty in obtaining the services of good medical officers for Her Majesty's Navy; how many assistant surgeons had entered the service since the

1st day of January ; and what steps, if any, have been taken to carry out the recommendations of the Committee presided over by Admiral Sir A. Milne ?

MR. BARING said, he regretted to state that it was found very difficult to obtain the services of good medical officers for the navy, only three having entered the service since the 1st of January. He hoped soon to be able to state what course the Government intend to adopt respecting the recommendations of the Committee presided over by Admiral Milne.

SIR JOHN PAKINGTON said, he wished to ask if it is the intention of the Admiralty to carry out the recommendations of that Committee ?

MR. BARING replied that a measure on the subject would be introduced in the course of a few days, and therefore it was at present unnecessary for him to enter into any details on the subject.

CATTLE DISEASE—PLEURO-PNEUMONIA.—QUESTION.

SIR JERVOISE JERVOISE said, he wished to ask the Vice President of the Committee of Council on Education, Whether it is true, as stated in answer to question 4,325 (Cattle Plague Commission), that as many as twelve cases of pleuro-pneumonia existed in one Dairy within six weeks : Question 4,426, that the London Dairies are never free from pleuro-pneumonia for many weeks together : Question 4,519, that Lord Granville's sheds have never been a month without it in the last four years ; and, if so, what special measures have been taken to stamp out or isolate a disease said to be little less dangerous than the Cattle Plague ?

MR. BRUCE said, in reply, that the Government had not any means of testing the accuracy of the evidence given by witnesses before the Cattle Plague Commission. The powers possessed by the Privy Council hitherto had always been held to apply to diseases of an epidemic or infectious character, and not to chronic diseases—the class to which pleuro-pneumonia belonged. It might be doubted, therefore whether the Privy Council possessed the power of ordering the cattle so affected to be killed, which was, he supposed, the process of "Stamping out" contemplated by his hon. Friend. No application to insolate any diseased district had been made to the Privy Council, and, taking into account how wide-spread the disease was,

Sir John Hay

it was doubtful whether any measure of the kind would be effectual.

CERTIFYING SURGEON AT BATLEY.

QUESTION.

MR. H. F. BEAUMONT said, he would beg to ask the Secretary of State for the Home Department, Why the appointment of certifying surgeon under the Factory Acts for the Batley district, vacant by death on the 16th day of April last, was delayed by the Inspector for a period of three weeks, and then filled by the nomination of a non-resident stranger, without the usual regard to the wishes of the millowners and manufacturers of the district, who supported the claims of resident candidates ?

SIR GEORGE GREY, in reply, said, the appointment of certifying surgeon under the Factory Acts was placed by law in the hands of the Inspector of Factories, and not of the Secretary of State. Upon inquiry he had ascertained that the delay was occasioned by a doubt entertained in the first instance whether any fresh appointment was necessary, or whether there might not be a re-distribution of offices. The gentlemen selected from among nine or ten candidates had been a certified surgeon in another district, and might therefore be considered experienced in the discharge of his duty. If any dissatisfaction were felt with his decisions, power existed to call in another opinion ; but in no case had this ever been done.

THE CHOLERA CONFERENCE— CONSTANTINOPLE.—QUESTION.

SIR JERVOISE JERVOISE said, he wished to ask the Under Secretary of State for Foreign Affairs, What progress towards a settlement of the question has been made since the objection was taken by the English, Russian, Turkish, and Persian representatives at the Cholera Conference, Constantinople, to the proposal of the French representative for the stoppage of all sea communication between Arabia and Egypt, and for the presence of several vessels of War in the Red Sea in case of another epidemic ?

MR. LAYARD replied, that a Conference proposed by the representatives of nearly all the European nations had assembled at Constantinople to take into consideration the spread of the cholera from the East. The conference had come to certain Resolutions, and when they were

reduced to a convention, Her Majesty's Government would consider them, and see how far they could adopt the recommendation of the conference, and what steps could be taken to carry them out. Her Majesty's Government were of opinion that great evils would arise from the prohibition of the departure of the pilgrims from Jeddo. So long as it was known that the cholera prevailed in Arabia, Her Majesty's Government had no objection to the Turkish regulations for enforcing quarantine in the Red Sea, but they strongly deprecated the application to the pilgrims of any measures of exceptional severity. From the information which he had received he was led to believe that since the Commissioners had been sent to Arabia a considerable improvement had taken place at Mecca, and that a number of the causes which had led to the propagation of cholera had been removed.

STATE OF EUROPE.—QUESTION.

MR. KINGLAKE: I have some Questions to put to the right hon. Gentleman the Chancellor of the Exchequer respecting the aspect of affairs on the Continent of Europe; and desiring to preface my questions by some few remarks, I undertake to place myself in order by concluding with a Motion. I take the liberty of addressing these questions to the Chancellor of the Exchequer rather than to my hon. Friend the Under Secretary for Foreign Affairs, not only because the questions are of so great importance that the House has a right to expect an answer from a Member of the Cabinet, but also, I may say, because one of the questions which I propose to address to the right hon. Gentleman—namely, that which relates to the advice tendered by Her Majesty's Government to some of the disputing States—has reference not only to advice which may have passed in the ordinary way through the Foreign Office, but also to advice, not necessarily of an official kind, which may have been given by some Cabinet Minister other than by Lord Clarendon. The last accounts that have been received—not, I think, by telegram but by letter—give us some reason for fearing that almost at this moment the peace of Europe may have been broken; because it appears that it was the intention of the Austrian Commander to convoke the Estates of Holstein not at the place originally intended, but at Altona, which is a suburb of Hamburg, and

apprehensions exist that the Prussian Commander will interfere with the assembling of the Estates, and prevent them from nominating, as it was supposed they would do if left to themselves, the Duke of Augustenburg. Now, Sir, in this condition of things I think it is right that the House of Commons should have an opportunity of expressing an opinion on the subject; but I shall take care, as far as I am concerned, that no word shall fall from me tending in the slightest degree to aggravate the feelings unfortunately now existing between the parties. The first thing that strikes one looking at this impending war is, that really there is not, as far as we know, anything which can be called a misunderstanding. On the part of Prussia—or rather I should say of Count Bismarck—there is an unveiled desire to obtain the annexation of the Elbe Duchies, and on the part of Italy there is an equally unveiled desire to appropriate the territory of Venetia. Each of those States has, so far, one merit—that is, of being free from all hypocrisy in the matter; and I own that up to the present moment—though we cannot tell what is passing to day—I have not thought the hope of maintaining peace was so desperate that the House of Commons should cease to take any interest in the negotiations preceding war, and be prepared to think only of the horrors which are to succeed those negotiations. There are several circumstances which I think might have enabled us to hope that what one may call the German quarrel, if it had stood alone, would now have been put an end to; because I think Count Bismarck must have found that he is encountered by the opinion of the whole of Germany—that he is encountered even by the opinion of the King's own subjects; and there have been symptoms of a similar feeling on the part of the troops; for, as the House must know, during the process of their being moved for the purposes of the war, the troops, when stopped on the march, have given indications of feelings strongly adverse to their own Government. In this state of circumstances Austria took the course of saying that she was willing to submit the whole question to the Bund. There is ground for supposing that the dispute might have been arranged if there were nothing but the German question to be settled, because, as far as that question was concerned, the two Powers were willing to go into a Conference. Prussia was willing and Austria was willing if there were nothing but the

German question; but another matter, which I am now approaching, has prevented the consideration of the German question by a Conference. It is a great mistake to suppose that a Conference or a Congress—for there is not much difference between the two—can do anything important in the way of depriving one State of territory and giving it to another. What a Congress or a Conference can do, is to arrange details. It would have been quite open to the Powers, if a Conference had assembled at Paris to come to such a determination on the mere question of the Duchies as would have put an end to the dispute. But, unfortunately, there was another element which entered into the discussion. The difficulty now is with regard to Venetia. I think it is most desirable for the House to understand the peculiar position in which Italy is placed at this moment. Italy, as a result of the Treaty of Villafranca, is placed in a position of peculiar impunity. She is enabled to threaten a Power greater than herself; because the frontier which divides her from that Power is one which was virtually guaranteed to her by France. The consequence is that Italy is so circumstanced as to have it in her power to act as a disturbing State in Europe, and to act in that way with impunity; because we all know that if Austria crosses the frontier into Lombardy she brings herself in contact with France. Well, in that state of things, Italy has to watch her opportunity. She has to watch her opportunity even when there is not a quarrel. There has been no quarrel, as far as I know, between Italy and Austria; but Italy awaits as her opportunity the moment when Austria shall be engaged in a conflict with some other Power. That moment seems to have arrived; and the result is—I think I am not too rash in making the statement—that Italy has signed a convention with Prussia involving an alliance, offensive and defensive, between those two Powers. This has taken place without any previous dispute between Italy and Austria, and therefore this singular result is presented—that in the event of a war between Austria and Italy it would be a war without a quarrel. Now I, for one, cannot say that I blame Italy for seizing this opportunity. We know that revolutions cannot be made with rosewater. Italy is engaged in an enterprise; and forming a kingdom by taking provinces from other countries is an enter-

prise not to be executed without passing somewhat beyond the bounds of legality. I say, therefore, it is not for me, at all events, to blame Italy; but I think that refusing to blame Italy for seizing her opportunity is a very different thing from approving the conduct of other Powers which, from time to time, have encouraged her in taking a course which is now disturbing the peace of Europe. And when one comes to look at the extent to which these two aggressive Powers—if I may so call them—have been encouraged by bystanding Powers, I think we are enabled, as far as Her Majesty's Government is concerned, to be perfectly comfortable with regard to Prussia, at all events. I cannot imagine that any counsels other than those of a most pacific kind have ever been tendered to Prussia by Her Majesty's Government, and I believe there is no question that counsels of that kind have been tendered not merely in the ordinary way through the Foreign Office, but in the form which it was believed would be most likely to command the attention of the Prussian King. With regard to the extent of the encouragement which may have been given to Count Bismarck by the Government of France, very little has, as far as I know, transpired. What we do know is this, that Count Bismarck and the French Sovereign met, and that their meeting was not, I think, followed by any increase of aggressive activity on the part of Count Bismarck. At all events, it was not followed by any cessation of his enterprizes, and when we recollect what the declarations of the French Government have been we may perhaps conclude that nothing like a very careful engagement was necessary in the present state of the transactions on the Continent of Europe, because France has always frankly declared—and it is important for the House to bear this in mind—that in the event of any of the other Powers of Europe receiving aggrandizement of territory she then would deem herself entitled to redress the balance, and to take territory for herself. With regard to the encouragement given to Italy, all we know is, or all we believe is, that Italy has, at all events, been encouraged to arm and to remain armed by the Government of France. With respect to the encouragement given to Italy by England, I cannot believe that any direct encouragement to measures so directly tending to the disturbance of European peace could ever have been given by Her Majesty's Govern-

ment, or that any such thought could ever have occurred to them, but the giving of direct encouragement is not the only way in which Italy may have been incited to take her present course. Rumour tells us—and I speak of that kind of rumour which usually passes for the rumour of what is true and may be credited—that Her Majesty's Government has tendered advice to Austria for the cession of Venetia. Well, it may be said that if that advice is only given to Austria it could do no harm, and could have had nothing to do with the present disturbance of Europe. But I answer that transactions of that kind invariably become known in the diplomatic circles at the various capitals of Europe, and in this way I say that advice of such a kind being given to Austria is encouragement and encouragement of the strongest nature addressed to the people of Italy. It is very true that this advice has not been taken, and certainly there never was advice less calculated to be taken. I should have thought that it was the duty of a great Power, when advising another, or when contemplating that course, to be above all things careful that it was advising something which was consistent with the interest of the advised Power, and especially careful that it was advising something which was consistent with the honour of the advised Power. Now, I cannot come to the conclusion that advice of this kind to Austria can answer either of these purposes. It appears to me that anything more crude than the notion of calling on Austria to surrender this immense province never entered into the mind of any statesman. Look at the naval importance of this territory. Why, it is half the seaboard of Austria. Now, imagine calling on a great Power, in these days when Powers look so eagerly for any fresh extension of their seaboard, to abandon half of the seaboard which she already possesses. In that point of view the proposition is startling, but when we come to look at it from a military point of view it is still more untenable. The form of the Julian Alps is such that no force less than one of 300,000 men can defend the frontier; but place a much smaller number of men in the plain below, on the site of the Quadrilateral, and there they can make good the frontier against all comers. This is not a mere military theory, but a thing which has been tried, and which has stood the test of experience. We well know that after the battle of Solferino the French army was stopped, and

stopped effectually, by the obstacle of the Quadrilateral, and I think I may say that at this moment we owe such peace as still exists to the existence of that Quadrilateral, for who that knows anything of Italy will doubt that if the Quadrilateral were out of the way some of the more enthusiastic of the people, led, perhaps, by Garibaldi or some other chief, would have been crossing the frontier and in that way engendered war. But the very existence of that nest of fortresses on the frontier has prevented any result of that kind. Now, it is a great error to suppose that Austria is retaining this stronghold simply for herself. To her, indeed, it is of vital importance, as we know, because whoever obtains possession of the Julian Alps as one party did in 1846, is, as it were, in sight of Vienna, and there is nothing to stop him from approaching that city. But Austria holds the Quadrilateral not simply for herself, but also for Germany, and it does so happen that Prussia herself in 1859 authoritatively laid it down that the nest of fortresses on the south of the Julian Alps was a German stronghold which Austria was bound to occupy in the interests of Germany. And it will be no exaggeration to add to that statement another—namely, that fortresses of that kind are a protection not merely to Austria and Germany, but also a safeguard for the maintenance of peace all over Europe. But if the proposal for inducing Austria to give up a rich province which is so important to her in a naval and a military point of view be extravagant, still more extravagant, I venture to say, is the principle on which Austria is asked to do so. What is that principle? It is the principle of nationality, which for the want of a better adjective I may call a Fenian principle. Now, when you ask a great Power to give up an important province on such a principle, is it not important to take into consideration whether the principle is one which is of any importance to her in other respects? What is the principle upon which the Austrian Empire is constructed? Is it not an Empire which is constructed upon the principle of holding together a vast number of territories differing from one another in point of nationality and in all other respects. It is the fate of Austria to hold these provinces, and if she once admitted the principle that she must give up Venetia because it is rather Italian in its notions than Austrian the same principle would apply to Hungary, Bohemia, and every territory that she has. Nor would the matter be adjourned. Sup-

posing Austria were to give up Venetia, the consequences of such a step would be felt almost immediately, because it so happens that other territories, not at present challenged, are also Italian in character, as, for instance, Trieste and the Tyrol. In all these cases the same principle would apply if Austria were induced to make the cession of Venetia. I say, therefore, that in asking a country to dislocate the arrangements of Europe by sacrifices of this kind, although you may be doing what is very amiable in one sense, and what is very popular, you are nevertheless taking a course which makes you disturbers of the peace of Europe. It may be that after great disasters, or even after great successes, Austria may be compelled or enabled to give up the province of Venetia, but in the meantime it is, as I believe, impossible even to raise the question without endangering the peace of Europe, and bringing about, or tending to bring about, the exact crisis in which we are now placed. Austria finding Venetia to be of this enormous importance, and being asked to come into a Conference, naturally took care to see whether in the Conference she would or would not be asked to give up that province. Upon this point I must ask from Her Majesty's Government some few words of explanation with regard to, I will not say change of policy, but change in the way of regarding questions of this kind which has obtained during the last two years. A proposal for a Congress was formally made to this Government two years ago, and we all remember the answer which Lord Russell made to that proposal. We all remember what I may perhaps call the pitiless logic with which Lord Russell spoke. Many Gentlemen on the other side of the House were of opinion, I think, that the noble Lord's despatch might have been couched in more courteous terms, but I believe that even they would have agreed that the conclusion expressed in the despatch was a sound one. It seems that from that conclusion we have now departed. Lord Russell then said, in his very first despatch, "Why are we to go into a Congress without knowing what is to happen there? Before we go into a Congress let us know, with respect to Venetia, whether Austria is willing to treat." On the present occasion, strange to say, but subject to any explanation we may yet receive, that precaution was altogether omitted; and the whole stress of

having to resist the proposed Conference was thrown upon Austria, who did as best she could under the circumstances. She applied to the proposal for a Conference a touchstone which was wonderfully operative. She said, "Before I consent to go into a Congress let me know that there is no intention on the part of any of those who have thus been called into Conference to aggrandize their estates." This test was fatal, and the idea of a Conference at once collapsed, the moment it was understood that the idea of aggrandizement was to be excluded from it. It was understood that the French Government first came to that conclusion, and that we agreed to it. Whether Russia did or not I cannot say, for I think it has been prematurely stated that Russia had taken that view. At all events, the opinion of the Powers was that the exclusion of the idea of aggrandizement was fatal to the whole proposal. In this state of things the Austrian Government has issued what appears to me to be a very able State paper, which I would commend to the attention of hon. Members who desire information upon this subject. I see it stated there is a question whether the document published in the newspapers is authentic, but I believe it is no secret now that the document, as it appeared in the papers, was perfectly authentic; and one can hardly imagine that so able a paper as that could have been forged, or that any one could have taken the trouble to impose upon us so admirable a paper. In that paper Austria states that she stands upon treaties, and she submits her belief that it is a not unbecoming duty on the part of the Great Powers, as far as their authority goes, to repress the hostile action of aggressive States; and, at all events, if that is not to be, that she is entitled to respect, and that she shall be left as free to defend as others are free to attack. She also states that she claims no help from other States. I submit that that is the spirit in which we ought to desire to see a State acting, if we are men of peace. I can quite understand the feelings of those who are so carried away by prospects of future improvement and by their sympathy for foreigners that they may desire to attain the object aimed at, even at the cost of a European war. But that is not our duty in this country, and we must endeavour, I humbly submit, to check those feelings of sympathy which at this moment have brought Europe to the verge of war. Depend upon it that

Mr. Kinglake

exactly as you desire the maintenance of peace, you must strive to avert all change of territory in Europe. The two things—the maintenance of peace and the change of territory—are not objects that are capable of being reconciled. With these remarks I venture to ask the Chancellor of the Exchequer the questions of which I have given notice—namely, 1. Whether Her Majesty's Government can impart to the House any grounds for hoping that the peace of Europe may be preserved? 2. Whether the Government can communicate to the House any further information as to the reasons which induced the Courts of France and England to conclude that the proposed Conference could lead to no result? and, 3. Whether the Chancellor of the Exchequer can state the purport of any advice which may have been tendered by Her Majesty's Government within the last two months to the Governments of Austria, Prussia, and Italy?

Motion made, and Question proposed, "That this House do now adjourn."—*(Mr. Kinglake.)*

THE CHANCELLOR OF THE EXCHEQUER: My hon. Friend was so good as to send to me on Friday afternoon notice of the three questions which he has just read; but he kindly refrained from putting them on that evening, because he was not desirous to interrupt the course of business, and we had some hope of resuming the discussion on the Reform Bill. This afternoon the hon. Member again intimated to me that it was his intention to ask those questions, but I did not gather from the note of my hon. Friend that it was his intention to accompany the proposal of the questions with any discussion, much less that it was his intention to make remarks covering so wide a field. I confess I am exceedingly reluctant to enter upon the general subject of those remarks, for my duty is to put to myself this inquiry:—To what good purpose can a discussion upon these subjects lead in the present conjuncture of affairs? Unfortunately, it is very difficult for me to remain entirely silent, first of all because in addition to the questions with which my hon. Friend concluded, he has distinctly challenged the conduct of the Government upon a particular point of very great importance. I should not feel that it was consistent with respect to the hon. Member or with respect to the House to pass by entirely what he

has said. At the same time I cannot refer to the subject, even as briefly and succinctly as I shall attempt to do, without doing it in a certain sense under protest, because I am not of opinion, and the Government are not of opinion, that good is likely to arise from a conversation of this kind in the actual state of affairs. My hon. Friend has stated that at the present moment, as he understands, the German quarrel might have been adjusted if it had not been for the differences existing with respect to Venetia. Whether that is the actual state of the case or not I will not undertake to say, as I do not know from what information my hon. Friend has spoken; but certainly it is not so as far as regards the information in the possession of Her Majesty's Government. The testing question proposed by Austria as the condition of her entering the Conference was a question which embraced the subject of the Duchies just as much as it embraced the subject of Venetia. If it was a criterion of the views of Italy as to whether she contemplated the acquisition of Venetia, it was just as much a criterion to determine whether or not Prussia had views of a similar character respecting the Duchies. Then, that is not all I have to say upon the subject, because another matter has come into the foreground and stands distinctly in advance of the Venetian question as connected with the present state of affairs—I mean the recession, so to call it, by Austria from the Treaty of Gastein, with reference to the question of the Elbe Duchies and the Diet, and the convocation of the Estates of Holstein; and, as far as we are acquainted with what has happened, it is that reference of the question of the Elbe Duchies to the Diet, and it is that convocation of the Estates of Holstein which are likely, if any circumstances are likely, to afford the immediate occasion of war. Consequently, there is not the least reason to suppose, so far as we are aware, that the Venetian question, with reference to the circumstances of the moment, is in a distinct and specific sense the question which threatens the peace of Europe, there being other questions which are in advance of it. My hon. Friend says that Italy has a frontier which enables her to act the part of a disturbing Power under the protection of France; but it is only fair to say, as far as we know—not entering at all into any question of intention, but confining ourselves simply to overt acts—Italy is not acting the part of a disturbing Power,

and no armament or other overt act on the part of Italy has tended to throw upon her the responsibility of aggravating by military measures the difficulties of the present state of affairs. My hon. Friend went on to speak of what he terms the bystanding Powers of France and England. It is not for me to defend in this place the conduct of the Government of France, nor do Her Majesty's Government profess to be apprised of everything that the French Government, may have said or done. Far less is it for me, on behalf of Her Majesty's Government, to impugn that conduct. I pass it by because the question does not arise in such a shape that we are called upon to deal with it. My hon. Friend referred, however, to the conduct of the other bystanding Power. First of all, he asks whether the British Government have given encouragement to Italy, and next, whether we have given advice to Austria. My hon. Friend acquits us of having directly encouraged Italy to contemplate or promote war at the present crisis. He might have gone a little further than that, because I am not aware of any encouragement, direct or indirect, singly, or in connection with any other Powers, which Italy can be said to have derived from any act or word of ours, tending to bring about a war on this occasion. But my hon. Friend says that we have advised Austria, and that if we have not given her official advice, yet in some other manner we have counselled Austria to surrender Venetia. My hon. Friend appears to be aware that the British Government, as a Government, has given no advice to Austria whatever. But he thinks and says, and rather makes it a matter of charge, that we have unofficially, irregularly, in some mode which he has not described, through some Members of the Government whom he has not named, made known to Austria the opinion of Her Majesty's Government, that it would be well if, compatibly with her honour, she could make arrangements for the cession of Venetia. Now, Sir, this is a charge upon which I feel very great difficulty in answering my hon. Friend, and for this plain, simple, unequivocal reason—that Austria has been perfectly well aware—eminently so for the last seven years, but, perhaps, in some considerable degree even before that time—that, as between one friendly Power and another, that was the opinion of the British Government. There has been no doubt or question at all about it. Not only was this the opinion of the present Go-

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vernment; it was the opinion formed and expressed by Lord Palmerston in 1848. It is not the opinion of my hon. Friend; that opinion, I know, has been questioned in this House, but it is also an opinion that has from time to time been defended and maintained in this House. And since the present Administration was formed, now seven years ago, there never has been upon their part the smallest hesitation in giving utterance to that opinion, and in giving the reasons upon which they thought it might be defended. From that opinion I am not prepared in the slightest degree to recede. But I am sorry that the speech just addressed to the House has compelled me to refer to it. For at the present moment, when Austria is in a position of difficulty, there is something invidious and unkind in appearing to cast this advice in her teeth. It has been our earnest desire to behave not only with delicacy of feeling, but in every respect upon the strictest principles of friendship and goodwill towards Austria at all times, believing the maintenance of the Austrian Empire to be of the greatest importance to the peace and order of Europe. This has been our desire at other times, and most especially do we entertain it at the present time. If, indeed, my hon. Friend will go back to what happened one or two years ago, he will find there is no secret at all about the matter—it is upon record in official documents—that we deeply lamented, and, moreover, so far as we were entitled to do so, we decidedly condemned the course pursued by Austria in conjunction with Prussia towards the Elbe Duchies. But if we look at the recent posture of affairs with regard to these Duchies, we cannot fail to see that the cause of public right and the cause of justice has been to a great extent in the hands of Austria. It is therefore most painful to us to be called on to make any public declaration which, with reference to her position on another point of her frontier, might seem to discourage the pursuit by Austria of objects which we believe to be honourable. I think the House will to a considerable extent sympathize with the views entertained by Her Majesty's Government upon this question. We feel that it would be neither prudent nor honourable to invite or enter upon detailed expressions of opinion with reference to a question so peculiar as the position of Austria in the double quarrel which she is now carrying on—a quarrel respecting one portion of which I believe

she has the sympathies of this country, and as to another portion of which, that not being a matter which has arisen for the first time, but being a question of old standing, she undoubtedly does not possess that sympathy. Upon the whole, therefore, I think it is our duty to refrain from going over the ground on which my hon. Friend has entered. All that he has said about the naval importance of Venetia, of its preserving a seaboard for Austria, of its being German rather than Austrian, and about the advantage of Venetia as a German stronghold and as a safeguard to the peace of Europe—all these are matters which I only recite for the purpose of reserving on my own part and on the part of the Government the opinions that we may hold. I think that, under the circumstances, it is better to refrain from controverting anything stated by my hon. Friend. To express any concurrence with his opinion would not be in my power. But this one thing I will say. My hon. Friend attempted in the commencement of his speech to draw a parallel between the attitude of Austria in respect of Venetia and the attitude of Prussia in respect of the Elbe Duchies. Now, if that parallel be a true one we should never hesitate for one moment to apply to the case of Venetia the very same principles which we applied to the case of the Elbe Duchies. In Prussia my hon. Friend appears to see a Power desirous to annex to herself certain outlying territories against the will of the population of those territories. If such be the relation between Italy and Venetia we at once surrender Italy to the tender mercies of my hon. Friend, for Italy can have no right to seek for or desire the possession of Venetia, unless it be founded upon the feelings, the desires, the hopes, the convictions, the tradition of the Venetian people. There is, I think, only one other point alluded to by my hon. Friend upon which I need say a word—namely, the change of view which he imputes to Her Majesty's Government respecting the convocation of a Congress in Europe. He has referred to a period—now, I think, about two and a half years ago—when the Emperor of the French proposed to the Government that they should confer with the French Government in order to promote the meeting of a Congress. At that time, as he has truly said, the suggestion of the Emperor of the French was declined; and it was declined, if I may venture to speak from memory, upon this ground—that so far as regarded one

single question, there was indeed at that time a complication of affairs which threatened war, but there was no other question in Europe, beyond the single question of the Duchies which threatened the disturbance of the general peace. Our opinion was that the question of the Duchies would better be dealt with by concurrent action among the Powers communicating in the usual manner, than by the formalities and imposing machinery of a Congress. So far, therefore, as regarded the Duchies, it appeared to the British Government that a Congress was the least convenient method of proceeding, and having regard to the relations of other Powers, we thought at that time that a Congress was likely to do harm rather than good. But the present state of affairs is very different. It is not now the mere question of the Duchies that is at issue. The question of the Duchies was serious enough, but that question is now complicated with the far larger question which is to be the ruling Power in Germany, and with fundamental questions affecting the structure of the Germanic Confederation; while, at the same time, in conjunction with that very great subject, there is the difference between Austria and Italy on her southern frontier. At a period when Austria is threatened upon the north and upon the south—I use the word “threatened,” but it would be more correct to say when Austria is engaged in questions which may lead to war both upon her northern and southern frontier—at such a period it is evidently no mere local question that is at issue, which was the case two and a half years ago when the Duchies were the subject of dispute, but whether there should be a general outbreak of war in Europe. Her Majesty's Government therefore, the proposal of the Emperor of the French being made, were certainly of opinion that at the time when there was a just apprehension of a European war, it behoved the friendly and allied Powers to consider whether they could do anything to avert such a dire disaster. I may also state that since the Treaty of Paris negotiation has assumed rather a different aspect. I do not mean to assert that whenever any Power, even though it has the great position and influence of France, proposes a European Congress, it is the duty of every other Power to accede to such a proposal. Each State still retains its own liberty of action in reference to the propriety and sufficiency of the course proposed. At the same time

it is certainly true that the tone of the negotiations carried on at the Congress of Paris in 1856 did amount to a sanction of the general principle of collective, peaceful intervention, by way of advice and recommendation, which is in itself a fact of such importance that no European State can be justified in ignoring it. I do not know whether my hon. Friend means to question the course we have taken in acceding to the suggestion of the French Government and in agreeing to promote a European Congress along with France. I do not know whether he objects to the course we have taken upon its merits, or whether he only thinks it inconsistent with what has been done on a former occasion. The inconsistency I have endeavoured to explain, whether satisfactorily or not I do not know; but that is comparatively a small question. I cannot entertain the least doubt that, with such dangers hanging over Europe as we have seen within the last two weeks, and with a firm conviction in our own minds that there were reasonable, wise, and honourable methods by which every one of those dangers could be averted, we should have been wholly without justification if we had hesitated for one moment to accede to the proposition made to us. I shall now, Sir, proceed to answer the questions which my hon. Friend has put to me. The first question of my hon. Friend is whether Her Majesty's Government can impart to the House any grounds for hoping that peace may be entertained. Sir, I am afraid that there are no grounds which can be alleged with confidence upon which we can build any solid expectations of that kind. But it appears that for the moment there has been an arrest of the military proceedings in Prussia. There has been a delay in the departure of the King from Berlin. But how far an expectation of peace may be founded on that circumstance I cannot venture to say, because I have no authority upon which I can found any opinion upon that subject. The next question of my hon. Friend was this—whether Her Majesty's Government can communicate to the House any further information as to the reasons that induced the Governments of France and England to conclude that the proposed Congress would lead to no result? Sir, I mentioned on a former occasion that the demands of Austria to be guaranteed against territorial changes was, in my belief, a sufficient ground; but I might also have mentioned—at any rate I

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may now mention—that the reference by Austria of the question of Holstein to the German Diet has, in point of fact, contributed to place the matter in its present position. The two principal subjects—namely, the territorial questions and the German constitutional question—being in this manner, as we think, thrust out of the domain which the Congress would occupy, it appears to us, as it appeared to France and to Russia, that there was no practical purpose for which any combination of European Powers under the name of a Congress could be justly called upon to meet. And as respects advice, with regard to which my hon. Friend asks whether I can state to the House the purport of any which might have been tendered by Her Majesty's Government within the last two months to the Governments of Austria, Prussia, or Italy, I will only refer to what I have already stated, adding, however, that we have been rather chary of tendering single-handed advice with respect to which we could not be sure whether it would be otherwise of such authority as to make it likely to contribute towards the attainment of its end. Anything that has been said by Her Majesty's Government has been said in favour of moderation and peace. Our good offices, it was well known, were at all times at the service of the parties. Anything that we could do single-handed in the direction of avoiding bloodshed may have been little, but that little has been freely done. We have not, however, taken upon ourselves any responsibility beyond that which our position appeared fairly and legitimately to justify. We have thought that the collective action of European Powers in a case like this is a perfectly justifiable method of proceeding; it is an advance in civilization—at all events, it is an approximation towards a better system of public law, when the Powers of Europe having any difference among themselves show a disposition to recognize the mediation of friendly Powers. It is, however, a matter of deep concern and grief to us that the plan of a Conference should have failed to take effect owing to the obstacles which have interposed to prevent it.

MR. DARBY GRIFFITH said, he wished to make some inquiries in relation to this subject from the Under Secretary for Foreign Affairs. It appeared to be acknowledged that Austria had been advised to cede Venetia, and it was known that to this advice Austria had but one answer—what compensation are we to

have? Now, the question he wished to ask the hon. Gentleman was, what was the answer which Her Majesty's Government gave to this retort? It was said that compensation had been suggested to Austria in the Moldo-Wallachian provinces. He should be glad to elicit from the Under Secretary a denial of this statement. He must say that your Liberal Government showed great dexterity in shifting from one position to another, and the hon. Gentleman the Under Secretary was quite an adept at the art.

"Græculus eauriens in cœlum jusseris ibit."

And so it was with his hon. Friend, who showed great skill in obeying his instructions. At one time he displayed a liberality which astonished the world; at another he was the ready champion of the most despotic of Governments. With regard to the remarks of the right hon. Gentleman who had just sat down, he did not think that his explanation of the inconsistency of the Government with regard to a Congress now, and their rejection of the proposition two years ago, was satisfactory. The right hon. Gentleman said that two years ago they had only to settle the question of the Duchies. But was not the Polish question then before them? That was a question which was likely to involve the whole of Europe, and, in fact, was the question on which the Emperor of the French proposed the Congress. The simple fact was, that for years the difficulties of Austria had been the opportunity of Italy; and the present disturbed and threatening condition of Europe was only the result of what had taken place in the North of Europe. He was not disposed to blame Her Majesty's Government for the course they adopted with regard to either Congress, for he admitted the difficulties with which they had to deal. They might, perhaps, on the former occasion, have conducted the correspondence with greater courtesy, but the logic of their answer was confirmed by the experience of the present state of affairs. Questions of this kind, in which the passions, the hereditary feelings, and the pride of great nations were so mixed up, were not to be settled by half-a-dozen persons meeting together in Paris or London. He only now desired to be informed whether, when the advice was given to Austria to cede Venetia, it was proposed to give her territorial compensation in any other quarter?

MR. BAILLIE COCHRANE said, he could not but express his very great regret at the most ungenerous conduct of the

Chancellor of the Exchequer in his reply to his hon. Friend. The right hon. Gentleman had gone out of his way to express a private opinion which he was not called upon to express. The questions had reference, of course, to the advice given to Austria by Members of the Government acting for the Government, and the right hon. Gentleman was not called upon at the present conjuncture to state that for several years the cession of Venetia had been privately recommended to Austria by Her Majesty's Government. The statement was not only ungenerous but injudicious, and calculated to do injury in the present juncture of affairs. Her Majesty's Government was to a very great extent responsible for the condition of Europe; and when he remembered that the Chancellor of the Exchequer was partly the creator of the Italian kingdom, he should have thought that the right hon. Gentleman would have taken an early opportunity of deprecating a policy so mischievous and dangerous to the peace of Europe as that pursued by the Italian Government. It would be found that the noble policy pursued by England of watching with indifference struggles on the Continent in which we perceived no immediate interest for ourselves was not, he believed, a policy that in the long run could add much to our honour or to our welfare. Could the right hon. Gentleman foresee the consequences of the outbreak of war? Where could they fix the limits within which it would be confined, and all the interests that would ultimately become involved in it? Was the Chancellor of the Exchequer aware that at this very moment 20,000 men were collected either at Civita Vecchia or at Rome? He had lately received a letter from Naples, and public opinion there was that should war break out these troops would be marched southward, and that the French would occupy the Neapolitan States. Was the House prepared to see the seaboard taken possession of by the French? He simply made this observation because it was impossible to foresee what might be the issue of the complications now existing on the Continent. He held that the course of the right hon. Gentleman would have been wiser and nobler if, notwithstanding his sympathies with the kingdom of Italy, and his dislike to the Government of Austria, he had candidly admitted the truth — namely, that the course pursued by Italy had led to all the present dangers, and that her position and

policy at the present moment were in violation of every principle of law and justice.

MR. SANDFORD said, he thought the hon. Member for Bridgwater was entitled to the thanks of the House for having called attention to the great questions now pending in foreign affairs, before which the question of internal Reform which they were now discussing sank comparatively into a mere matter of parochial importance. The hon. Member had asked two questions, neither of which had the Chancellor of the Exchequer answered. The hon. Member did not ask whether Her Majesty's Government had been corresponding to stir up Italy as against Austria, or whether they had been tendering advice to Austria, but whether Members of the Government, in their private capacity, had not been writing notes to that effect; and if he was rightly informed they had done so. Well, then, in answer to the hon. Member for Bridgwater, the Chancellor of the Exchequer replied that Her Majesty's Government in 1863 refused to enter into a Conference because there was only one subject at that time to be discussed. But upon this point the language of the right hon. Gentleman that night was precisely at variance with the language of Her Majesty's Government in 1863. Lord Russell, writing to Lord Cowley on the 12th of November, 1863, said—

"He felt more apprehension than confidence from the meeting of a Congress without fixed objects, but ranging over the map of Europe, and exciting opinions and aspirations which they might find themselves unable either to gratify or to set at rest."

Again, in a subsequent despatch to Lord Cowley, Lord Russell says—

"But as it is intended to ask Austria to relinquish the possession of Venetia, Her Majesty's Government have good grounds to believe that no Austrian representative would attend a Congress where such a proposition was to be discussed. They are informed that if such a proposition were announced beforehand Austria would decline to attend the Congress, and that if the question were introduced without notice the Austrian Minister would quit the Assembly."

There was another paragraph which he desired to read and to compare with the present language of the Chancellor of the Exchequer. Lord Russell, writing to Lord Cowley, said—

"It appears certain that the deliberations of the Congress would consist of demands and pretensions put forward by some and resisted by others; but as there would be no supreme authority in such an assembly to enforce the decision of the majority, the Congress would probably separate, leaving many of its members on worse terms with each other than when they met."

Mr. Baillie Cochrane

He now asked what circumstances had occurred to change the views expressed by the Government in 1866 from those set forth in 1863. The objects for which the Congress in 1863 was to have met were well known. The Emperor of the French had been perfectly explicit upon this point. In His Majesty's speech at Auxerre he distinctly stated that it was for the purpose of setting aside the Treaties of 1815. Now, he would be the last person in the world to say a word against the Emperor of the French, because he believed His Majesty was about the best friend England had in France, and because he had very good reason for believing that he wished to live in peace and amity with this country. At the same time he would point out that England was a Conservative Power—he used the word not in a party sense, but as being Conservative in the sense that it was her interest to preserve the peace and order of Europe, of which the Treaties of Vienna were the title deeds, while the interests of France were diametrically opposite. These were not merely his opinions, but the opinions of the head of Her Majesty's Government. Lord Russell himself, writing to Lord Cowley on the 12th of November, 1863, said—

"If, instead of saying that the Treaty of Vienna has ceased to exist, and that it is destroyed, we inquire whether certain portions of it have been modified, we find that some of the modifications which have taken place have received the sanction of all the Great Powers, and now form part of the public law of Europe."

And further on the noble Lord said—

"It is the conviction of Her Majesty's Government that the main provisions of the Treaty of 1815 are in full force, that the greater number of its provisions have not been in any way disturbed, and that on these foundations rest the balance of power of Europe."

These were the deliberate opinions of the head of Her Majesty's Government in 1863; and he wanted to know what had caused a change in their opinion in this matter. In 1866 they were willing to attend a Congress, the avowed object of which was to tear up the Treaty of Vienna, which Lord Russell in 1863 proclaimed to be the basis of public order in Europe. He hoped Her Majesty's Government would shortly lay upon the table of the House all the papers relating to the proposed Congress, because he desired to know the terms on which they acceded to it, the reasons which had induced them to change their opinions since 1863, and the cause of its being ultimately given up. He was rather surprised that the papers had not been

produced before. He could easily understand that it was the wish of the Government to preserve a discreet silence upon the subject, but it would be trifling with the House and the country if they failed to furnish the fullest and most ample information.

SIR GEORGE BOWYER regretted that, in the present circumstances of Europe, the Chancellor of the Exchequer should have expressed an opinion on the part of the Government that Austria ought to give up Venetia. The right hon. Gentleman had told the House that the Government had not lately in an official manner communicated that opinion to Austria, because Austria was already fully aware of their opinion; but he wanted to know, not only whether the Government or any members of the Cabinet had in any way intimated that opinion to Austria, but whether the Government, in the private or surreptitious manner of which they were so fond, had intimated that opinion to the Court of Florence, or given that Court to understand that they would use their influence with Austria at the Conference, to induce her to give up Venetia? The papers would, he hoped, be all laid before Parliament; but he feared that there were private letters which would not be laid before Parliament, but which, like the postscript in a lady's letter, contained things of more moment than the public despatches. He regretted to observe a disposition to throw upon Austria the blame of the Conference not being held, but nothing could be more unjust. Austria could not, with any sense of dignity or justice, accede to any Conference in which the affairs of Venetia and the demands of the Court of Florence could be entertained. The Government itself must see that to entertain such a question must be subversive of the law of nations, on which the peace of Europe mainly depended. The very fact of the question being entertained at the Conference would have implied that Her Majesty's Government considered that the Court of Florence had some right to Venetia. He contended that the Court of Florence, or rather the King of Sardinia—for he would call him so still—had no more right to Venetia than he had to Middlesex. He founded that statement upon the existence of the most solemn engagements in repeated treaties, which, if set aside in this case, must lead to the utmost confusion of all notions of right or wrong between nations. Did they suppose that Austria could give up the Quadrilateral with any regard to her own safety? They all knew that

France could pour into Italy any number of troops in half an hour, and that when the tunnel through Mont Cenis was completed, she would be nearer still, and all that had occurred since the usurpation of the King of Sardinia had gone to prostrate Italy at the feet of France. The Quadrilateral was one of the bulwarks, not only against the encroachments of the Court of Florence, but also against the possibility of the encroachments of France. They all knew that Italy had no nationality, but was now a province of France. Italy had no real unity, for it was composed of discordant elements that would not be held together except by the force of arms. How, then, could Austria be expected to give up the Quadrilateral and open Germany to the attacks of France? He did not himself believe that the Emperor of the French could have any intention of disturbing Austria in the possession of Venetia, which she held originally, not under the Treaty of Vienna, but from the first Napoleon. If the cession of Venetia ought to be considered at the Conference, why not, also, the case of the Danubian Principalities? What had Venetia to do with the question of Schleswig-Holstein? The peace of Europe depended upon Schleswig-Holstein and not upon Venetia. Why were the rights of Austria sought to be compromised by a question not relevant to the matter at issue? To bring the question of Venetia into the Conference must be the greatest obstacle to the settlement of the Holstein difficulty. That question was troublesome enough of itself without bringing in the cession of Venetia. He was afraid it would turn out that it was Her Majesty's Government who were responsible for the failure of the Congress, and not Austria. The noble Lord (Earl Russell) when he was at the head of the Foreign Office was always very fond of giving advice to other nations how to manage their own affairs, and his policy was very well described by a noble Earl in the other House as a meddling and muddling policy. The present seemed another instance of this policy. If Her Majesty's Government must give advice, why did they not advise the Court of Florence to keep quiet and mind its own affairs? They were ruining themselves by the course they were pursuing, although he (Sir George Bowyer) cared very little for that. Their finances were a disgrace to Europe, and they were approaching a state of national bankruptcy. The Go-

vernment ought to have advised them to look at home, and especially to look at the South of Italy. If it were for the good of Austria to give up Venetia, it was ten times more desirable for the good of the Court of Florence that they should give up the Two Sicilies. If hon. Members would look at the correspondence of *The Times* of that very day, they would find it plainly asserted that what had been thought to be brigandage was not brigandage, but reaction; and that a guerilla warfare was being carried on. In the South of Italy there were actually committees of private persons whose business it was to hunt out people who were in any way suspected, and to accuse them to the authorities. They were then arrested and thrown into prison, where they suffered greater severities and hardships than were asserted to have been inflicted upon Poerio, the friend of the Chancellor of the Exchequer. The King of Sardinia governed by force of arms in the South of Italy, where, according to the Government, he had been welcomed as a deliverer. If that were so; tranquillity would long since have been restored to the country. Year after year greater disinclination was displayed in the Neapolitan provinces to submit to the dominion of a people and of a King whose language they did not understand. The people of that country had always been greatly attached to their native princes, they wished to see those native princes restored, and by the progress of events they would be brought back again. Charles III., an ancestor of the present King of Naples, was still remembered and celebrated as a patriot, because he had delivered his country from the rule of the Spanish Viceroy. The condition of Naples at the present day was calculated to awaken sympathy. With a population of 600,000, and properly the fourth capital in Europe, it was reduced to the position of a county town, with a decaying market-place. So visible, indeed, was the decay that the Chancellor of the Exchequer, were he dealing with it in a Reform Bill, would surely take away its Members; and it might be said to have been "grouped" already. Plainly, the King of Sardinia could never keep his present territories. If any advice could be given to the King of Sardinia which would be in the least degree advantageous to him, it would be that he should give up the two Sicilies and the Papal dominions, which he had usurped without the slightest *casus belli*, and against all international

law, and that he should restrict himself to the limits of his ancient monarchy. The people groaned under the pressure of taxation, and exceptional laws were necessary to make them submit to his government. If, then, he could not govern what he had got, how was it possible that he could hope to govern Venetia? The transfer of that province would only consummate its ruin; and the Government, in stimulating the Italians to look forward to its acquirement, was doing its friends anything but a service; it was encouraging wild hopes and undermining those rights and laws without which the peace of nations could not exist at all. They had brought matters to this issue, that sooner or later a break-up of the kingdom of Italy was inevitable, and the people of the South would insist upon having their native princes. ["Oh, oh!"] He was not surprised to hear that cheer from hon. Gentlemen opposite, sitting below the gangway, for he knew that many of them held principles utterly subversive of the law of nations. The Royal family of Naples were at one time French, no doubt, in the same way that our Royal family were originally Germans; but we no longer spoke of them as Germans, we always called them our native princes. It was true that while the Bourbons still reigned at Naples there were, as there always would be, discontented people in the country. [*Laughter.*] Yes, he repeated it. Look at the history of the Old Testament. When the Jews were governed by God Almighty himself, they were discontented and called for a king. How, then, could it be a matter of surprise that discontent should exist under any mere human government. He would tell the Government what would happen if the native princes did not return to Italy. France would declare that it was necessary for the preservation of peace in the South of Italy, that she should march an army of occupation into the country. She would thereupon take possession of those provinces. The kingdom of the Two Sicilies would become French, probably be governed by a French prince. Was it a consummation devoutly to be wished that there should be a French army quartered in Naples and in the Two Sicilies? He did not believe that his observations would be attended with any effect on the mind of the Chancellor of the Exchequer. The right hon. Gentleman had arrived upon this question of Italian policy at a foregone conclusion, and they all knew it to be part of his disposition, that having

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once made up his mind, he was reckless of consequences. The Chancellor of the Exchequer was so clever that he often deceived himself; by a process of self-persuasion he arrived at a belief to which he then expected everything to give way. It was so with regard to the Reform Bill. The Chancellor of the Exchequer had plainly determined to listen to no remonstrances, but to force the measure upon the House. He was bent on carrying the Bill, though he (Sir George Bowyer) believed that if the votes of Members could be taken by ballot, the Bill would be rejected by a very large majority. In the same way with regard to the affairs of Italy, the right hon. Gentleman began by deluding himself with the fable about Poerio, invented by clever men at Turin, and he had since encouraged the Italians, not merely to the brink of ruin, but to actual ruin itself. To ask Austria to give up Venetia was a monstrous iniquity and absurdity. Were she to do so, past experience would show that it could only consummate the final overthrow of the people who were the particular friends and creatures of the Chancellor of the Exchequer and his colleagues.

SIR ROBERT PEEL: I do not wish to follow the hon. Baronet in his digression, which certainly had no relation whatever to the subject brought under our investigation by my hon. Friend; but there was one observation of his in which I concur, although it was received with much dissent from this side of the House. I do believe that in Southern Italy a very strong feeling exists against the system of government prevailing in that part of the country. I was one of those who at first strongly advocated the course taken by the King of Sardinia, until I saw the treachery in which he was induced to embark; and then I began to doubt whether the policy which this House and this country viewed with so much favour would be beneficial to Italy. I believe that the expectations formed with regard to the good government of Italy, and to the unity of Italy, have signally failed. I have information which assures me that in Naples itself, and in other parts of Southern Italy, there is a state of things far worse than existed before the union of that old and important province to the other dominions of the King of Sardinia. But leaving that point, which I only touch upon in consequence of what has already been stated, I must say that I most entirely dissent from the view

taken by my right hon. Friend the Chancellor of the Exchequer of the course adopted by my hon. Friend. It was only a few minutes before the meeting of the House that my hon. Friend informed me he intended to bring this subject under the consideration of the Government, and I was one of those who hoped he would address his observations directly to the Chancellor of the Exchequer as the organ of the Government, representing in this House the views of the Cabinet. Accordingly, I was very much surprised to hear the Chancellor of the Exchequer state that he rose to make the observations which fell from him under protest, and that he altogether deprecated discussions of this kind at the present moment. Why, if we are not to discuss this question now, in God's name, when are we to discuss a subject that threatens to involve the whole of Europe in a disastrous war? And I would remind hon. Gentlemen that in another place the Minister for Foreign Affairs thanked the noble Lord who addressed questions to him on two occasions, because he said he was glad of an opportunity of laying before that place and the country what really was the position of affairs. The Chancellor of the Exchequer tells us that he rises under protest to answer the questions of my hon. Friend; and he went on to say that he deprecated these discussions in the critical state of foreign affairs. Let me tell my right hon. Friend that he must expect to have many such questions addressed to him. I am as anxious as anybody can be to conclude the discussion which is now pending, and I have always supported the Government; but in the present state of Europe, and in the momentous crisis that has now arrived, my right hon. Friend must expect to be questioned pretty freely as to whether, through the friendly offices of Her Majesty's Government, it is possible matters may be brought to an amicable solution, or whether it is impossible to avert the calamities of war. I hope Her Majesty's Government will consider whether it is not possible by friendly advice to prevent the calamity with which Europe is now threatened. But I wish to remark that my right hon. Friend did not answer the question of my hon. Friend as to whether Her Majesty's Government had given any expression of opinion to Austria with the view of inducing Austria to cede Venetia to Italy—officially or non-officially? [The CHANCELLOR of the EXCHEQUER: Officially.]

My right hon. Friend was explicit on the subject of the States of Schleswig and Holstein, but he evaded the question about Venetia. He told us that Her Majesty's Government would have been wrong if they refused the invitation to a Conference or a Congress, but will he tell the House that the Government were prepared to enter into an arrangement with France without knowing upon what basis France was acting, and whether she was desirous of inducing Austria to give up Venetia? If Her Majesty's Government accepted an invitation to a Conference which could only lead to an enlargement of the power of France, without any question as to what the opinions of France were on the question of Venetia, I can only say that they did not act with that prudence and judgment which might have been expected from a Cabinet containing Members of the importance of some of the present Ministry. My right hon. Friend, using an expression which I had heard several times before this Session, said he endeavoured to treat this question with great delicacy of feeling; for he thought the maintenance of Austria a matter of great importance. But as my hon. Friend showed Austria is made up of a conglomeration of nationalities. The right hon. Gentleman gave the House to understand that the Government had given no advice in this matter lately. They are the Government of Lord Palmerston, and they accept the statement made by Lord Palmerston in 1859. Will my right hon. Friend rise and say that Her Majesty's Government have given no advice to Austria since that time? Will he say that officially or non-officially the Government have given no advice to Austria lately as to the cession of Venetia? My hon. Friend the Member for Bridgwater showed that the part of Venetia in which the Quadrilateral is situated is of immense importance as regards the maintenance of the independence of Austria. To cede that portion to Italy, and, consequently, to France, would imperil the independence of a great portion of Germany. The Chancellor of the Exchequer said he was not going to defend the action of the French Government; but surely if the English Government were acting in a straightforward and honest manner they must have had an understanding as to the footing upon which the Government of France was prepared to treat this question. The right hon. Gentleman said that no doubt there was a strong feeling for the cession of

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Venetia to Italy, and that if Italy had any right to Venetia she could only have it by the sympathies of the people and by the traditions of the past. Now, I should like to ask the Chancellor of the Exchequer what possible tradition of the past ought to give the Venetian State to the King of Sardinia? He must have read history in a different sense from that in which it has been studied by most hon. Gentlemen in this House if he can find in it any justification in ceding Venetia to the kingdom of Italy on the basis of the traditions of the past. I merely rose to express my entire concurrence in leaving the matter in the hands of the Government, but I hope my right hon. Friend will not meet these inquiries—which, no doubt, will be very frequent during the next few weeks—by a protest such as that which he entered against the question of my hon. Friend, because I believe that this subject is of infinitely more importance than any Reform Bill the Government can pass. I am not one of those who are opposed to the Government Reform Bill, but I do believe that this question is of infinitely greater importance. England, as represented by the Government of the day, should place herself before Europe in a manner to conciliate the feelings and sympathies of the Continent; and I do hope that through the efficient administration of the Secretary of State for Foreign Affairs the efforts of this country will be directed to avert, if possible, the dreadful calamity which now appears to be hanging over Europe. I concur with my right hon. Friend that the sympathies of this country are strongly marked as against Prussia, because every one must have felt that overweening ambition has placed her under the influence—under the hoof I may say—of, not to use a harsher word, an unscrupulous Minister. This state of things has been brought about, not by anything which in the ordinary sense may be called a *casus belli*, but by the spirit of aggrandizement, which, as Lord Palmerston said, must always result in evil to the Powers which allow themselves to be influenced by it. If the British Government had acted as Lord Palmerston would have done, I believe we should not now have had to apprehend the war which is threatening Europe, and into which, should it break out, this country, sooner or later, will inevitably be drawn. I would again express a hope that Her Majesty's Government will use their best efforts to avert what

would certainly be a grave misfortune to Europe and the world at large.

LORD ROBERT MONTAGU must join in the protest which the right hon. Baronet had just made against the manner in which the Chancellor of the Exchequer had commenced his reply to the hon. Member for Bridgwater. The right hon. Gentleman had vehemently protested against the discussion which the hon. Member for Bridgwater had raised, and had deprecated all consideration of the foreign policy of the Government. And yet, most inconsistently, he was now proposing to enlarge the basis of representation, by lowering the franchise with the avowed object of rendering the House of Commons more efficient. While making such a proposition, he objected to that House exercising its legitimate functions as a check upon Ministers. By deprecating all discussion of the policy, the acts—nay, even the opinions and intentions of the Ministry—he was in fact seeking to establish the irresponsibility of the Government; he was trying to make his rule despotic. What was the use of a House if it did not act as a check upon the Government? It was far better to govern without the delusive semblance of a Parliament, than to establish and carry on a despotic rule by means of a Parliament. The right hon. Gentleman had said that if there was to be a war at all the cause of it was to be sought not in Venetia, but in the Duchies of Schleswig and Holstein. He would remind the House that fifteen years ago a Congress had met and altered the succession to those Duchies. The arrangement was kept secret for a long time; and after it had become known it was disregarded, because the treaty had not begun to take effect. It was not until the death of the King, in November 1864, that it came into operation. Then immediately all Germany arose; the Bund sought to rescue the Duchies and establish their rightful Sovereign over them. The lawless ambition of Prussia was aroused; she seized the opportunity; overbore the Bund; set at naught all law and right, and marched into the Duchies. Austria went hand in hand with Prussia, from a fear, he supposed, of being distanced in the race for the leadership of Germany. Thus the wrongdoing by the Congress led to the subsequent wrongdoing of the two German Powers. The lawlessness of the Congress gave opportunity to the rapacity of Prussia; the rapacity of Prussia gave cause to the interference of Austria, and this had led

to heartburnings and bitterness which was now about to burst forth in an European War. Austria now felt a tardy repentance and sought to re-trace her steps; and at once we heard of the Venetian question. The Chancellor of the Exchequer said that unless the people of Venetia wished to be united to Italy he would hand them over to the tender mercies of the hon. Member for Bridgwater; and justified the wish expressed by Her Majesty's Government for the cession of Venetia, on the ground that the Venetians desired it. This tallied with the famous despatch of Lord Russell in 1860, on the Italian question. But did the right hon. Gentleman mean to say that whenever the subjects of any Government desired to be united to another State they were entitled to have their wishes carried out? Had the wishes of the people of Schleswig and Holstein been consulted when their rulers were changed? Would the Chancellor of the Exchequer apply these doctrines to India? Her Majesty's subjects there might desire to be annexed to some Tartar or Chinese State. If they preferred the rule of some other race to ours, was their preference to be gratified? Or if Ireland aspired to a separation from this country, and sighed for American forms of Government, would the right hon. Gentleman not say them nay? He suspected that the right hon. Gentleman held by the doctrine only when it was convenient to apply it to foreign States. For himself, he was heartily glad that there was not now to be a Congress. He had never known any good to this country from a Congress. We were strong in arms; our navy was invincible; but the moment we entered a Congress we were sure to lose that which our prowess had obtained. We gave up in a Congress what we gained in war.

MR. LAING said, he rose, not for the purpose of prolonging the discussion, but to appeal to hon. Members to put a stop to it. It was of a most painful character, and he believed it could do no good and might possibly do harm. The matter was of such grave importance, that he thought hon. Members ought to concur with the suggestion of the Minister, and by abstaining from any further conversation on this question, act with a dignity which was suited to so grave an occasion. He apprehended that Her Majesty's Government, in common, he believed, with every sensible man in the House and the country, had adhered to the resolution that in the event

of war breaking out England should not be a party to it. Now, if this country were to abstain from being drawn into a war in which neither its interests nor its honour were immediately concerned, it would be better that the House of Commons should not erect itself into a sort of tribunal for criticizing the conduct and conveying an opinion as to the rights of the opposing parties. Such a course could, he thought, only lead to mischief and tend to make us misunderstood on the Continent, while it might, perhaps, drift us into the very situation which we wished to avoid and get us entangled in the war. He earnestly hoped, therefore, that the House would not allow this discussion to be continued.

MAJOR WALKER said, he did not rise with any intention of prolonging the discussion, but merely for the purpose of asking a question with reference to the statement of the Chancellor of the Exchequer that the immediate or proximate outbreak of war was to be expected rather in the North of Germany than in Italy. He had noticed in the public press that afternoon an announcement to the effect that General Garibaldi had landed at Genoa, and was about to proceed immediately to Como, the place which was the scene of his successes in the war of 1859, the headquarters of one of the divisions of the Garibaldian Volunteers, and in close proximity to the Austrian frontier. He wished to know whether Her Majesty's Government had received information to that effect, and whether they believed it to be authentic; and, if so, whether they were still of opinion that the outbreak of hostilities was to be expected on the Elbe rather than on the Alps?

MR. HENRY SEYMOUR said, he thought that an expression of opinion on the part of the British House of Commons would have a considerable effect throughout the whole of Europe, and he was therefore glad that his hon. Friend had brought this subject forward. He believed that the statement of the right hon. Gentleman the Chancellor of the Exchequer had been somewhat misunderstood by several hon. Members who had addressed the House. The right hon. Gentleman stated, as he understood him, not that Her Majesty's Government had represented officially to Austria that she ought to give up Venetia, but that Her Majesty's Government were of opinion that Austria had by treaties an undisputed right to that province. A totally different question, however, arose, if

Her Majesty's Government were asked as friends what they thought it was expedient for Austria to do in the interests of herself and in the interests of Europe. That was a totally distinct question, and admitted of a totally distinct answer. There was no doubt that Austria held Venetia by the same right as that by which other Powers held territories under the Treaties of 1815. But laws were made for ordinary occasions, and extraordinary occasions might arise when the sympathies of nations set at naught ordinary legislation. He thought if Venetia showed an effective wish to be joined to a population which were akin to her in birth and religion, although not having had the same political organization before 1793, she had a right to assert that unanimous desire. Now, as these feelings had through a long series of years been manifested in such a way as to disturb the equilibrium of Europe, it was quite right for Her Majesty's Government when war was imminent to say, "We see that this is an increasing difficulty, and the only difficulty which prevents Austria and Italy from being on friendly terms with each other." Austria was a nation in the same sense that England, France, and the United States were nations. There were different nationalities, it was true, but they were all united together by ties of social intercourse and political organization, which in the case of England, France, and the United States appeared to override everything else. Austria had possessed territory in Italy for about seventy years. In the case of Alsace, France had so endeared herself to the population of the province that if the question should arise whether they would be French or German they would without hesitation side with France. In a similar way the Silesians were united to Prussia by ties of religion and feelings of affection. Austria, he understood, was willing to accept the Silesian provinces in lieu of Venetia. Well, it was generally believed that Austria wished to fight one great battle and to recover Silesia from Prussia, because it had been originally wrested from her by Frederick the Great. At all events, he had heard that stated by friends of Austria in that House, the understanding being that she would then cede Venetia. Now, he thought that nothing could be more unwise than for Austria to wish for any possessions which would entail upon her the same difficulties which had resulted from her possession of Venice. In his

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opinion it was perfectly wise and right for Her Majesty's Government, when they saw that the peace of Europe was likely to be disturbed, to say to Austria, "If you ask our private opinion, we think that if you give up this province the peace of Europe may be maintained and your own position very much strengthened." That advice might not be in accordance with the sentiments of some hon. Gentlemen opposite, but it accorded with the ideas of most Gentlemen on that side of the House, and with the wish of the nation at large. In matters of this kind we were very much in the hands of the Foreign Office, which could never act with force unless it were supported by the opinion of the country as expressed in the House of Commons. He was glad, therefore, that the feeling of the House seemed to be that Her Majesty's Government had taken the right course. A very material change, he might remark, had taken place in Austria during the last two or three years with regard to Venetia. Formerly the cession of Venetia was never permitted to be mentioned at Vienna, but now it was a common subject of conversation in the capital; the general opinion of those who wished to see Austria strong being that if Austria ceded Venetia in a manner consistent with her honour she would greatly promote her material interests.

VISCOUNT CRANBOURNE: I wish to say a word or two in answer to the appeal made by the hon. Member for Wick, because I am sure that every Member of this House wishes to escape the responsibility, and it is a grave responsibility, of aggravating the present state of affairs in Europe by any remarks he may make here. But, as I understood the hon. Member for Bridgewater and those who have taken part in this debate, our object is not to criticize the actions of foreign Powers, but to exercise a constitutional check on the action of our own Government, which is merely exerting one of our first rights. And in this case I maintain that the House has a very strong reason for interfering in order to express an opinion on the part of the country. No one knows better than the hon. Member for Wick how deep is the suffering which has fallen on this country in consequence of the disturbed state of the Continent, and if that disturbed state of the Continent is in any way the result of the diplomatic action of the British Government, the British House of Commons has a right, and, indeed, it is their

duty, to interfere. The charge brought against Her Majesty's Government is that in the case of Italy, which is the first and most irremediable cause of the complications of the Continent, the Government have, by their diplomatic action, tended to foster and envenom the most dangerous feelings—that they have encouraged Italy in her designs, and thereby increased the difficulties of the Continent at this moment. There is this difference between the case of Germany and the case of Italy. The case of Germany is a disputed question of right which might be submitted to arbitration; but the case of Italy is a simple demand on the part of A for that which B possesses. Now, you cannot submit that to arbitration. If I have a lawsuit with a man, I can take it to an arbitrator; but if a man meets me in a lane and puts a pistol to my head and says, "Your money or your life," that is no case for arbitration at all. However practicable it might have been at first to have settled the question of the Duchies by the ordinary processes of diplomacy, when once the population of Italy were inflamed by the passions of war, and their cupidity was tempted by the hope of acquiring Venetia, the chances of any arrangement by the operation of diplomacy became very slight and precarious indeed; and that is the ground of the complaint I make against Her Majesty's Government. The country thought that when Earl Russell left the Foreign Office, and Lord Clarendon took his place they would get rid of those despatches which were perpetually stirring up difficulties; but, like a character on the other side of the water, Earl Russell seems to be "irrepressible," and when he cannot kindle disturbance by despatches he does it by private letters. The Chancellor of the Exchequer has not ventured to deny that Earl Russell has given, by private letters, advice which has tended more than anything else to engage Italy in that course, so dangerous to the peace of Europe and so baneful to Italy, which she has pursued. Therefore, although, of course, one cannot take any notice now or record a protest in a formal way, still, I think the hon. Member for Bridgewater does right in protesting, and this House will do right in protesting, as it often has done before, against Earl Russell's incurable habit of meddling in every foreign dispute that arises. There is another part of the Chancellor of the Exchequer's speech to which I wish to refer. The right hon. Gentleman

told us that Italy had no claim whatever to Venetia, except such as arose from the wishes of the people of Venetia. He told us that for years past Members of his Government had urged upon Austria to recognize the justice of their claims, and that now the Italians had in their enterprize the sympathies of the people of England. [The CHANCELLOR of the EXCHEQUER: No!] Well, we shall see from the report to-morrow that that was the substance of what he said. If these are the opinions of the Chancellor of the Exchequer, it results that he lays it down as a principle of public law that whenever a nation desires to be free from the Sovereign who possesses it, and desires to be annexed to another nation then the latter deserves and acquires the right to the sympathy of himself and of the people of this country. What warrant has the right hon. Gentleman for his statement of the facts? How does he know that the Venetians have a desire to be annexed to Italy? I cannot help thinking that a fallacy, which we trace very deeply in certain domestic matters now before the House, has got hold of the mind of the right hon. Gentleman in reference to foreign politics. In home matters he considers England made up of towns; he does not believe in anything you may call country; and I always think the Chancellor of the Exchequer exhibits the same fallacy in dealing with this question of Italy. If he finds that a great town has a strong political opinion, he utterly disregards any manifestation of counter-opinion in the rural districts in its very neighbourhood and immediately speaks of the opinions of that great town as those of the nation. It has been eminently so in the case of Southern Italy. I think it probable that in a considerable part of Naples the people are well pleased with the new order of things, but no impartial person can peruse the history of the last six or seven years and say that the rural districts which constitute the vast mass of the old kingdom of the Two Sicilies are satisfied with the new order of things. But according to his wont, the right hon. Gentleman treats the rural districts as a cypher, and the large towns as everything, and he still maintains that the southern provinces are well satisfied with the revolution. As in their case, so it may be in that of Venetia; we have no evidence, so far as I know, that the Venetians wish for the revolution which the right hon. Gentleman desires to see. There is evidence that the

town of Venice desires it, but I have never seen any evidence to prove that it is desired by the people of the country districts, and I suspect that the revolutionary feeling is not so general as the right hon. Gentleman would have the House believe. Be that as it may, I cannot pass without a protest that most pernicious doctrine of public law, now for the first time, I believe, laid down by a Minister of the Crown, and the public repetition of which by persons high in authority will assuredly rid us of all our Indian possessions, possibly of a considerable part of Canada, and I fear, last, but not least, of Ireland.

MR. LAYARD: I should be sorry, especially after the judicious remarks that have fallen from the hon. Member for Wick (Mr. Laing), to prolong this discussion. The hon. Member for Bridgwater (Mr. Kinglake) has mistaken what was said by the Chancellor of the Exchequer, who did not protest against answering any question. The hon. Member had a perfect right to put any question he thought proper to the Chancellor of the Exchequer. What my right hon. Friend said was this—the hon. Member went far beyond his question, and entered into a discussion of the relative position of Austria and the other Powers, under present circumstances, and as my hon. Friend could not, with due courtesy to the hon. Member for Bridgwater, pass over his remarks, but felt bound to answer them, he did so under protest, as to anything he might say on the spur of the moment, and without notice of a discussion raised in a manner—I will not say not conformable to the rules of the House, but not quite in accordance with the custom and practice of the House. I quite concur in the opinion that a grave question which may involve the peace of Europe is a legitimate subject of discussion here, but surely when an hon. Member wishes to get up an important debate it would be just and fair to give due notice of his intention, and not without notice to raise such a discussion on an evening generally expected to be devoted to other business. Several hon. Members seemed to have altogether misunderstood what the Chancellor of the Exchequer said, but I do not think any other hon. Member would have made the remark which has fallen from the noble Lord opposite.

VISCOUNT CRANBOURNE: Will the hon. Gentleman name it?

MR. LAYARD: The noble Lord said the Chancellor of the Exchequer said that

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which he did not say, and when the Chancellor of the Exchequer ventured to correct the noble Lord he said he would wait until to-morrow to see the report.

VISCOUNT CRANBOURNE: I did not mean the slightest imputation on the Chancellor of the Exchequer's veracity. Any Member may forget the words he used; the Chancellor of the Exchequer may have done so; and if there is the slightest idea that my language imputed untruth, I withdraw the expression.

MR. LAYARD: It is better that such language should not be made use of in this House. The hon. Member for Dundalk (Sir George Bowyer), who was not in the House to hear the speech of the Chancellor of the Exchequer, in answering it, replied to what the Chancellor of the Exchequer did not say—namely, that Her Majesty's Government had been urging the Italian Government to go to war with Austria. [SIR GEORGE BOWYER: No; I did not say that.] No such advice has ever been given by us to the Italian Government. On the contrary for years past, from the time the Italian unity was established, whenever advice was asked for—and it has never been volunteered—and occasion required it to be given, the advice we have continuously and consistently given to the Italian Government has been this—"Consolidate yourselves, develop your resources, establish good government, do not think of any further acquisition of territory, and do not turn your attention at present to warlike schemes." I must say I should be unworthy of my position if I did not protest against the very ungenerous remarks that have been made by the hon. Member for Dundalk (Sir George Bowyer) as well as by the right hon. Member for Tamworth (Sir Robert Peel). I am glad that the former confesses that a change for the better has taken place in Italy, and any one who knew what Italy was seven or eight years ago, must be astonished at the changes that have been effected. That there is some open expression of discontent, I quite admit, but this very expression of discontent is a proof of the difference between the present and the past condition of Italy. A few years ago when there existed the state of things which the hon. Baronet admired, any one who expressed discontent was conveyed to a dungeon. I remember, some three years ago, when walking through Naples, I bought thirty-seven different newspapers, published in one day, and advocating all views, from the strongest

Reactionary opinions down to the broadest Mazzinianism or Republicanism. There is the most perfect liberty of the press, and everybody grumbles, as people do in a free country. Look at the start Italy has taken and the progress she has made in railways, commerce, and in education; look at her administration, her jury system, and the improved state of her prisons. I know that hon. Gentlemen on the other side of the House have a preference for the despotic rule of the old times; but let us be at least just to Italy; I do not wish to justify all that the Italian Government may have done; it may have committed a great many faults, every Government does that in its turn. But it is the privilege of a people to comment upon those faults, and in Italy that privilege has been exercised to the fullest extent. With regard to advice recently given, Her Majesty's Government never advised Italy to go to war with Austria; on the contrary, we strongly urged and tried to dissuade her from going to war. Let me add this statement in Italy's justification. Until the Austrian Government thought fit to send a considerable force into Venetia, the Italian army was not raised above its usual peace footing. I am one of those who believe that the Italian Government have originated nothing aggressively towards Austria, and the strictest inquiries have shown that it was not until Austria sent troops to Venetia that Italy had taken any steps to increase her army. I think I am bound to state this fact in justice to the Italian Government. Of the movements of General Garibaldi I have no official knowledge; my information upon that subject is confined to what I have read in the daily journals. I do not wish to detain the House further, but I cannot sit down without requesting that hon. Gentlemen who desire to put questions of this character will in future give due notice of their intention to do so to Her Majesty's Government.

COLONEL PERCY HERBERT said, that the hon. Member for Poole had informed them that the debates in that House were read with great interest on the Continent—but he scarcely thought that the debates in that House would have as much weight upon the Continent as they had at present if it were known that hon. Members made statements in their speeches founded upon no better authority than the various *canards* that appeared in the newspapers. The hon. Member cited no better authority than

that in support of his statement that Austria was prepared to go to war for the sake of obtaining Silesia in exchange for Venetia. The Under Secretary for Foreign Affairs had stated that it was indisputable that until Austria had concentrated her forces in Venetia, Italy had not added to hers. That might be so, but surely the Emperor of Austria had a right to increase the forces in any portion of his dominions which he might think required additional defence without the inference being drawn from the fact that he intended to attack Italy. It was evident that the Under Secretary for Foreign Affairs wished such an inference to be drawn from his statement, but it was asking too much of their credulity to believe that the Emperor of Austria was such a drivelling idiot that with France uncertain, he should court a war with Italy at a time when he was in danger of having to contend with all the force of Northern Germany.

MR. BENTINCK said, he had not the slightest doubt that the Foreign Secretary desired to smother this question, for during his experience of nearly seven years in Parliament, he never knew any discussion on foreign affairs in which the Government did not get the worst of the argument. The hon. Member for Wick (Mr. Laing) had also endeavoured to stop the debate, but had he sat in the last Parliament he would have made no such attempt, for he would be now persuaded that had the Schleswig-Holstein question been ventilated in an early stage, the simple point involved would have come clearly before the House, and the minds of hon. Members would not have been utterly confused, as they were now, by the blundering policy of Earl Russell upon every matter connected with that subject. The Under Secretary for Foreign Affairs had complained that the hon. Member for Bridgwater had not given notice of his question, but the memory of the hon. Gentleman must be very imperfect or he would have recollected that the hon. Member for Bridgwater had a notice on the subject standing on the paper in his name on Friday last, and that he withdrew it at a late hour on that evening, stating his intention to bring the matter forward at the earliest opportunity. Of that intention of the hon. Member hon. Gentlemen officially connected with the Treasury were fully aware. He entirely agreed with the observation of the hon. Member for Bridgwater that the dispute with regard to the Duchies was a question solely concerning the German

Colonel Percy Herbert

Powers. The Italian question had never arisen in any form, and if that question was to be dealt with in a Congress or Conference there was no possible reason to show why the present time was more fitting than last year, when a Congress was proposed by the Emperor of the French and declined by Earl Russell. He (Mr. Bentinck) considered it quite plain that the Italian question would never have arisen but for the dishonest, unnatural, and discreditable convention between Prussia and Italy to attack their common enemy. But if England had intended to interfere in this matter, she should have proceeded with the utmost caution, for while she was acting as a mediating Power in conjunction with Russia and with France, her interests were wholly different, for of these three Powers England was the only Power whose policy at this moment was not aggressive. Who could foretell the designs of Russia? The House had heard enough of the Schleswig-Holstein question, and had been frequently informed that Russia had originally instigated the Treaty of London of 1852. Russia had a strong interest, therefore, in the Elbe Duchies as well as in the questions which now agitate the Principalities and Greece. He believed the Emperor of the French to be personally a friend to this country in his desire for peace, but the mind of France—if he might use such an expression—was also aggressive, and she could not forget that in 1814 the banks of the Rhine, the kingdom of Holland, and various parts of Italy were included within her boundaries. Under those circumstances it could not be said that England would meet France and Russia on equal terms in an endeavour to preserve the peace of Europe. But if she did consent to join in such an attempt she should take care to see that the propositions made to the disputing Powers were not coupled with conditions which it was impossible for one of them to accept. He contended that the propositions which had been recently made to Austria had been coupled with conditions which Her Majesty's Government must have been well aware that country could not accept. He had not had the good fortune to see the despatches that had been sent by Her Majesty's Government to the Powers of Europe upon this question, but he had seen in the public journals of the day the following most remarkable and able despatch sent by the Austrian Government to their various diplomatic agents, which presented

in very clear terms the substance of their objections to enter into the proposed Conference—

"The Emperor's Government only desires to receive beforehand the assurance that all the Powers which are to participate in the projected meeting are ready, as it is itself, to forego the prosecution of any object of private interest to the detriment of the general tranquillity. In order that the work of peace which the Cabinets have in view may be accomplished, it appears to us indispensable that an agreement should be come to beforehand to exclude from the deliberations any combination that might tend to give to one of the States now invited to the meeting a territorial aggrandizement or an increase of power. Without that preliminary guarantee, which sets aside all ambitious pretensions and leaves a greater space for arrangements equitable for all concerned, it would seem to us impossible to count upon a fortunate issue for the proposed deliberations."

The next paragraph had reference to Italy—

"There must, however, be a clear understanding that the position assumed by the Emperor's Government as respects that of King Victor Emmanuel cannot be altered or prejudged by the eventual consent of Austria to cause herself to be represented at a meeting which has to occupy itself with the Italian dispute. In diplomatic Conferences held before war has broken off all ulterior engagements, the admission should be made that the public law of Europe, and consequently former treaties, should serve naturally for a starting point. We believe that this remark cannot give rise to any objections; it suffices to indicate the attitude which we shall have to assume, and we think we are giving to the Powers a pledge of the perfect honesty of our intentions in showing a frankness which ought to be complete on both sides if any wish is felt that a sincere effort at conciliation should be attempted."

The third objection was as follows :—

"We must, lastly, express some surprise that the Pontifical Government should not be also invited to take part in deliberations concerning the Italian dispute. The situation of Italy cannot assuredly be examined without taking account of the interests of the Papacy. Independently of the questions of right, which we nevertheless are anxious to preserve intact, the sovereignty of the Pope is a fact recognized, in my opinion, by all Governments. His Holiness has, therefore, an incontestable right to make his voice heard in a meeting which has to occupy itself with the affairs of Italy."

These objections on the part of the Austrian Government appeared to be perfectly reasonable. The Austrian dominion in Italy was not only recognized by the Treaties of 1815, but after the war of 1859 no voice was raised against the possession by Austria of that part of Italy which was left to her. The Under Secretary for Foreign Affairs was at that time quite in favour of the Treaty of Villa-

franca, and no less a person than Earl Russell actually favoured the division of Italy into two Kingdoms—Northern and Southern Italy. The right of Austria to Venetia was as strong and as good as that by which any great Power held any part of its territories; and it was, therefore, too much to expect that Austria would enter into a Conference with the condition precedent that the surrender by her of that province should be discussed there. Did anybody suppose that the Emperor of the French would enter into a Conference if it were made a condition that one of the subjects to be discussed should be either the cession of Savoy, the "cradle" of the reigning dynasty in Italy, or of the county of Nice, the "cradle" of Garibaldi; for Garibaldi, as the House might be aware, was by birth a Nizzard, and therefore now a Frenchman? Again, if Spain were summoned to the Conference, would England allow the cession of Gibraltar to be debated? The hon. Member for Birmingham (Mr. Bright) had stated that if Ireland could be loosed from her moorings and taken 2,000 miles to the westward, she would proclaim her independence. Would England then allow this Fenian view to be mooted in a Conference, and entertain the separation of Ireland from this country? If not, then it was unfair to blame Austria for not going into a Conference under the same circumstances. As to the question of nationalities, he really wondered that the Government should raise it when they had left it quite out of view in the case of Schleswig-Holstein. When the question there arose whether German nationality should be oppressed by the Danes, Her Majesty's Government took their stand upon the Treaty of 1852, though the Treaty of London was not comparable in importance and validity to the Treaty of 1815. Now, however, they changed their tone, and said, "Let us go upon nationalities and disregard treaties altogether." As to the alleged desire of Austria to possess Silesia, the published despatch showed that the Court of Vienna were influenced by no motives of that kind. Then with respect to the Conference, it seemed remarkable that the Pope had not been invited to attend it. What was going to happen on the 16th of September next? By the Convention of 1864 it was provided that in two years the French army would be withdrawn from Rome, and the Pope was to be left to defend his possessions with such a force as

he could muster. But the Pope had no army which could resist attack by Italy, and it was, therefore, singular that the Papacy had not been summoned to the Congress in order that the probable results of the Convention of September should be discussed there. He did not mean to say that it was not his wish to see Italy united. Matters had gone on too far to leave any chance of the restoration of the ancient thrones, and he thought we ought now to look to the future rather than the past, and induce the Italians to consolidate their political and material strength. But if there was to be one sole kingdom of Italy, it must include the County and Port of Nice, the Southern Alps, and certainly Rome should be its capital. His great objection to the policy of the Government was that it seemed to be wholly without definite principle. He had been forced unwillingly to the conclusion that the foreign policy of the Government for the last six or seven years had been nothing more nor less than a popularity-hunting policy. On their first accession to office, the Government were all for Italy and nationalities, simply because the cry was popular. Garibaldi, too, was a lion—a curiosity; he entered London in procession, welcomed by crowds, who would have gone next day as eagerly to see him hanged. Then Poland came on the scene; the working men of Brighton called on the Government to go to war for the sake of Poland; and we heard a great deal about the sufferings of the unfortunate Poles and their oppression by Russia. Next came the Danish question. Earl Russell wrote at first remonstrating strongly with Denmark for endeavouring to oppress the nationalities of Schleswig-Holstein. But afterwards the Government, for reasons to which he (Mr. Bentinck) would not then refer, turned completely round against these nationalities, and now they were supporting the unjustifiable aggressions of Italy, and again expressing sympathy with nationalities. They observed, however, a very discreet silence with reference to the Pope, for he invariably found the adherents of the Pope during the present Session going into the Government lobby on every division. Why they did so he did not know, for he thought that if they consulted their own interests they would not thus follow the lead of the Chancellor of the Exchequer and the Under Secretary, who systematically took the side opposed to the Pope. He could not give them the credit of being actuated by any genuine

Mr. Bentinck

conviction in so doing, for the motive of the Government appeared to him to be simply to catch stray votes and bid for popularity, no matter though they thereby sacrificed the true interests of the country, and pursued a fickle and feeble foreign policy, which was a reproach to every Englishman who travelled abroad. He was grateful to the hon. Member for Bridgwater (Mr. Kinglake) for declining to be puzzled, and for bringing this question forward in so statesmanlike a manner, and enabling them to express their opinions independently at the present critical juncture.

MR. POWELL said, he had always believed that Italian unity would one day prove to be a fact—and that Italy would in that way arise from her protracted dissolution into new life. It was because he feared that the course pursued by Her Majesty's Government at the present grave crisis might retard the march of improvement on which Italy had entered during the last few years that he desired to offer a few observations to the House. It was often said that history reproduced itself, and Parliamentary debates appeared to reproduce themselves; for the present discussion and the speech of the Chancellor of the Exchequer naturally reminded him of the fact that a few years since the cession of Savoy and Nice to France was being arranged by secret treaties, and that the first note of suspicion proceeded from the right hon. Member for Tamworth, who to-night had spoken in almost the same tone. Venetia had been the subject of various compacts without care or regard for the wishes of the inhabitants, and as it was scarcely to be expected that Austria would surrender it without some equivalent, he thought the House ought to know what mode of compensation was proposed. Moreover there had been instances of a State, while receiving an accession of territory on the one side, making a cession of territory on the other, and it was well known that the Emperor of France, without whose consent, to say the least, Venetia could not be ceded to Italy, stipulated on a similar occasion for Savoy and Nice as a compensation. Amid the silence of the Chancellor of the Exchequer, of the press, and of hon. Members usually best informed on such matters, he could not help suspecting that some secret arrangement was now in existence by which Italy was to compensate France for the acquisition of Venetia. The Government were bound to consider

whether any of the interests of this country would be affected by such territorial changes, and the House was entitled to the fullest explanation before it was too late. It was argued that Italy should have Venice because Venice desired to be Italian, and the same argument was preferred when the southern portion of the peninsula desired annexation. If, however, the discontent prevailing in South Italy was to be taken as an indication that the unionist feeling had disappeared after two or three years' experience, it might fairly be argued that the yearnings of the Venetians might prove equally transient. He fervently hoped, indeed, that that reactionary feeling was only local and temporary, and he regretted that Her Majesty's Government had not given a fuller explanation on that subject. He had more than once been in that country and spent happy days on the shores of the Italian sea, and among the mountains and the cultivated plains of that fair land, and he could testify from personal observation to the advances that had been made by Italy of late years. He had seen education diffused and trade and commerce extended in districts where a few years since no signs of progress were perceptible. He had seen every external sign which a stranger could see of national progress, and he earnestly desired to see that progress continue. He desired to see a firm, consolidated, and enduring Italy, realizing the most fervent aspirations of her greatest patriots during many generations; but he feared that the policy of Her Majesty's Government in virtually, though not directly, inciting Italy to a war with Austria, was calculated to arrest that progress and disappoint those aspirations.

LORD CLAUD HAMILTON said, he had no knowledge that the hon. Gentleman opposite was going to bring forward this subject, but in doing so he had only acted as became one who on former occasions had shown that he took not only a great but an enlightened interest in foreign affairs. If any one should get up and blame the hon. Gentleman for what he had done at such a momentous crisis, when the telegraph might at any instant flash the news of the outbreak of war over Europe, he would evince a complete misapprehension of the usages and practice of Parliament and the country. He had understood that the policy of England of late years—and in his opinion it was a judicious policy—was not to interfere much in foreign politics—not to coerce or even to advise foreign potentates as to the

conduct of their affairs. But, on the other hand, it was our duty to discourage those who sought to embroil Europe through greed of territorial aggrandizement, and from a desire to seize on the possessions of their neighbours. But from what he had heard since he entered the House of the tone of the hon. Member for Southwark's remarks that was not the case. So far from coming forward to defend the rights of those who were acting in self-defence, his hon. Friend had apparently gone out of his way to throw blame on Austria. For what did his hon. Friend say? That Italy had never made any movement, had never commenced any military preparations until Austria had moved within her own territories certain bodies of troops. But did the hon. Gentleman mean for one moment to assert that Austria was not cognizant of the secret negotiations that were going on between Florence and Berlin? Did his hon. Friend, by thus throwing blame on Austria for an act of common precaution, profess to be ignorant that Austria had the fullest knowledge of the constant passing of negotiators between the two capitals for the purpose of raising up a menacing state of things, and assisting those ambitious schemes which had so long guided the policy of Prussia? If the hon. Gentleman were now in the House he would ask him whether he was not perfectly aware that all the military movements of Austria in Venetia were in response to the known resolve of the Italian Government to take the opportunity of the embroilment of the affairs of Germany to make a military raid upon the Austrian frontier? He regretted that the mouthpiece of the Government on Foreign Affairs in that House should have made statements which if they meant anything meant that the present unfortunate state of things was owing to the military preparations of Austria in Italy. Nothing could be more unfair than to intimate anything of the kind. No doubt the Austrian Government had from time to time committed many faults, but no one could believe that in the present state of complications in Germany Austria should wantonly and wilfully have created hostility against herself. The hon. Gentleman said he entirely agreed with the observations of the hon. Member for the Wick burghs that it was very injudicious to raise this question, and then he proceeded to make remarks which rendered it impossible for any one who knew anything about the facts of the case to remain silent. As he understood the general

tendency of the remarks of hon. Gentlemen, there was a general disposition to blame Austria for not accepting the proposed Conference. But he would ask any English gentleman fairly to say how he could blame Austria for this. Could any Congress give her pledges or securities for her possessions greater than she already had under existing treaties? He would ask whether a person who had a complete right by law, by usage, and by possession, was likely to place himself in the position of a mere claimant, and to go into court with any one not having the shadow of a title except that which greed and the desire of aggrandizement gave him? The Chancellor of the Exchequer talked of the traditions of the past. But what were those traditions in the case of Italy? Were they not the traditions of a time when she was divided into a number of republics, carrying on perpetual wars with one another, and each, when worsted, inviting the Frenchman, the Spaniard, or the German to come in? From his imperfect reading of history he found that then, as now, Italy was always inviting the stranger to come in and interfere. He did not wish his views on the subject to be taken for more than they were worth; but he wished to show that this country would be treading on very dangerous ground if she departed from the sound principle on which she generally acted. What did the Earl of Clarendon say in 1859 on this very subject? His words were remarkable. They were these—

"If, my Lords, it is intended to require Austria to withdraw from that territory to which she has treaty rights, why my noble Friend and Her Majesty's Government know very well that the answer of Austria would be that she recognizes no authority on the part of a Congress in 1859 to abrogate the rights conferred by the Congress of 1815. Austria would reply that she was prepared to defend her rights, and there would be an end of the Congress."—[3 *Hansard*, cliii. 1842.]

But Lord Clarendon went further. He said—

"If we are parties to, or in any way sanction, the violation of those treaties by which the Austrian possessions in Italy are secured and maintained, we may rely upon it that that process will not stop there, and that we shall soon have to consider other and more important questions of territorial arrangements. However, it may be thought, after a lapse of forty years, that in some cases the provisions of the Treaty of Vienna were defective in foresight—and it cannot be denied that in two or three cases they have broken down under the overwhelming force of circumstances—it cannot upon the whole be denied that they have served their purpose by maintaining the peace of

Europe; and the best proof of the confidence attached to the arrangements they effected was the universal satisfaction with which all Europe hailed the declaration of the Emperor of the French that he would respect the faith of treaties. But if these treaties are now to be torn up, and if Europe is to be scrambled for, I say that nothing but endless strife and universal confusion can arise."—[p. 1843.]

He asked hon. Gentlemen opposite if these sentences were not pregnant with sound, statesmanlike policy? Did they not represent the principles of honesty and good faith, without which no state could, in fact, be secure? He did not wish to see this country meddling with the affairs of other countries, and he could not help thinking that the spirit in which we had so interfered had too often been calculated to give just cause of offence; more especially he deprecated the tone of the late Foreign Minister's official correspondence. Such a policy could end only in humiliation. What a miserable result had followed our uncalled-for interference with the Circassians. We coquetted with them, endeavouring to make use of them for our own purposes, during the Crimean war; and now that gallant nation had been vilely betrayed, trampled under foot, and all but swept off the map of Europe. Did we not also incur disgrace by our conduct towards Denmark? Did we not encourage Denmark to compete with the armed hosts of other nations, assuring her that she should not stand alone, and did we not leave her to her fate? He must apologize to the House for having detained them so long, but he could not allow the observations of the Under Secretary for Foreign Affairs to pass unnoticed; and he would only say, in conclusion, that he hoped the House would by some expression of opinion condemn the spirit of aggression and uphold the faith of treaties.

Mr. WHITESIDE: In the course of this debate we were getting into some difficulty when the hon. Gentleman the Under Secretary for Foreign Affairs poured oil on the troubled waters, and restored the temper of the House to a state of amenity. I do not think that the question put by the hon. Member for Bridgewater has been sufficiently attended to, or the character of the answer given by the Chancellor of the Exchequer. The hon. Gentleman the Under Secretary complained to the House that the Chancellor of the Exchequer had been misunderstood. How it is that such a master of language should not be able to express himself as clearly as he certainly can copiously, and, when

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he pleases, eloquently, I am unable to understand. What was the question put to him by the hon. Gentleman (Mr. Kinglake) who, in a very temperate and statesmanlike speech, addressed himself to a very large subject? That hon. Gentleman did not suggest for a moment that Her Majesty's Government had recommended Italy to go to war with Austria. What I understood him to say was that if not the Ministry, yet that some individual Member of the Ministry had at a very critical period of European history recommended Austria to cede Venetia to Italy. That raises a very curious question of principle. It is not asserted that the Ministry, through the Secretary for Foreign Affairs, addressed a despatch to that effect to the Austrian Government; but that a particular Member of the Ministry—and it might have been the foremost—may have written a letter recommending Austria to cede Venetia to Italy. The question is quite consistent with such a supposition, and when the Chancellor of the Exchequer was called upon by the scope and effect of the speech of the hon. Member for Bridgwater to answer that matter, with great good feeling to his Colleague and with great good taste, he avoided giving an answer to that question; and I maintain that no answer was given to that question—whether the Prime Minister had or had not addressed a private letter, but still in the capacity of Prime Minister, recommending Austria to give up Venetia to the Italians. If that had occurred, I should invite the attention of the House to the matter. I never knew that it was a principle of our foreign policy that while there was one set of despatches which, if moved for, might be laid on the table, there might be other documents of an epistolary nature passing between great personages of the two nations, and having more effect and operation on the course of events than the formal despatches of which we can get copies placed upon the table of the House. I think the hon. Member for Bridgwater has done good service by calling upon the Chancellor of the Exchequer to answer this question, and by calling attention to the new principle on which modern diplomacy has attempted to conduct our foreign affairs. Without going into irrelevant topics the noble Earl at the head of the Government has not been lucky in his despatches, and when we are told of his sympathy for oppressed nations I cannot but remember his sympathy for Poland. When certain des-

patches were written by Earl Russell on the subject of Poland we all felt for Poland, but many of us thought it more expedient to hold our tongues, because I, for one, did not believe the noble Earl meant to act or do anything on behalf of Poland, and I thought that the expression of strong indignation against the Emperor of Russia must bring this country into trouble about Poland, when we did not mean to interfere or to do more than offer very emphatic advice. There was afterwards one despatch from the Russian Minister to Earl Russell which in former times must have led to instant war, because it was of a very affronting character to the great nation which the noble Earl represented. But if we had no business to interfere with Russia, and to ask it to resign the government of Poland, although our sympathies were with the Poles, what authority have we now, as a principle of International Law, to call upon the Emperor of Austria to resign his government of Venetia on the ground that that government is not acceptable to a large portion of the inhabitants of Venetia? Mr. Canning once said that any individual Member of Parliament might express his opinions as he pleased if he sympathized with any nation in the world which he believed to be oppressed, but that a Foreign Minister had other duties to perform, and must not indulge the same expression of opinion unless England, which he represents, is ready to back that expression of opinion. As another illustration of this unhappy tendency in the management of Foreign affairs by the noble Earl, I may refer to Denmark. The noble Earl conducted the negotiations in the affairs of Denmark, and I do not know that any Member of this House was ever called upon to perform a duty of a more painful nature than that of reading those despatches. I remember the criticism of the late Mr. Cobden upon them, and the remark of the right hon. Member for the University of Cambridge, that while we signed such treaties, and our Ministers wrote such despatches, we might well expect the very consequences that have arisen in Europe from that policy. We do not seem to have gained much by the advice we then gave to Denmark. I was surprised to hear the right hon. Member for Tamworth—who knew something about these matters, as he was connected with the Government, and who is a Gentleman of great ability and high position—say that Lord Palmerston wished to pursue an

opposite policy, but that he was overruled by the Government. It cannot add to our admiration of the manner in which the foreign policy of this country is managed if advice has been offered in the way suggested. Indeed, the offering advice at all at a critical time, unless you mean to act on what you say, is attended with more danger than advantage. What is the effect of this course of proceeding? Supposing that such a letter as the hon. Member for Bridgwater refers to has been written, it becomes known in diplomatic circles that England is in favour of Italy and against Austria. The expression of such an opinion at this most critical period is a standing incentive to war. Some years ago there was a debate on the line of policy pursued by Lord Palmerston in respect to Italy, and it was then stated that Austria had offered to resign Lombardy and some other parts of Italy, but refused to surrender Venice, though the Austrian Government were willing to give Venice a free Constitution, a native army, and a native administration. The offer of Austria was refused by Lord Palmerston and by the Government of that time, and the result was that General Radetski was put in motion and Italy was conquered; and what the hon. Member for Bridgwater now says is, that the advice to surrender Venice, which originally led to great effusion of blood, has been repeated in a private letter at a most critical period, when there is danger that it may be the occasion of the outbreak of hostilities. He could not say that Lord Palmerston was wrong when he used language to the effect that it was not only to the interest of Austria, but for the security of Europe, that rights confirmed by treaties, which formed a portion of the International Law of Europe, should be maintained; and that though in some instances those treaties might be repugnant to the desire of progress inherent in Englishmen, we were bound in honour and good faith to maintain them. What the Austrian Minister said to Lord Palmerston in regard to the Italian question is in their diplomatic papers. He said, "We cannot give up Venice, because the Power that is in possession of Venice commands Trieste, but we will give it a constitutional Government." Such being the position of affairs I cannot conceive more unfortunate advice than that represented to be given by the Government of this country, that Austria should surrender a great and important province without any consideration in re-

Mr. Whiteside

turn. Another hon. Gentleman asked an important question as to whether the Government were aware that General Garibaldi had arrived at Genoa. The hon. Gentleman the Under Secretary for Foreign Affairs seemed to throw the General overboard as if he was a vulgar person, apparently forgetting that he was the good friend of the Chancellor of the Exchequer, and had been warmly received in this country, and worshipped as an heroic and disinterested man, who, by the way, was drawn into revolutionary practices by the fact that his own country was handed over to another Power against his will, at a time when he had a positive assurance under the Royal hand that it never would be surrendered. The hon. Member for Dundalk might well be a little warm on this subject, because the dignitary at the head of his Church must be to-night in trouble when he hears that General Garibaldi has arrived at Genoa, and is marching on Como, for General Garibaldi has never denied that he wants to overthrow the power of Austria, and get rid of the Pope, and that he would do so whenever he could. Now the advice given to Austria, which leads to the arrival of General Garibaldi in Genoa, is very questionable advice as regards the preservation of the peace of Europe. If that advice which the hon. Member for Bridgwater referred to has been really given, it is a piece of advice which ought to have been contained in a formal despatch from the Secretary of State for Foreign Affairs, so that, when called for, the despatch might have been laid on the table, and the House of Commons enabled to pronounce an opinion on the policy which dictated it.

SIR JOHN HANMER said, he regretted, as an independent Member, to find, on returning to the House after an absence of several hours, the debate raised by the hon. Member for Bridgwater still going on. He did not know, and did not pretend to know, what communications might have passed between Her Majesty's Government and the Governments of foreign countries on the matters in dispute. But this he did know, that even if those communications were so unwise as hon. Gentlemen on the Opposition Benches seemed to think, he believed that nothing could be more unwise than for hon. Members, after the events that had taken place within the past few years, to take a prominent part in discussing the affairs of the Continent of Europe, unless the House were prepared to

put fleets on the sea and armies in the field to back up its opinion. It seemed to him that this debate was got up in order to prevent another debate in that House rather than to have any effect on the policy of Europe. He had great respect for the right hon. Gentleman opposite the Member for Buckingham, because that right hon. Gentleman always stood up for the honour, dignity, and influence of that House; but what, he asked, would become of the influence of that House among statesmen abroad, if those statesmen were led to believe that this discussion was a mere windy expression of opinion, having no result? He deprecated these casual debates on foreign policy, for he thought that if hon. Members had anything to say about foreign policy, they should bring forward a formal Motion on the subject. He thought the war in the Crimea was one of the most foolish undertakings into which this country had ever entered, although, having become entangled in it, she was, of course, bound to get out of it in the best way she could. If hon. Gentlemen opposite wanted to get rid of the question of Reform there were twenty other ways of doing it without occupying the time of the House with such debates as this, which lowered the House to the position of a common debating society.

LORD JOHN MANNERS said, he did not agree with the hon. Member who had just sat down, that debates of this kind lowered the House of Commons to the position of a mere debating society. While admitting the truth of the statement that previous discussions on questions of foreign policy—as, for instance, in the case of Denmark, which had been grossly mismanaged—tended to place this country in no very enviable light before the nations of Europe, he thought his hon. Friend the Member for Bridgwater had acted wisely in asking the question which he had that evening put to Her Majesty's Government. The threats which were held out, and the denunciations which were uttered against the German Powers in reference to the Duchies, did not proceed, it should be remembered, from the Parliament of England, but from the Prime Minister; and he felt sure his hon. Friend who had just spoken would agree with him in the opinion that the House of Commons could not be called upon to discharge a more vital or important function than that which the hon. Member for Bridgwater had invited them to perform—not by lecturing Europe,

but by taking account of the various steps adopted by the Government in the present most critical state of affairs. Under what circumstances had the questions been put to which that hon. Gentleman had drawn attention in his most thoughtful and statesmanlike speech? Had the House of Commons exhibited the slightest wish to interfere with the prerogative of the Government in the conduct of the recent negotiations, or displayed any undue haste in asking for explanations on the subject? Quite the reverse. It was not until it had been made known to the House by Her Majesty's Government that these negotiations and the hopes of a Conference based upon them had hopelessly failed, that his hon. Friend had come forward to ask for the information with which he thought it desirable the House should be furnished. And how had his appeal been met by the Government? The Chancellor of the Exchequer, using a phrase which would probably be well remembered hereafter, told his hon. Friend that he would answer the questions which he had put categorically, but that as to the arguments by which those questions had been accompanied he would reply to them only under protest. Very natural comments having been made upon that statement, the Under Secretary for Foreign Affairs rose in his place and endeavoured to throw a gloss over them, observing that it was a mistake to suppose that the Chancellor of the Exchequer objected to reply to the speech of the hon. Member for Bridgwater, and that all he had protested against was the practice of individual Members presuming on great questions of foreign policy to enter into any explanation of the questions which they desired to put. The hon. Gentleman had gone on to state that if it was the wish of any hon. Member to raise a debate on the all-important subject of peace or war he should give notice of his intention to do so, and fix the discussion for some convenient day. He, however, would appeal with confidence to those hon. Gentlemen who were then present to say whether it was not in accordance with custom when matters so grave were at stake that a Member of the House might take advantage of any legitimate opportunity which its forms afforded—always acting under a due sense of that responsibility of which his hon. Friend the Member for Bridgwater had, it seemed to him, taken a proper measure—to bring under the notice of the House, before it was too late,

the conduct with respect to those matters of the executive Government. That being so, he could see no good grounds for censuring his hon. Friend for the course he had taken; nor could he see the force of the allusion which had been made by the hon. Baronet to the Reform Bill. The hon. Member for Bridgwater was no opponent of that measure. He had supported it throughout, while he had been the apologist and successful vindicator of the Government, so far as a vote of that House went, by throwing his shield over them at the termination of the unfortunate Danish war. The hon. Gentleman, he therefore contended, was open to no accusation in the present instance, and had simply discharged an important duty in directing public attention as he had done to the manner in which the Government had conducted the late negotiations. Their conduct of those negotiations was a point on which he also desired to say a few words. His own opinion was that the more the question was sifted, the more distinctly would it appear that the Government had taken a hasty and precipitate course in reference to that reservation under which Austria expressed her assent to enter into the proposed Conference. It was not, he thought, the part of a neutral Power to say categorically to Austria, "The reservation you make with respect to territorial aggrandizement cannot be for a moment entertained by the Powers of Europe assembled to secure the interests of peace. If you persist in adhering to that reservation we shall not enter into a Conference, and we hold you responsible for the war which may ensue." The neutral Government of England had, he maintained, no right to assume that tone in answer to the Austrian proposition. Their duty surely was rather to say, "We shall come to no conclusion in the matter until we have ascertained how the proposal is received by Prussia and Italy. If they consent to enter a Conference on those conditions, we too shall be glad to do so." And if upon those equitable terms Prussia and Italy declined to enter the Conference, then the whole blame attaching to that determination would devolve upon them, and the neutral Powers would have had the satisfaction of knowing that they had fairly exhausted every means within their reach for the preservation of peace, and would have retired with far more honour than they had done from the prosecution of the task in which they were engaged. But as things

Lord John Manners

stood, what was the position of the Government? The Chancellor of the Exchequer could hardly fail to be alive to the expression of feeling in that House to which he had listened that evening. The great majority of the speakers had advocated the line of conduct which he had briefly indicated. There was manifestly an uneasy perception in the mind of the House of Commons that the Government of England had not permitted the case of Austria to be placed fairly before Europe, and that they were endeavouring to shield, as it were, their own failure in the negotiations by throwing upon her unjustly the blame of that failure to bring about this Conference. That he regarded as a most untoward and unfortunate result, and he must repeat that his hon. Friend the Member for Bridgwater had, in his opinion, done a great public service by directing the attention of the House and of the country to the present lamentable state of affairs. The discussion which had taken place would serve to show the nations of Europe, not that the House of Commons was anxious to urge the Government on to the brink of war, but that however much they might value the blessings of peace, they would not sanction a line of conduct which sought unjustly to cast the blame of breaking off the negotiations entered into with a view to its maintenance on a great Conservative Power like Austria.

SIR HARRY VERNEY said, that much as the House might desire to proceed with the business of the evening, it was quite impossible when accusations were made from the other side which Members on that (the Ministerial) side believed to be utterly unfounded, to let them pass without reply. To wade through the blue books on the Danish question might not be a pleasant task; but any one who took the trouble to read Lord Russell's despatches would see that nothing could have been more judicious than the advice which that noble Lord had offered, and that the interests alike of peace, of Denmark, and of this country had been uppermost in his mind. It was not Lord Russell who stated that if Denmark was attacked she would not stand alone. [An hon. MEMBER: It was Lord Palmerston.] It was impossible for Lord Russell or any other Minister to believe, after the Prussian Minister had declared in Congress what the policy of Germany and of Prussia ought to be, that Prussia would cast to the winds all those statements, and pursue a policy almost

without parallel in European history. His conviction was, that the present complications in Europe were due to the unscrupulous audacity and untruthfulness of a Minister, and the weakness of a Monarch.

SIR JOHN WALSH said, it was a remarkable fact that one portion of the hon. Member for Bridgwater's speech had been left unnoticed, both by the Chancellor of the Exchequer and the Under Secretary for Foreign Affairs. It referred to a point of so much importance, and one calling for so direct and immediate an answer from the Government, that it could scarcely have escaped their memory. The right hon. Member for Dublin University had already alluded to it, and it so imperatively demanded some reply from the Government that he made no apology for once more calling their attention to it. The hon. Member for Bridgwater, as he understood him, conveyed to the House the impression that there had been two sets of communications addressed to the Austrian Government—that, while official communications passed in the usual and proper channel from the noble Lord the Foreign Secretary, there were certain other more private communications addressed by some other Member of the Government to the Austrian Court. Now, he ventured to say that, if any such proceeding had really taken place, nothing more subversive of the principles and practice of the British Constitution could well be conceived. Of course, he had no knowledge of such being the fact; he only gathered it from the statement, or at least from the broad insinuation, of the hon. Member for Bridgwater; but still it was a matter which, until it was contradicted, must leave a most unfavourable impression on the House. He could not tell whether the hon. Member for Bridgwater had any other private information, but the right hon. Gentleman the Member for the University of Dublin seemed to believe that that indirect or semi-official communication originated on the part of the Prime Minister. That, again, was a circumstance which demanded immediate contradiction if it did not rest upon fact. Where was Lord Clarendon placed by such a supposition? Where was his responsibility? Did he endorse such a communication, assuming it to have existed; or was he, like the House of Commons, utterly ignorant of its having taken place? In either case, there had been a very gross departure from the proper official

rule of conduct. Either Lord Clarendon ought to have resisted such an indirect interference with his responsibility, or, if he had been left in ignorance of the communication, he had been very scurvily treated by his colleague. Were there no reasons why the present Prime Minister, of all public men in this country, should have hesitated to address the Court of Austria in such a manner, or to have made any particular claim on the confidence of that Court? A passage in the life of the present Prime Minister, which, he thought, had not been alluded to in that discussion, was still fresh in his recollection. Happening himself some years ago accidentally to read in a newspaper what purported to be a circular addressed by the Austrian Government to its Ministers throughout Europe, complaining of the conduct of that noble Lord—complaining of what they regarded as a breach of the engagement into which the noble Lord had entered with the Court of Vienna, he immediately came down to the House and gave notice of a question which he meant to put to Lord Russell on the subject on the following day, of course expecting to hear from his lips an indignant denial of what he was likely to stigmatize as a mere newspaper fabrication. What, however, was his astonishment when the noble Lord himself got up in his place in that House and, standing where the Chancellor of the Exchequer now stood, admitted the substantial accuracy of that accusation made against him by the Court of Vienna in the face of Europe and published in all the official documents of the day? Nor was that all. A notice of Motion was given by his right hon. Friend (Sir Bulwer Lytton), who proposed to call the attention of the House to all the circumstances of that transaction, which, on the face of it, appeared so disgraceful to a British Minister, and to offer to the noble Lord an opportunity of fully explaining the whole matter, and, as they all hoped, of triumphantly refuting the charge brought against him. But what was the line then taken by the noble Lord? It was confidently stated at the time that forty Gentlemen on the other side of the House who were stanch supporters of Lord Palmerston, and attached adherents as well as ranking among the chief ornaments and most respectable Members of the great Whig party, went to Lord Palmerston and told him, "If this matter goes to a division we cannot,

under the circumstances, vote in justification of Lord Russell's conduct on that occasion." Whether that was the fact or not he did not know, but it would be very easy for hon. Gentlemen opposite to contradict the statement if it were untrue, and it would be only an act of justice to Lord Russell if they did so. But there was one fact which admitted of no dispute—namely, that Lord Russell did not meet that charge, and that Lord Russell resigned. It was a matter of deep regret if in the present critical state of Europe, when it was possible that a judicious Minister who really possessed the confidence of the House and the goodwill of Austria might have succeeded in preventing the calamity of war, it should prove to be true, as his right hon. Friend seemed to surmise, that Lord Russell—who of all men must have felt that his communications could not carry any great weight with them—went out of the way to make a private and unauthorized communication to the Court of Austria. He did not wish to prolong the discussion, but the subject weighed heavily on his mind, as he believed it did upon the mind of every independent Member of the House who desired to maintain the honour of England.

MR. HIBBERT observed, that five hours had now been spent in the discussion of Continental affairs, and he thought that it was time the House turned its attention to the Reform Bill, a matter which affected our own country. He had continued in his seat during the whole of the dinner hour, expecting that the question of Reform would be brought on for discussion, but he had been disappointed. He must admit, however, that the speeches which had been delivered had come as much from one side as the other. He now thought the subject had been sufficiently ventilated, and that it should now proceed with a question on which hon. Members would be able to show their sympathies, not with foreign nations, but with our own countrymen. He had no doubt the hon. Gentleman who originated this discussion had been actuated by very proper motives, but if it were further continued, he believed it would do more harm than good.

MAJOR STUART KNOX said, that the more discussion the subject underwent, which was now before the House, the better it would be for this country and for the peace of Europe. The hon. Member for Bridgwater had studied the interests of the country in bringing it forward. If the

Sir John Walsh

question of European affairs did not interest Gentlemen on the opposite side of the House, he was very sorry. The Chancellor of the Exchequer deprecated its discussion; but, with regard to foreign affairs, he was pleased to "meddle and muddle," regardless of the honour of his country. In the time of the Crimean war the following opinion was expressed by Her Majesty's Government:—"The rights conferred by the treaties which now form a portion of the International Law of Europe should be maintained." He trusted that the conduct of Her Majesty's Government would be in accordance with this opinion. He thought the country showed a right feeling when it encouraged the Government of which the right hon. Gentleman was a Member to engage in the Crimean war, and he believed it would show a similar feeling again, if it were necessary. [*Cries of "Divide!"*] He did not know what there was to divide about. At this time the Government must have quite enough to do to attend to foreign affairs, and he urged them to throw aside their obstinacy and postpone the question of Reform till next year.

MR. EARLE asked, whether it was the intention of the Government to produce the papers relating to the important negotiations which had taken place in regard to the present crisis on the Continent?

Motion, by leave, *withdrawn*.

REPRESENTATION OF THE PEOPLE BILL [BILL 68.], AND RE-DISTRIBUTION OF SEATS BILL—[BILL 138.]

COMMITTEE.

(*Mr. Chancellor of the Exchequer, Sir George Grey, Mr. Villiers.*)

Order for Committee read.

Bill considered in Committee.

(In the Committee.)

Clause 4.

MR. HUNT said, he rose for the purpose of moving an Amendment to the clause under discussion. He proposed to add the words, "Such clear yearly value being the rateable value of the premises as ascertained for the purposes of the poor rate." The question upon which the House voted the other night was whether premises of £14 yearly value should confer upon the occupier the franchise. His right hon. Friend (Mr. Walpole) had proposed the substitution of £20 for £14, intending,

had he been successful, to follow it up by proposing to add to the end of the second paragraph the words, "on which he has been rated or assessed to the poor rate or the inhabited house duty." In consequence of his right hon. Friend not being able to obtain the insertion of the word £20 for £14, the other portion of his Amendment fell to the ground, because no one was assessed to the inhabited house duty who did not occupy a house of the annual value of £20. The question whether the county franchise should depend upon the rental or the rating had never been put to the Committee; but he thought it was one of such importance that the present clause ought not to be passed without the decision of the Committee upon this point. The expression in the second paragraph of the clause, "clear yearly value," without any explanation, was ambiguous. The Government in their interpretation clause, which had been postponed, sought to assign a definite meaning to it, and it was as follows:—

"Clear yearly value, as applied to any premises, shall mean a sum equal in amount to the rent a tenant might reasonably be expected to pay by the year for such premises if let to him, he undertaking to pay all usual tenant's rates and taxes and tithe commutation rent-charge (if any), but no deductions being made in respect of the probable annual average cost of repairs, insurance, and other expenses, if any, necessary to maintain the premises in a state to command such rent; and for the purpose of this Act the gross estimated rental for the time being of any premises, as ascertained for the purposes of the poor rate, shall, until the contrary is proved, be deemed to be the clear yearly value of such premises."

He thought it was not right to leave so important a question for decision on the interpretation clause, and that before going any further in the discussion of the Bill, the Committee should define what was to be the meaning of a "clear yearly value." He had endeavoured, by the clause of which he had given notice, to define what was the meaning of the clear yearly value; and if his Amendment was adopted by the Committee the deductions that would be made were those that were excepted in the interpretation clause—namely, the cost of repairs, insurance, and such other expenses as were necessary to maintain the premises in a condition to command such a rent. The rateable value, as distinguished from the annual value, depended upon the Act passed in the late reign to regulate the parochial assessment, the net annual value of the hereditaments—that is to say, of the rent at which it might reasonably be

fixed, after deducting the probable annual average cost of repairs, insurances, &c. If the Amendment which he proposed were carried, the effect would be to raise the county franchise to a higher standard than if the clause passed without amendment. The question, however, was not so much whether the amount should be raised to a higher figure, as whether the Committee should adopt the principle of rating, requiring every man in possession of the county franchise to discharge all the duties and be subject to all the burdens of rate-payers. As he understood the Bill, it was not a necessary condition of the franchise that a man should be on the rate book at all, and therefore it would be quite possible for a man to vote as a rated occupier without his name appearing on the rate book. By agreement between the rated occupier and a sub-tenant, under which the former was to pay all the rates, it would be quite possible for the latter to figure in the rate-book without paying any rate at all. The hon. Member for the South-West Riding had alluded to the desirability of preventing the creation of sham qualifications. By supporting this Amendment he would take the most effectual means of doing so. He was at a loss to understand why the Government had adopted the principle of rental instead of rating, or why the £14 franchise had been fixed upon unless it was that this was the figure at which the Irish county franchise stood. But if they were to go to the Irish Reform Act as a model, they would find that the Irish franchise was a rating franchise. The Irish Reform Act was carried under the auspices of the present Prime Minister, and he had never heard any dissatisfaction expressed with its operation. He was on a Committee which inquired two years ago concerning the registration of county voters when evidence was taken as to the working of the system in Ireland, and superior advantages were claimed for it over the English county franchise, because ninety out of every 100 voters in Ireland had their franchise by virtue of occupation. The presence of the names upon the valuation book was accepted as proof of the voter's right to be upon the register, and the names accordingly were all transferred to the register without entailing any trouble upon the individuals themselves; and thus a complete self-acting register was obtained, liable only to change from the claims or objections served at either side. Before the same Committee the hon. Mem-

ber for Lanarkshire gave evidence with regard to the system of registration in Scotland, where the valuation roll in like manner was *primâ facie* evidence for the purpose of the county registers, all the names of owners, as well as occupiers, being transferred to the register of voters by a public officer. The extension to England of the principle thus found to operate beneficially in Ireland and Scotland might seem a small matter to hon. Members anxious to extend the franchise widely; but though the Committee might not be anxious to go down to as low a figure as some hon. Members desired, he would doubtless obtain their concurrence in saying that all those to whom the franchise was ultimately to be given ought to enjoy the greatest facilities for being placed upon the register. In this country, owing to the want of connection between the rate book and the register, county voters had the greatest difficulty in securing their right to vote. No public officer existed whose duty it was to transfer their names from the rate book to the register; they were accordingly obliged before a certain day to transmit their claims, in a particular form, to the parish officer. The consequence was that numbers of persons in England and Wales, either from not sending in their claims on the right day or from sending them in an improper form, or from an inaccurate description of their qualification, were omitted from the register. If the Amendments which he proposed were carried, nothing would be easier than to add a clause directing the parish officer to place on the register the name of every rated occupier, and without any trouble to individuals a register for the county would be thus obtained. Even since the passing of the Irish Reform Act this principle of rating had been sanctioned by the present Prime Minister. By the Bill brought in by the noble Lord in 1852 it was proposed that the county franchise should be £20 of rateable value, and it was further required that there should be actual payment of rates. In the next Reform measure brought in by the same noble Lord in 1854, during the Premiership of Lord Aberdeen, that principle was departed from to a certain extent, inasmuch as the county franchise was to have been for premises of £10 yearly value; but, even by this Bill, it was required that the occupier should be rated. The Bill brought in by Lord Derby's Government in 1859 proposed a county franchise on a £10 clear

yearly value; but it also required that the occupier should not only be rated, but that there should also be an actual payment of rates. In the Bill of 1860, which never got into Committee, he believed for the first time there was no requirement of rating. But he would ask the Government how long ago it was since they had given up the principle of rating. In the remarks which he had made last week on the subject, he had called attention to the fact that according to the Electoral Returns, compiled by the Government, it was evidently their intention in the first instance that the franchise should be a rating franchise, because the heading stated the return relating to counties to be one of the—

“Number of male persons who are assessed in the valuation lists now in force for the several parishes in the county or electoral division; or, if no valuation list has been approved, then in the valuation list last delivered to the assessment committee, with any alteration made by them therein, or where there is no such list, then in the last poor rate, as occupiers of a house or other building, either with or without land, within each parish, at the rateable values of £10 and under £12, £12 and under £15, £15 and under £20, and £20 and under £50, showing the number of each class who are owners of the property so occupied by them; and also of the number of male persons in like manner assessed as occupiers of lands or tenements, at the gross estimated rental of £50 and upwards.”

When the House came to the discussion of the county franchise on Thursday night, those were the only Returns they had to depend on, and therefore as the Government had given no returns whatever relating to a rental franchise, hon. Members were called upon to argue as to what this latter franchise would be on returns relating to a rating franchise. It appeared, however, that the Government were not in the same frame of mind on this subject from one week to another; because when they compiled those Returns they were contemplating a rating franchise; but when they laid the Bill on the table they were for a rental franchise. He had been rather curious to ascertain what was the reason for the change in the intentions of the Government, and he was told in private that there was such a difference in different counties with respect to the deductions made from the gross estimated rental, so as to come at the rateable value, that there could be nothing like uniformity, and the result would be that what would give a man the franchise in one county might not be sufficient to give it in another county. But they had made

great progress towards the principle of uniformity upon this subject of late years, particularly since the passing of the Union Assessment Act. In his own county deputations from the different districts had met in the county town with the view of adopting a uniform system of deductions from the gross estimated rental in order to get at the rateable value; and though complete uniformity did not yet prevail, there was much less variety than formerly. Besides, after the experience of the Union Assessment Acts of the last two years, there could be little doubt that we should have an Act of Parliament to secure complete uniformity in those deductions. Therefore, though he did not think the point was one of paramount importance in relation to the franchise, the want of uniformity was a difficulty which could be removed by Act of Parliament. He would, however, ask the Government whether the gross estimated rentals were uniform in the proportion which they bore to the real value? What was taken to be the gross estimated rental was generally the actual rent paid. Now, he would venture to say that in the case of lettings under old families the actual rent paid was much lower as compared with the value than it was in the case of lettings under recent purchases, who in many instances screwed the rent up to the utmost. He was convinced that every one who inquired into the subject would find that there were as great variations in the gross estimated rental as there were in rating. He therefore contended that under existing circumstances a rating franchise afforded quite as good a basis in respect of uniformity of result as a rental franchise did. Moreover, he thought the rating principle a desirable one to introduce, on the ground that no one should be entitled to the franchise who did not share in the burden of paying rates. They had hitherto been kept very much in the dark upon this question, but that morning for the first time hon. Members had been furnished with information showing what was likely to be the addition made to the county constituencies by the reduction of the franchise proposed by the Government, and what was the character of that addition? He must say he very much regretted that they had not that information before them when the question whether £14 or £20 should be the limit was under discussion; because when the Committee were arriving at a decision on that point they were groping in the dark.

Those who voted for £14 were taking results on the faith of the Government; but he believed in that case it was the blind leading the blind. For weeks and months hon. Members had been asking for that information. They had told the Government that they could not possibly discuss the county franchise till they had it, but it was not before them last Thursday, though he believed that if the Government had been anxious to give such information, they might have supplied it long ago. It was rather late in the day to enter on an examination of those statistics now, but happily the Committee had not passed from the 4th clause yet. It was too late to alter the figure from £14; but it was not too late to make it a rating franchise, and it would be practically putting the franchise at a higher figure than it now stood in the clause if they adopted his Amendment. He ventured to think he would be able to give a good reason why they should put the franchise at a higher figure. [An hon. MEMBER: How much?] An hon. Member asked how much higher. Well, he believed about 20 per cent; but he was no authority on the subject. The President of the Poor Law Board was the proper person to satisfy the curiosity of hon. Members as to the difference; but his own information led him to believe that the increase which the adoption of his Amendment would cause would be something from 17 to 20 per. cent. They had heard a great deal of talk lately about "the ancient lines of the Constitution." The Opposition were taunted with going against those lines; but he understood that originally it was only property of a permanent character and not the fleeting property represented by occupation which conferred a qualification in counties. In 1832, to a certain extent, Parliament departed from that principle for the first time, and admitted occupation as forming a part of the title to the county franchise; but he would remind the House that it was only to a small degree as regarded counties the principle of occupation was admitted. The Government Returns gave 542,633 as the total number of those upon the county register, and of that number nearly one-fifth, or 116,860, were on the register on the ground that they were £50 tenants. That was, doubtless, a departure from the ancient lines of the Constitution, but only to a certain extent—in adding occupying tenants to the amount of one-fifth of the constituency—the property of the county

[Committee—Clause 4.]

was not swamped by the introduction of the new franchise. It was important to ascertain whether the whole of the male occupiers entitled to a place on the register were to be found there. The Government Returns showed that 155,847 was the number of occupiers who paid rents of £50 and upwards; and if only 116,860, as the Government Return said, were electors, it would be seen that at present one-fourth of the £50 occupiers did not find their way to the register. What, then, would be the effect of a £14 county franchise? By Returns presented to the House that morning, if they went down to £14 for the county franchise, the total number who would be competent to place their names on the register would be 488,942. Deducting from that number one-fourth, the proportion of £50 occupiers who did not register, 366,707 would be left as the number which would probably be placed on the register by virtue of the occupation franchise. The result was this. Taking 542,633 existing county voters, less 116,860, the number of £50 occupiers, they had 425,773, the number of voters by right of property; but the Bill of the Government would add 366,707 voters, making a total county constituency of 792,480. But mark the change. Instead of the occupation voters supplying one-fifth of the total number on the county register, they would in round numbers be three out of seven. That he felt convinced was new information to the House; because until to-day the statistics enabling hon. Gentlemen to see the real effect of the condition of the county registry at present, and as it would be influenced by the Government Bill, had not been presented to the House. He next proposed to show to the Committee the difference between the present and proposed franchise in respect to the rural and urban elements. It would possibly surprise hon. Members who had not examined the Papers to hear that out of the 542,633 county voters now on the register, nearly one-fifth had their qualifying property situated in the borough. He interpreted the statement as meaning borough freeholders, because were they only occupiers they would not be qualified for the county. Thus it appeared that, of the 425,773 voters qualified by property, about one-fourth had that property in boroughs. Lord Derby had been severely denounced for having attempted to take away the votes for the county from those whose qualification depended upon borough freeholds.

Mr. Hunt

But this charge would not be repeated when it was seen that one-fourth of those on the register had their property situated within the boroughs wherein their interests and association were presumed to lie. The new statistics of which he was speaking also gave some information respecting the unrepresented towns in counties. They showed that out of 155,847 male occupiers of £50 and upwards, 36,792 lived in towns of 5,000 inhabitants and upwards; so that about one-fourth of the £50 occupiers represented urban interests, because they occupied premises within towns of 5,000 inhabitants. But the £14 franchise would place on the register 286,299 additional occupation voters. Taking one-fourth from them on the supposition that that proportion would not find their way to the register, there remained 214,725. That result was very nearly the number given by the Government. But of that number, as many as 97,925 had their qualifying property in towns with populations of 5,000 and upwards. Deducting one-fourth from them, about 73,000 were left, so that one-third of the £14 occupiers it was proposed to add would be urban voters. According to his calculation, while one-fourth of the present county voters were urban, the reduction of the county occupation franchise to £14 would raise the urban element to one-third of the whole. In that view of the case, hon. Gentlemen on the Treasury Bench and their supporters should excuse the Opposition if they were a little jealous of a proposition which would detract so much from the proper county constituency by adding to it so largely the borough element. He and his friends were not afraid of lowering the franchise, nor of increasing the constituency; but they maintained that, whereas the county constituency was already inflated to a greater extent than it should be by the urban element, it was most inexpedient that the agricultural interest should be still further overridden. In resisting the attempt of the Government to reduce the county franchise to £14, they did not deny that those to whom the £14 qualification would give county votes were fit to exercise the franchise; but they asserted that their introduction would disturb the proper balance between the counties and boroughs, and tend to destroy the characteristic quality of the former. He next proposed to show the Committee the amount of property now represented by the £50 occupiers in counties, and the property that would be represented by

the addition to the franchise of occupiers between £14 and £50. The statistics just furnished to hon. Members gave a larger number of male occupiers at a gross estimated rental of £50 than the original Government statistics. He had been in communication with the able gentleman who had prepared those statistics, and they both agreed as to the reason of that increase. These statistics had been obtained at a later date than the Government statistics, new valuation lists having been prepared, in which the real property had been assessed much higher in consequence of the operation of the Union Assessment Act. The gross estimated rental might be represented as the actual rental of most of the property in the country, and the deductions made from the gross estimated rental for rateable value were much more uniform and much less in amount. The consequence was that the gross estimated rental throughout almost all the country stood at a much higher figure than it did when the Government statistics were prepared. There were now, 202,643 male occupiers assessed to a gross estimated rental of £50 or upwards, while those rated at between £14 and £50 numbered 286,299. Thus nearly one-third more voters would be placed on the register in respect of property assessed at a rental of between £14 and £50 than those persons who were rated at £50 and upwards. The Committee, however, must not think that this one-third represented more property than the remainder. There were three columns of most valuable information in that Return which showed that the 202,643 occupiers of £50, and upwards represented a gross estimated rental of £33,800,000, while the 286,299 voters, who were rated at between £14 and £50, only represented a gross estimated rental of £7,464,395. Now, he would ask the Committee, was a more astounding statement than that given by these statistics ever presented to Parliament? They were to have one-third more voters occupying holdings between £14 and £50 than they had upon the £50 rental, and yet the property represented by the new voters was only one-fifth of that represented by the old ones. He asked, then, was it represented without reason that the Government were seeking to overbear property by numbers. Had they not then just cause for the statement which they were now able to prove by figures that the Government had been acting in the dark, and seeking to give an undue influence to

those whose interest in the counties was fleeting and temporary, so as to enable them to override by their votes those whose interests were of a permanent and established character? After producing these facts, he could not help feeling that the Motion which he was about to make would be but a very small aid towards correcting the abuses he had pointed out, for he was merely going to propose that the £14 county franchise should be raised from a rental to a rating franchise. That, he believed, would not really raise the qualification to more than a £16 rental franchise. He feared that in making such a proposition, he should not at all redress the monstrous injustice of the Government proposal. After the statistics which he had read to the House it seemed a poor, a paltry, and a halting proposition to make, and he must himself confess that the plaster was by no means large enough for the wound. But it was, at all events, a step in the right direction. It established what, in his judgment, was a just and proper principle—namely, that every man who was placed upon the county register should be a man who was bound to take upon himself the burdens of a ratepayer, and no such condition was to be found in the Government Bill. He would not detain the Committee any longer, but would move the Amendment of which he had given notice.

Amendment proposed, in page 2, line 40, at the end of the second paragraph, to add the words “such clear yearly value being the rateable value of the premises as ascertained for the purposes of the Poor Rate.”—(*Mr. Hunt.*)

Question proposed, “That those words be there added.”

THE CHANCELLOR OF THE EXCHEQUER: Mr. Dodson, the hon. Gentleman has brought forward, without notice, an Amendment of very great importance. [“No, no!”] I am now stating a matter of fact and the hon. Gentleman himself is a great deal too well informed to contradict me.

MR. HUNT: I sent private notice to the right hon. Gentleman.

THE CHANCELLOR OF THE EXCHEQUER: The hon. Gentleman sent me notice this afternoon—

MR. HUNT rose to explain, but on cries of “Order, order!” resumed his seat.

THE CHANCELLOR OF THE EXCHEQUER: As far as I am concerned, I have

[Committee—Clause 4.]

not the slightest doubt that the hon. Gentleman did everything he could—

MR. HUNT again rose, amid loud cries of "Order!" but MR. CHANCELLOR of the EXCHEQUER giving way—

MR. HUNT said, I sent it early this morning; I only want to speak on a point of order, that has been stated as a fact which, within my own knowledge, is not a fact. ["Order, order!"] I know I am not in order for any argument founded on the fact, but I am in order in correcting the statement.

THE CHAIRMAN: The rule is that when an hon. Member is speaking, if another hon. Member rises to explain something, he is not at liberty to pursue his explanation unless the hon. Member who is in possession of the House voluntarily gives away.

THE CHANCELLOR of the EXCHEQUER: The reason, Sir, why I did not give way to the hon. Gentleman in the first instance was simply this:—that when I said he had brought forward his Amendment without notice, I did not mean that I had suffered any inconvenience in consequence, but I meant that which I apprehend to be a perfectly simple matter of fact—namely, that this is an important as it is also a complex proposition, and that it has been brought forward without notice to the House.

MR. HUNT again rose to explain, but on cries of "Order, order!" resumed his seat.

THE CHANCELLOR of the EXCHEQUER continued: The House may think it desirable to allow me to finish the sentence. I was going to say that it was brought forward without notice to the House in the usual form—that is to say, given on the Votes. As far as I am individually concerned I am obliged to the hon. Gentleman, for I have not the least doubt that he gave me the earliest notice he could.

MR. HUNT: I sent it this morning early.

THE CHANCELLOR of the EXCHEQUER: I merely refer to the matter because it shows the difficulty in which we are placed. In the proposition of the hon. Gentleman there are involved three questions of great importance. One is whether the occupation is to be an occupation in respect to which the voter is rated. The next proposal is distinct from that, and is, whether he is to be rated on the rateable value. That is a question of the greatest importance. Then the third question is,

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whether you are in part to undo the vote you gave the other night—that is to say, whether, having filled up the blank, or rather having confirmed the words £14 in the clause as it stands, you are to adopt a vote to raise it to £16 or £17? As regards the first of these questions, I will put it aside for the moment with a single remark. It appears to us that wherever the occupation is *bonâ fide*—and of course if it is not a *bonâ fide* occupation it cannot be recognized by the Revising Barrister—there is no object or policy in requiring that the occupier should himself be rated. We stand upon the principle which was adopted by Parliament itself in its Acts with respect to compound householders. They all proceed on the principle that, as the occupier is the real payer of the rates, whether it is collected from him or not, he ought to be allowed to be placed on the register. In effect, therefore, we are merely applying to the county occupiers that which has been done in the case of compound householders in boroughs. Nay, more, we are applying the very principle of the Chandos clause, that a £50 householder does not require to be rated. And now with regard to the second point, as to the raising of the franchise. The hon. Gentleman has produced figures which he called astounding, and which, indeed, appear to have produced a remarkable effect on his own mind. It is really difficult to deal with the hon. Gentleman, because he has propounded doctrines which are wholly new, and entirely void of foundation in our constitutional history. You cannot lay hold of these distinctions between urban and rural districts, and the conflicting classes of owners and occupiers. Whence does the hon. Gentleman draw them? They do not come from the old Constitution of England; they are some manufacture of his own and of his ingenious friends. The hon. Gentleman complains of our bringing in too many occupiers as contradistinguished from those who have more permanent interests. Well, but the greatest of all charges against the Government has been that, in our anxiety to keep up the number of proprietary votes, we enfranchised the leaseholders in boroughs; that was regarded as the most outrageous of all our propositions. This shows that when you talk of the proportion between occupiers and proprietary voters you use the words in a limited and a qualified sense of your own, and that you mean a great deal more than you say, and make distinctions unknown to the old Constitu-

tion, which you can hardly expect us to recognize as legitimate. The hon. Gentleman is filled with horror at the idea of the increase in the number of occupation voters in comparison with proprietary voters. Has the hon. Gentleman forgotten that in 1859 he supported the Bill which his party brought in, which on the one hand cut off 100,000 proprietary votes, because the possessors lived within boroughs, and on the other hand took the occupation franchise down to £10. Independently of that view of the case, I do not think there is anything to be afraid of. As nearly as I can calculate the number of county voters at present is about 542,000, and of these about 116,000 are occupation voters. To this proportion of occupation voters are to be added a further number of 170,000 voters, making a total of 287,000; and there thus will be 426,000 proprietary voters as against 287,000 occupation voters. If we can find more proprietary voters, by all means get them. We tried to find them, but you were excessively dissatisfied with our proposal. We withdrew our proposal, in order, if possible, to conciliate you; in principle it is an excellent proposal; it is conformable to the whole spirit of the Constitution. If it conciliates you, we are willing to withdraw it; if it does not, we are quite prepared to persevere with it. The hon. Gentleman, again, dwells upon his contrast between urban and rural interests. He says that all the small unrepresented towns belong to the urban interest. My answer is that the Constitution knows nothing of these urban interests; and on this point I threw out a challenge which no one is more competent than the hon. Member to take up. The whole county franchise is proprietary whether in towns or outside them; and the Constitution knows nothing of the distinction between urban and rural interests. I now come to what I suppose the hon. Gentleman regards as the main point involved in his Amendment. His object is to establish a rating franchise, and I have no doubt at all that, in point of fact, he regards the augmentation of the franchise as rather an incidence of his Motion than the object of his Motion. Therefore, let us argue not this question whether the franchise ought to be what is commonly termed a rating franchise—that is, a franchise fixed upon the column of rateable value. The hon. Gentlemen says that from the form of the Government statistics it is perfectly evident that the Government origi-

nally contemplated a rating franchise. There is some truth in that. Before we were fully informed we had thought of a rating franchise; but upon a careful and accurate examination of the whole case we found that every advantage of a rating franchise was to be had by another operation, while at the same time the great disadvantages incident to a rating franchise might be completely avoided. The hon. Gentleman would raise the county franchise by his Motion. I object to his raising it; I object to his undoing the vote of Friday wholly or in part. If it is to be done, I think the hon. Member will agree with me that it ought to be done by a proposition raised directly *ad hoc*. Independently of that, I say he is going to raise it in the worst way. We began, I admit, before we examined the matter carefully, with a prejudice in favour of a rating franchise, but as we examined it we found that the case for the rating franchise utterly broke down. The hon. Gentleman has fallen into a mistake respecting the Irish case. He says that we quote it, and if we quote it let us be bound by it. That is a £12 rating franchise. I quoted it with reference to the class of voters, and to the value and amount of interest that was presumably represented. But this is not a rating franchise in the sense in which the hon. Gentleman understands it. It is not fixed upon the rateable value. I have here the two Acts—that regulating the valuation and that regulating the classes of voters. The former fixes absolutely the mode in which the valuation of land was to be ascertained; it then fixes the valuation of a house; and in the case of a house it directs a certain uniform fixed deduction. That valuation of land without any deduction at all and that valuation of houses with a uniform fixed deduction are the uniform rate in Ireland, and there is no such distinction in Ireland as obtains in England between the gross estimated rental and the rateable value. [Mr. HUNT: That is fixed by Act of Parliament.] Here is the Act of 1850, which says that a person shall be rated at the net annual value of £12 and upwards. That is exactly as I understand the matter; that corresponds precisely with the Valuation Act. There is no system corresponding to ours in which the basis of valuation is the column of gross estimated rental, from which, by a system of variable deductions, the column of rateable value is constructed. My point is this, in Ireland there exists a totally different system.

[Committee—Clause 4.]

[Mr. WHITESIDE: We know it.] There is an Act laying down the valuation of lands without any deduction whatever; upon that valuation, as I understand it, the rate is made; therefore, the Irish system has nothing to do with the case of England. I should not care if it had. If it had, I should say we profit by the experience which has been obtained since the Irish Act was passed. Let us look at the English system upon its own merits. The hon. Gentleman says, "Do not take the column of gross estimated rental," which is what we propose to take. His first, at any rate his best, objection to it is that the gross estimated rental is not free from error; in certain cases it is inaccurate. I admit that in certain cases the gross estimated rental is not accurate, but it is in a very small proportion of cases; and where the gross estimated rental is inaccurate, does the rating column correct it? No. There is no single error in the column of gross estimated rental that is not carried into the rating column. Where, then, is the argument for going to the rating column to escape the errors of the gross estimated rental? It does not exist; but even although there are no errors in the column of gross estimated rental, the column of rateable value is full of errors not to be found in the gross estimated rental. It is true we have done a great deal towards bringing them within certain limits; but it is not true that all those errors are got rid of, nor do I see how, as long as the system of local government prevails in this country, as I hope it may, we can get rid of them. You cannot advise that assessment committees shall not have the power of making deductions. In Ireland there are no assessment committees; the whole thing is under the direction of Government officials, while in England it is worked by the local authorities, and that is the main reason why, even if there were a column of gross estimated rental there, the Irish system is totally inadequate for this country. The English system of deductions is full of inequalities; but the hon. Gentleman says that by this Bill they will probably be got rid of. Is not that taking a leap in the dark? The hon. Gentleman cannot have the inequalities as they exist now, he speculates that in the future they will be got rid of; I cannot see the least probability of it; and I think it is most unlikely that that will be the effect of his proceeding. In the counties it would establish an unequal franchise. The deduc-

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tion in the case of lands would perhaps be 5 per cent; whereas the deductions in the case of houses would be 20 per cent. In consequence of two men paying the same rental, one would be enfranchised and the other would not. The hon. Gentleman would introduce a system of inequality in each county as between a man who drew his franchise from lands and another who drew his franchise from houses. But that is not all. If we establish this system for counties we must establish it for towns. How does the case stand in towns? In many towns different parts of the town are in different unions. Under the measure of the hon. Gentleman you would have different franchises in the same town and different franchises in different towns of the same county. Is that right, or is it desirable? We know that there is a Motion proposing different rates of franchise in different towns of different populations; but that is not the question now before the House. What I would point out is, that if you establish a rating franchise the effect of that will be that the franchise will be different in different portions of the same town according as they are in different unions. In one of the parishes in Greenwich, for instance, a deduction of 20 per cent is made, in another parish a deduction of 25 per cent, and in a third a deduction of 30. [Mr. HUNT: This was on account of different classes of houses.] These are parishes, and not classes of houses. Again, in Bury St. Edmund's, where there is no very different classes of houses, the deduction in the parish of St. James is one-tenth, and in the parish of St. Mary one-sixth. In Exeter, again, in three parishes the deduction is 33½ per cent, in two more 25 to 33½ per cent, in two others 20 to 33½ per cent, in another 20 to 50 per cent, in another 15 to 50, in two more 20 to 25, in another 15 to 25, and in another 12½. In fact, according to the hon. Gentleman's proposal, in every parish in Exeter there would be a different franchise. But the hon. Gentleman says they are different classes of houses, but such an explanation is entirely visionary. It is impossible that that can be the explanation, and indeed it is well known that it is not so. I will give the hon. Gentleman a practical case, if he likes. In the county of Dorset the magistrates levied a county rate, but in doing so they found the deductions made by the assessment committee so unequal and so impossible to reduce to rule, that

they rejected the rateable value column altogether, and went back to the gross estimated rental as the basis of a rate. But the hon. Gentleman thinks it an answer to say that different classes of houses require different rates of deductions. That is of course perfectly true as a matter of fact, but it does not in the least help his proposition. The meaning of the law when it fixes the rental of a house at £7 or any other number of pounds as the basis for the franchise, is that it regards his rent, subject to the deduction of rates and taxes, as a test of his capacity to pay. It makes no difference whether he lives in a house that requires an annual expenditure of 25 per cent to keep it in a habitable condition, or whether an expenditure of 5 per cent only is necessary for that purpose. The law has nothing to do with this. We take the column of gross estimated rental, because by it we can test the tenants' ability to pay. What, on the other hand, does the rateable value column mean? It indicates simply the value of the building to the landlord, and with that we have nothing to do for the purpose of enfranchisement. The true test we have to deal with is the capacity of the man to pay the rent, and if he finds it worth his while to pay that rent, it does not matter to us whether he expends 1, 10, 20, or even 50 per cent, in order to keep the building in habitable condition. As a basis, therefore, for action, the hon. Gentleman's standard is one altogether false and visionary. One may fairly ask, I think, why so much has been said about rateable value, and the question is, perhaps, worth some examination. The real truth of it, I suppose, is, that it was felt when the old Reform Bill was drawn up, and indeed in subsequent Reform Bills, that it would be a great advantage to fix the franchise and govern the formation of the register by means of some standard fixed by a public authority for another and not for a political purpose. On that ground people spoke of the rate book, and in doing so thought of the rateable value, and in point of fact, until the Act of my right hon. Friend the President of the Poor Law Board was passed, the gross estimated rental column was in a state of great uncertainty. The object, then, in fixing the franchise on the rateable value was to get rid of the swearing, the separate examination, and expense. It has, however, now been found that the advantages attending the employment of the rateable value column are

counterbalanced by many disadvantages which may be avoided by availing ourselves of the gross estimated rental column, and we should have acted very foolishly if we had not accepted it as our standard. My answer to the argument of the hon. Gentleman is, therefore, that the rateable value is a test false in principle, because it implies the value to the landlord, with which, at present, we have nothing to do; and, further, that it is a most unequal test, because it would give different franchises according to the variation in deductions, a variation depending solely upon local opinion and local authority, and one which you cannot by any possibility reduce to uniformity or rule. This variation would prevail not only in different parts of the country, but in a multitude of instances, as I have shown, in different parts and portions of the same town. These I believe to be very strong and practical reasons against the adoption of the rateable value, and to be quite irrespective of any question as to the amount of the franchise. But I have especial objections to the Amendment, because it endeavours by a by-blow to alter the vote at which the House has already arrived.

Mr. HUNT said, he wished to say a word in explanation, which he hoped to offer at the commencement of the right hon. Gentleman's speech. He thought the right hon. Gentleman was imputing to him that he did not give him notice of this Amendment until that afternoon. The fact was that immediately after breakfast that morning he had sent a messenger to the right hon. Gentleman informing him of the Motion which he intended to propose. He was not able to give notice before, because he had not intended on Friday to bring forward such a Motion. He was not, indeed, aware then, and he believed that a majority of the Members of the House were not aware what became of the notice placed upon the paper by his right hon. Friend behind him (Mr. Walpole). In fact, when he came down to the House that evening he found that the opinion prevailed on both sides of the House that his right hon. Friend proposed to proceed with his Motion. He merely wished to make these few remarks to prevent the supposition that he had the slightest intention of taking the Chancellor of the Exchequer by surprise.

THE CHANCELLOR OF THE EXCHEQUER: I had not the slightest intention to impute to the hon. Member any discourtesy in the matter.

MR. HENLEY : There is one question with respect to the rateable value upon which the right hon. Gentleman has not at all touched. The result is, that his basis does not appear to me to be altogether accurate. The right hon. Gentleman says that the rateable value has to do with the landlord, but in reality it has nothing on earth to do with him. The rateable value has to do with the amount upon which the tenant pays his taxes. The tenant does not care at what figure the gross estimated rental is fixed, for it does not concern him. All that he cares about is the rateable value, for it is upon that that he pays. And when the right hon. Gentleman says that it is desirable to take some test framed for purposes not connected with elections, he ought to have accepted the rateable value as the more accurate, for against that people will appeal if it is wrong. They cannot appeal against the gross estimated rental, for that does not touch them at all. It is upon the rateable value that they pay, and if they are assessed too high they appeal, and get it set right. Now, with regard to the Irish rating. I suppose that the valuation is fixed at the amount on which the tenant pays his rate, and it is to it that all look. Then the right hon. Gentleman has said a great deal about inequalities, but surely he does not simply call it an inequality, because the deductions in the case of a poor timber-thatched house and in the case of a strong, brick, slated building are different. Would he call it an equality to deduct the same percentage in each case? We all know that while the buildings in one parish are of a poor and inferior description, in another parish large sums of money have been expended in the erection of stronger and better houses. You cannot, therefore, adopt any uniform deduction. The real reason for my hon. Friend's Motion is, I think, to be found in the statistics of which we obtained our first view this morning. I confess I was not so much surprised as many hon. Members probably were at finding so large a number of persons between £14 and £20. But in consequence of the production of these statistics, something was necessary to be done either in this form, or by asking the House to reconsider its decision. Upon that I will not now offer any opinion, but I could not help saying a word or two when the right hon. Gentleman the Chancellor of the Exchequer in his remarks insisted so strongly upon the inequalities perceivable in the estimates of rateable

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value. In some places it would scarcely be possible to say what deductions ought to be allowed, and they would, of course, vary greatly according to the different description of the buildings on which the rates were made; therefore, I cannot see how uniformity in this respect is to be preserved.

THE SOLICITOR GENERAL said, that the right hon. Gentleman was mistaken in supposing that there was no appeal in the event of there being an error in the gross estimated rental, as it would be found that there was an appeal to the Revising Barrister in such a case. [Several hon. MEMBERS inquired under what Act such an appeal was given.] The appeal was given by the Bill then before the House. It formed a part of Government proposition. And more than that, hon. Gentlemen would find that there was such an appeal under the existing law. When any question arose with respect to the clear annual value of property the Revising Barrister had to determine it. It was a singular fact that in 1859 the right hon. Gentleman the Member for Buckinghamshire objected to this very rating proposition on the ground that there would be an appeal to the Revising Barrister upon the question of the gross estimated rental. The right hon. Gentleman, in the first instance, said that this rating proposition appeared sufficiently plausible, and proceeded thus—

"It appears to me that if you could make—to use a common phrase—the rate book the register, you would very much simplify the business of election; but when you come to examine this matter in detail, in order to see how it will act, you will find that it is involved in difficulties—great, all acknowledge, and I am sorry to be obliged to confess, to my mind, insurmountable." —[3 *Hansard*, clii. 982.]

The right hon. Gentleman, therefore, in 1859, regarded the difficulties in the way of carrying out the proposal now renewed as insurmountable, and those difficulties, although partly, had not been completely removed by union being substituted for parochial rating. Much difficulty still remained in consequence of the different principles of estimating the annual values in the various unions. Thus, were the suggestions of the right hon. Gentleman the Member for Oxfordshire adopted a man living on one side of a street might be enfranchised, while another occupying exactly the same description of house on the opposite side of the way would not have a vote simply because the union authorities might hold different views with

regard to the way in which the estimated rental should be arrived at, and as to the amount of deduction that should be allowed for repairs, &c.

MR. HENLEY explained that when he said there was no appeal against the gross estimated rental, of course he was speaking with regard to the poor rates.

MR. DISRAELI: I certainly said that I found the difficulties as to the rating proposition to be insurmountable, but that was in 1859. But there have been great changes in the law in reference to this subject since then. There have been two union rating assessments since then, and the whole tendency of our legislation in recent years has been towards effecting an equalization of ratings. Therefore, the observation of the hon. and learned Gentleman has clearly nothing to do with the question.

MR. BRIGHT: I want to put a question to the hon. Member for Northamptonshire with regard to a point which he did not quite clearly explain. Do I understand him rightly in supposing that he intends to leave the £50 occupiers in counties as at present, and that in regard to all occupiers between £50 and £14 the principle of rating should be taken? I wish to ask the hon. Gentleman whether he would recommend that there should be two principles, or whether he would extend the principle of his proposal to the £50 occupiers now on the register?

MR. HUNT said, he was glad to have an opportunity of answering the question of the hon. Member for Birmingham, which had been put to him on a former occasion when the rules of the House prevented him from replying to it. He did not propose to disfranchise anybody by his clause, and therefore he presumed that those electors who were now upon the register as £50 occupiers would remain there.

MR. NEWDEGATE said, he supposed that the right hon. Gentleman the Chancellor of the Exchequer recommended that the gross estimated rental should be taken as the qualification test, because that method rested upon a Government calculation; but an estimate might be a fiction, whereas the assessment for actual rating was tested, not only by the local authorities, but by the ratepayers. The Chancellor of the Exchequer had described the gross estimated rental as being the old basis of qualification for the franchise, but the right hon. Gentleman would find, on looking back into

history, that the most ancient franchise rested upon the payment of taxes. This view was supported by Guizot and other writers on the representative system upon this country. The payment of rates by the voter was good evidence of his respectability, and by requiring a qualification of this kind before a man was permitted to vote the expenses of registration would be materially reduced. The expenses of registration for counties were shamefully large, and on the part of the working classes he demanded that they should be reduced. No one ever contemplated that the county registration should be decided by the agents of two political parties in each county or division, who were to make what compromises and to exclude whom they pleased, including, of course, as many voters of independent or unknown opinions as possible. The hon. Member for Northamptonshire was taunted by the right hon. Gentleman for saying that he did not wish to see the representation of property swamped. But he (Mr. Newdegate) would ask the hon. Member for Birmingham whether the county voters for North Warwickshire were all wealthy men. The fact was that the constituency consisted largely of the labouring class. He (Mr. Newdegate) could not be taunted with objecting to the admission of the working classes to the franchise, as he and others had founded a freehold land society in his county with the express object of enabling working men to obtain a property qualification. The fact was that the Conservatives had found that the Liberals in North Warwickshire had been doing the same thing, and the Conservatives thought it a useful undertaking and joined in it; between them they had created large constituencies of working men by these means. He appealed to the House to relieve the small county freeholders from the expense of registration by adopting a rating franchise, thus creating at the same time a natural test of that which he believed to be the most natural of all qualifications. He (Mr. Newdegate) deprecated the proposed reduction of the county franchise to £14, because it was an attempt to introduce into the counties that domination of the middle class, which now existed in the boroughs. In the boroughs it was proposed to admit a certain proportion of the working classes, but in the counties that class were to be swamped. In the interests of labour and purity of election, he should vote in support of the Amendment.

SIR WILLIAM JOLLIFFE said, the question really was, which was the most reliable value that could be placed upon the franchise created under the clause. Now, he contended, in spite of what had been said by the Chancellor of the Exchequer, that the rating value was ten thousand times more to be relied upon than the gross estimated value. From year to year the rateable value was continually undergoing revision, and the present mode of assessment was quite different from that of 1859. If the rating column were adopted, it would facilitate the registration of votes, keep the register pure, and secure the assistance of the parochial authorities in preparing it.

MR. W. B. BEAUMONT said, that the rating column varied in different unions, according to the caprice of those who prepared it, and he thought the gross estimated rental possessed a great advantage in being a fixed and not a fluctuating amount.

SIR HUGH CAIRNS said, he wished to say a word respecting the comparison drawn between this proposal and the Chandos clause. The Chancellor of the Exchequer said the Chandos clause did not proceed upon the principle of rating. That was true, but that clause had no kind of analogy to the £14 rating franchise now proposed. The Chandos clause did not create a franchise of clear rateable value. It took for its test the circumstance that the voter was actually subjected to the payment of a £50 rental. The value was not a point which the Chandos clause considered. Again, the franchise under the Chandos clause was one which must be claimed; it was not a self-acting franchise like the one now proposed. The Chancellor of the Exchequer referred to the Irish franchise and to the rateable value upon which it was based in the Irish Act, and the right hon. Gentlemen maintained that the system of rating in Ireland was so different to that in this country as to afford no fair analogy in the present instance. But on turning to the Act, it appeared that a house was to be valued upon an estimate of the net annual value after deducting the average cost of repairs and insurance, and other expenses necessary to maintain the building, and after deducting also rates and public charges. Thus, the rateable value of a house assessed upon that principle would be exactly the same as the rateable value of a house according to the English system.

Mr. Newdegate

It seemed to him an unanswerable argument to say that the principle on which a tenement and land were valued for the purpose of contributing to local taxation was the best principle of valuing the holding in respect of which a man received a vote for a Member of Parliament.

COLONEL GILPIN said, that he had always advocated a rating franchise, because it prevented all collusion and those frauds which existed with reference to value. He felt, therefore, that this was a subject which required grave consideration. It was introduced late this evening in consequence of a debate which was introduced on the other side, which was, therefore, not the fault of the Opposition; and the Chancellor of the Exchequer complained that he had been taken by surprise. Under all the circumstances, believing that the subject was one requiring ample discussion, he moved to report Progress.

THE CHANCELLOR OF THE EXCHEQUER said, he hoped that after the manner in which more than five hours of the evening had been consumed, the hon. and gallant Member would not ask the House to separate without coming to a vote. He hoped, too, that the hon. and gallant Member would not attribute to him words which he had never used. He had never said that he was taken by surprise in the smallest degree. Bearing in mind the whole history of the evening, the Government would resist to the best of their ability the Motion to report Progress.

COLONEL GILPIN said, he would be sorry to misrepresent the right hon. Gentleman, but when the right hon. Gentleman said he had not been taken by surprise, and yet complained of the Amendment having been brought forward without notice, he thought he was drawing a distinction without a difference.

Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again."—(*Colonel Gilpin.*)

The Committee divided:—Ayes 254; Noes 303: Majority 49.

MAJOR STUART KNOX moved that the Chairman leave the Chair.

SIR LAWRENCE PALK said, the question before the Committee was one in which every county Member had an interest, and as the representative of one of the largest county constituencies in England, and as he had not troubled the House hitherto in the debate, he wished to say a few words upon it. The Chancellor of the

Exchequer had adduced the city of Exeter as an example of inequality of rating. He would not dispute the statement of the right hon. Gentleman, but he could state that that city was rated under peculiar laws of its own, and the rating was a *bond fide* rating upon the value of the houses. How many agricultural labourers would the £14 qualification enfranchise? Was there one from the North of England to the Land's End which would be enfranchised by it? Why, had the agriculturists not as much right to the franchise as those who lived in towns? Had not those who gained their livelihood by their hard labour, by the strength of their sinews, by toil in the midst of winter, and who formed the class from which the country derived its soldiers, as much right to the privilege as those who shared the wealth accumulated in large towns? It might be said that the agricultural labourer was not sufficiently educated, but of all pleas that could be urged against that class that was the most shameful that could be uttered in the House of Commons. For year past funds had been drawn from agricultural parishes to educate the artizans in large towns, while the agricultural labourers depended for their education upon the clergy, the landed gentry, and other charitable people in the agricultural districts. When a measure of that kind was brought before the House at ten o'clock at night, was it not fair and reasonable that the county representatives should have more time to consider it? The Chancellor of the Exchequer fancied he was going to cram this measure down their throats, and had accused its opponents of hindering its progress in every way. Members, on that side of the House were prepared calmly to consider any fair and proper measure of Reform. When Lord Derby was in office they sacrificed themselves to his views. [*Laughter.*] What he meant was, that they sacrificed their individual opinions in the desire to pass a measure which would benefit the country, but they were prevented from passing that measure by proceedings to which the Conservatives had not on this occasion resorted. They had had no meetings in public rooms. They were prepared to go into the question, and debate it night after night in principle and detail; but as long as he had a seat in that House, he should continue to oppose a proposition so unjust to the agriculturists.

MR. NEWDEGATE said, he had looked for the statistics with reference to the county franchise till he thought they

would not have an opportunity of seeing them before the House got into Committee, and though he had at length seen the papers he had not yet had the opportunity of examining them. Under these circumstances, it was not unreasonable that the Government should grant those hon. Members who represented counties another day for the consideration of the question.

COLONEL EDWARDS considered that the question before the House, and which had been debated scarcely two hours, was of especial importance to the agricultural community as well as to the interest of the country at large, and should be discussed another night at least. Although not opposed to a fair and equitable measure of Reform, having supported Lord Derby's Bill of 1859, he was prepared to throw every obstacle in the way of this one-sided and most revolutionary Bill which had been condemned by every Member on that side of the House, and by nine-tenths of those who sat behind the Treasury Benches. It had been sincerely supported by none except about twenty hon. Members who sat below the gangway, and who were marshalled by the great demagogue of the House—the hon. Member for Birmingham. He heartily wished the hon. Member joy of his leadership. The real and true object of the Bill was to extinguish utterly the great Constitutional Conservative party, and he warned the hon. Gentlemen opposite who sat behind the Treasury Bench that, should they succeed in annihilating the Conservative party, which had by its power in opposition upheld the interests of the country for so many years, they must look out for themselves. The day was not far distant should that Bill pass, when the successors of the old Palmerstonian party would, by their wicked policy, become the weakest party in the State. Under this measure, according as the Conservative party descended in the scale, so would the Radicals rise in power and importance. In a very short period hon. Members behind the Treasury Bench who professed to be so desirous of passing this measure, would have to go down on their knees to the small remaining section of the Conservative party, and pray for their countenance and support against the power of the Radicals created by themselves. The country was utterly disgusted at the manner in which the patronage of the State had been dispensed for the last quarter of a century by those who occupied the Treasury Benches

[Committee—Clause 4.]

amongst the Russells, Greys, and Elliots, whose claims had been insatiable, and they still hoped, by the passing of this measure, to be maintained in office to continue this revolting system; but he hoped that the time was not far distant when the patronage of the then present officials would be taken away, and they would see what would happen when it passed into the hands of the, if possible, more advanced Liberals. He trusted that, as parsimony has been observed towards the Conservatives by the Whigs, so the Radicals, when it came to their turn, would bestow upon the Whigs precious few favours to feed their hungry families and Parliamentary supporters. He hoped that so long as the measure was not the law of the land—and thank God it had not yet become an Act of Parliament!—he relied upon every good Conservative in the land who had the honour of a seat in that House, to raise his voice against it, and proclaim through the House to the country, that, as a whole, it was a measure revolutionary in itself, uncalled for by the people of the country, and most inimical to its interests.

SIR JOHN TROLLOPE said, he would venture to appeal to the Chancellor of the Exchequer, as to whether this discussion was not about to close prematurely. He had not yet had an opportunity of expressing his opinion on the Bill in any of its stages. He entertained a strong opinion on this particular question as to the advisability of a rateable or rental valuation. At present the county registration was most imperfect. His hon. Friend the Member for Northamptonshire had said it was extremely difficult for a man to get on the register, but it was equally difficult to get one off when once he was there. The reason of this was that the county registration depended entirely on individual agency, not on official agency, as in the boroughs. In boroughs the overseers of the poor made out the list annually, but there was no such system in counties. He could not give a stronger instance of this than one which had occurred at the last general election. A gentleman on the register of one of the counties in the West of England was strongly canvassed by both sides for his vote, but when he was about to record it, it turned out that he was wrongly described, his Christian name was wrong, his place of residence was wrong, and he had parted with his qualification ten years before. A rating qualification would remedy all this,

Colonel Edwards

because the lists could be prepared annually. This question was vitally important; it had only been discussed for three or four hours, and he did not think it too much to ask for further time for its consideration.

THE CHANCELLOR OF THE EXCHEQUER said, it was the duty of the Government to endeavour to make some progress with the measure. The greater part of the evening had been consumed, and he must say, in an overwhelming proportion by hon. Gentlemen opposite, although he did not say they had not a right to occupy the attention of the House in a discussion on our foreign policy. Now, this (the Reform question) was a subject in respect to which they were limited to two nights in the week, and it was also a subject on which the Government had made every effort to make progress, and this they intended to do. The Committee was quite willing to listen to any Member who wished to state his views. The question had been fully debated by the hon. Member for Northamptonshire; he had been replied to by the Government, and he thought they were quite entitled to ask the judgment of the Committee upon it.

MR. DISRAELI: I had hoped upon this important question we would have avoided those contests which threaten us to-night. I think it will be most unfortunate if we get into these troubles. I am inclined, as far as I can, to assist the Government to avoid them. I wish, however, that the Chancellor of the Exchequer would fairly consider the position of the question to-night. I acknowledge that the right hon. Gentleman, with his views of the matter, has some cause for disappointment and vexation in the opposition he has met with upon this question. But I think he will not on calm consideration impute that cause to this side of the House. Let the right hon. Gentleman but consider how this question stands. It is a question which deeply affects and interests the Gentlemen who represent the land. In Committee perhaps it is the most important question that could well be raised at this stage of the measure. There are other questions of franchise, but this is one which in its general character and many ramifications interests the county Members especially, and those who represent county populations. I ask the right hon. Gentleman to say candidly whether he thinks that the Committee have had a fair opportunity of discussing it. ["Hear, hear!" and cries

of "Yes!" from the Ministerial side of the House.] The hon. Gentlemen who say "Yes!" cannot have studied the question, and certainly do not take the same interest in it as those on this side of the House. Many Gentlemen on this side of the House who take great interest in this question, and who wish to state their opinions from their own knowledge of the facts, have not had the opportunity of doing so. The right hon. Gentleman complains—and with his views upon the matter with some reason—that a great portion of the evening has been employed by a discussion on another subject. Let me, however, remind him that we, on this side of the House, are not responsible for that. It is true that many speeches have been delivered on this side of the House; but I may be allowed to remark that the subject referred to is one of great interest and importance, and was introduced by a sound supporter of Her Majesty's Government in a speech of remarkable ability. So far as I am concerned I did not promote that debate, and withheld myself from taking part in it, with a view chiefly of affording an early opportunity to my hon. Friend of bringing forward this important question which we are now discussing—a question which my hon. Friend has deeply studied, and which he has placed before the Committee with all that weight of argument which it deserved. Now what opportunity has been given for the discussion of this question? It is true my hon. Friend has made his speech, and the Committee have heard the reply given to it by the Chancellor of the Exchequer. But nothing like a general discussion has taken place in respect to this question, involving a principle than which nothing can be more important in connection with this Bill. Our object is to elicit truth by general discussion, and arrive at some clear knowledge as to the alleged inequality of rating. A satisfactory conclusion upon it can only be arrived at by a fair discussion of the question by those hon. Gentlemen who have a peculiar knowledge of its details. This discussion if carried on further this night, could only be continued before an unwilling audience. I hope that the Chancellor of the Exchequer will reconsider the position of the question, and that he will not persevere in his opposition to the Motion that the Chairman report Progress. The Committee would then resume the discussion in a better humour on the first opportunity. I am so convinced that this will be the

wisest course that I feel persuaded the right hon. Gentleman will not allow a false pride to influence him in opposing the Motion any longer.

SIR GEORGE GREY said, he must remind the right hon. Gentleman that there had been no indisposition in any part of the House to listen to those Gentlemen who wished to take part in the discussion. When the hon. Member for Bedfordshire rose he was listened to with attention, but although it was only twelve o'clock, after a few sentences he moved that the Chairman report Progress. They had now been discussing this Motion for three quarters of an hour, and he could not but think the time might have been more usefully employed in discussing the Bill. Even now (ten minutes to one o'clock) he thought they might go on a little longer, and endeavour to make some Progress.

COLONEL GILPIN said, he had made the Motion to report Progress in consequence of not having received the statistics furnished by the Government until late that day, when it was impossible to study them sufficiently in connection with the important question that was then under consideration.

MR. BANKS STANHOPE said, he was also desirous of taking part in this discussion. The papers delivered that day were of such importance and intricacy, that he defied any hon. Member to master them in one day. The county Members must have time to study them. As a great party and a country party representing the great body of the people, they had a right to be heard upon a question involving a change in the Constitution. He would only say for himself that he was prepared to sit there till ten o'clock in the morning, rather than give way.

MAJOR STUART KNOX reminded the Chancellor of the Exchequer that upon a Bill involving the destruction of the rights of property in Ireland he agreed to an adjournment of the debate at twenty minutes to twelve o'clock.

SIR RAINALD KNIGHTLEY said, he trusted that the Chancellor of the Exchequer would not give the House the trouble to divide. In the first part of the sitting of the House he had been astonished to find that the hon. Member for Bridgwater had supplanted the discussion which it was expected would be raised by the hon. Member for Northamptonshire.

MR. BOUVERIE said, there had been a division, and the House had shown its mind on the subject by the large majority

[Committee—Clause 4.

against reporting Progress. He had seen many struggles of the same kind about the same time of the night, and the result of his observation had been that if the minority were determined to protract the discussion and get the debate adjourned, they must succeed. There was in such cases a great expenditure of time and temper, and no good came of it. It must be admitted that the question was one of the greatest importance, and it was only natural that the county Members should wish to discuss the subject. He hoped the Government would not give the Committee the trouble of dividing again.

LORD CLAUD HAMILTON said, that being a Member of a Committee upstairs he had come down at noon, and had now been in the House for thirteen hours. He appealed to the Government not to detain any longer Members engaged upon Committees, who must come down in a few hours to begin their duties again. He should have much to say on behalf of adopting in this Bill the Irish system of registration, which was self-acting and inexpensive.

COLONEL LOYD LINDSAY said, he had waited from four o'clock till ten expecting this question to come on. At the latter hour hon. Members opposite began to come down to the House in their evening dress wondering that during dinner-time the county franchise had not been disposed of. He thought that it was but fair that those who sat on his side of the House should have an opportunity of considering this matter; and if they continued the discussion that night, he was sure that hon. Members opposite who sat below the gallery would not give them a fair hearing. He hoped that the advice of the hon. Member for Kilmarnock (Mr. Bouverie) would be taken, and that the further consideration of this matter would be adjourned.

SIR HEDWORTH WILLIAMSON said, that hon. Gentlemen on the Opposition side of the House seemed to think that they alone were the representatives of counties, but he begged to inform them that there were some county Members on the Ministerial side of the House also. An hon. Member had stated that the Bill would add 1,200 to the constituency he represented, and therefore wished for delay. Now he (Sir Hedworth Williamson) hoped to see his own constituents increased by 2,500, and on that account desired that the Bill might be pressed forward, and he therefore hoped the Government would persist in their course.

Mr. Bouverie

Motion made, and Question put, "That the Chairman do now leave the Chair."—(*Major Stuart Knox.*)

The Committee *divided*:—Ayes 212; Noes 254: Majority 42.

MR. BAGGE then moved that the Chairman report Progress.

THE CHANCELLOR OF THE EXCHEQUER: Sir, we shall not resist that Motion. We have thought it right to take the two divisions which have occurred in order to mark our view of the case. Circumstances did not admit of the House going into Committee before ten o'clock, and we were not allowed to carry on the discussion on this Bill beyond twelve. The moment the hands of the clock reached that hour a Motion to report Progress was made, and we felt it to be our duty to enter our protest against that method of proceeding. We did not for an instant think of attempting to limit the debate, nor did we make any such attempt. ["Oh, oh!"] The hon. Member for Honiton must be aware that that which I have stated is quite accurate. We were of opinion that, under the circumstances, the debate ought to have been permitted to continue to a later hour than twelve o'clock, while we feel that we should be showing some disregard of the comfort and convenience of the House if we were to ask them to prolong it now.

MR. DISRAELI: I would remind the right hon. Gentleman that he commenced the evening by protesting against the debate on foreign affairs, and that he has now closed it by protesting against the debate on Reform.

MR. NEWDEGATE said, the statistics which had been laid upon the table ought to be studied by those who took an interest in this question.

Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Bagge*),—put, and agreed to.

House resumed.

Committee report Progress; to sit again upon *Thursday*.

CURRAGH OF KILDARE BILL.—[BILL 136.]
(*Mr. Childers, Mr. Chichester Fortescue, The Attorney General for Ireland.*)

SECOND READING.

Order for Second Reading read.

MR. CHILDERS moved that the Order be discharged, stating that it was not the intention of the Government to proceed

with the Bill this Session, but to appoint a Commission to make minute inquiry into the subject on the spot, with a view to legislate next Session.

GENERAL DUNNE asked, whether the Commission was to have power to inquire into the legal rights involved in the question?

MR. CHILDERS: The object of the Commission is simply to inquire as to what legislation may be desirable.

Order discharged: Bill withdrawn.

NATIONAL GALLERY ENLARGEMENT BILL.—[BILL 124.]

(Mr. William Cowper, Mr. Childers.)

THIRD READING.

Order for Third Reading read.

MR. BERESFORD HOPE said, he trusted that, after the discussion which had taken place on Friday last, the third reading of this Bill would be postponed until some day when it might be conveniently discussed. A letter had appeared in *The Times* that morning from a very eminent painter, Sir Edwin Landseer, which rendered it all the more desirable that the House should have a regular National Gallery debate.

Third Reading deferred till Thursday.

BRITISH COLUMBIA BILL.

On Motion of Mr. WILLIAM EDWARD FORSTER, Bill for the Union of the Colony of Vancouver Island with the Colony of British Columbia, ordered to be brought in by Mr. WILLIAM EDWARD FORSTER and Mr. Secretary CARDWELL.

Bill presented, and read the first time. [Bill 186.]

CHURCH RATES AMENDMENT BILL.

On Motion of Mr. BOVILL, Bill to amend the Law relating to Church Rates, ordered to be brought in by Mr. BOVILL and Mr. BERESFORD HOPE.

Bill presented, and read the first time. [Bill 187.]

House adjourned at a quarter before Two o'clock.

HOUSE OF LORDS,

Tuesday, June 12, 1866.

MINUTES.]—Several Lords took the Oath.

PUBLIC BILLS—*First Reading*—Statute Law Revision (154).

Second Reading—Labouring Classes' Dwellings (Ireland)* (128); Fishery Piers and Harbours (Ireland)* (130); Belfast Constabulary* (133); Indian Prize Money* (140).

Committee—Prosecution Expenses* (155); Charitable Trusts Deeds Enrolment* (156); Lunacy Acts (Scotland) Amendment* (138).

Report—Drainage Maintenance (Ireland)* (151).

STATUTE LAW REVISION BILL.

PRESENTED. FIRST READING.

THE LORD CHANCELLOR said, their Lordships and the public would recollect that in 1861 his noble Friend the late Lord Campbell had introduced to Parliament a Bill which afterwards became law, revising the Statutes from the year 1770 to the year 1858; and that his noble Friend and predecessor (Lord Westbury) afterwards introduced a Bill which revised the Statutes from the time of Magna Charta to the Revolution. That also became law; and he (the Lord Chancellor) now desired to lay upon the table a Bill for continuing Lord Westbury's revision of the Statutes from the time of the Revolution to the time when Lord Campbell's revision commenced. The measure had been prepared last year, but its introduction had been delayed from various circumstances over which he had no control. He trusted their Lordships would give it a first reading.

Bill for promoting the Revision of the Statute Law, by repealing certain Enactments which have ceased to be in force, or which have become unnecessary, presented; read 1st, and to be printed. (No. 154.)

ESTABLISHED CHURCH.

ROMISH CEREMONIALS IN THE CHURCH OF ENGLAND.

PETITION.

THE MARQUESS OF WESTMEATH, who had given notice—

“To present Petitions complaining of Romish Ceremonials in the Church of England; and to call Attention to certain novel and superstitious Ceremonials in the Dioceses of London, Durham, Winchester, Oxford, Exeter, Chichester, Salisbury, Worcester, Norwich, and Gloucester and Bristol; and to inquire of the Right Reverend the Bishops of these Dioceses, why these unauthorized Ceremonials have been permitted to take place contrary to the solemn Declarations of the Clergy

not to use any other Forms than those prescribed in the Book of Common Prayer in the public Services of the Church ; and to call the Attention of The Lord Chancellor to an Advertisement in certain Papers, that on Thursday Morning next the Offertories in St. Alban's, Holborn, and Twenty other Churches in London, are to be devoted to what is called "The English Church Union Defence Fund ;" that is, a Fund for defending Clergymen if cited before the Courts of Law on account of adopting Practices considered by the Ecclesiastical Authorities to be illegal ; and to inquire of his Lordship, whether such an Application of the Offerings contributed according to the Rubric before the Communion Service as "Alms for the Poor and other Devotions of the People," and which the Rubric at the Close of the Communion Service prescribes to be for "pious and charitable Uses," would not be a Misappropriation of Church Funds, and a Fraud on the Poor in the several Parishes where the Offertories are made ;"

having accordingly presented Petitions from members and friends of National Protestant Institute of Bath, from members of Reading Protestant Institute, and from certain Places, against any Innovation in the customary Ceremonial of the Church of England, proceeded to say, that 300 petitions had been presented this Session against these ritualistic practices, and he regretted that they should have altogether failed to call up any Member of the right rev. Bench to denounce these practices, or to show any sympathy with the great body of the Established Church, and that they should have waited until within these few days to officially take notice of their illegality. These practices had been going on for the last twenty years, increasing in intensity and number to such a degree as to be intolerable in this country, and calling for relief. It was nothing more than the re-introduction of the Romish Mass into the Church of England as it was previous to the glorious Reformation, by the daring attempt of unprincipled and unscrupulous men, to overturn the Protestant religion of this country. As he had himself brought under their Lordships' notice the fact that these practices had been going on in nine or ten dioceses, he should have expected, if not out of respect to himself, that at least out of respect to their Lordships' House, that the right rev. Prelates, to whom he had given notice of his intention to bring the subject before Parliament, would have been in their places, ready to answer what he had alleged against them, and not have absented themselves upon that occasion. He should have thought they would have been anxious to answer to their country, their Queen, and their God, for their neglect of duty,

The Marquess of Westmeath

and also to have offered such a defence as each and all could have offered—which, no doubt, would have been listened to by their Lordships with that respect which their Lordships always had, and would be disposed to pay to statements from the right rev. Bench. He would now state to their Lordships what was going on in this matter. He would first refer to the diocese of London, and he very much regretted, now that the right rev. Prelate who presided over that diocese had so far recovered as to attend in the House, that after what occurred last Session he should have been absent that night. He would first refer to an advertisement of the Annual Commemoration of 1866, to be held in St. Alban's, Holborn, and in twenty other Churches in London ; and it was stated that the offertory was to be devoted to what was called the English Church Defence Fund, which was a fund for defending clergymen if cited before the Courts of Law on account of adopting practices considered by the Ecclesiastical authorities to be illegal, and it was stated that the proceeds of the offertory would be devoted to the Church Defence Fund. Now, according to the Rubric, the money given at the offertory was to be devoted to charitable purposes ; but in these Churches, on the occasion in question, the money was to be applied to the defence of persons prosecuted for following these ritualistic practices. He understood that on these occasions there was great excitement, and that sometimes as much as £2,000 was collected. He would next refer to the Services carried on at St. Alban's on Palm Sunday and Good Friday (passages from which the noble Marquess read at length), showing, amongst other things, how the "celebrant," as the incumbent chose to call himself, accompanied by a deacon and sub-deacon and acolytes, carrying censers, and all habited in eucharistic vestments, walked in procession to the altar. This service was taken literally from the Roman Missal. It was stated by Mr. Maconochy that handbills on the subject of the Good Friday service had been sent to every family in the parish. The next case to which he would refer was that of the funeral service performed at St. Paul's, Lorrimer Square, on the 11th May, over the remains of Mrs. Naylor. The service was performed by the Rev. J. Going, the incumbent, and Mr. Going was the gentleman who had stated that both he and his curates had taken an

oath not to reveal what was told to them in the confessional. The case of the funeral was a very remarkable one. The noble Marquess then quoted from *The Church Union* an account of the proceedings which had taken place on the occasion. It appeared that there was a large congregation present; the officiating minister wore a magnificently embroidered black cope; censers were used by thurifers dressed in surplices, who incensed the remains at different times during the service; the pall was covered with white crosses—it belonged to the Guild of St. Alban's, one of the modern monkish institutions; the coffin was placed on tressels in front of the altar—three lights were burning on each side of it. Service was read at the altar by the clergymen, who were robed in splendid black vestments for what was stated to be the funeral celebration of the Holy Eucharist. The Rev. H. Maconochy, who was the chief celebrant, wore a chasuble, and the Rev. B. Abbot, wore a black dalmatic as deacon, and the Rev. J. Going, in a black tunic, acted as sub-deacon; watchers knelt in white surplices beside the coffin. The service closed by a procession with the body down the church, at the head of which walked the watchers and the priest. It was painful to him to refer to the observations which had been made last evening by a right rev. Prelate who was now absent (the Bishop of Ripon). That right rev. Prelate had stated that it was not the intention of the Bishops at present to institute any legal proceedings against persons who had offended in those matters, as they thought it was better to rely on the good sense of the offending parties. If the Bishop of London were present he (the Marquess of Westmeath) would have called his attention to the remarks which had been indulged in by one of the clergy of his diocese respecting that right rev. Prelate. In those remarks the clergyman referred to had spoken of his diocesan as "an awful despot," and "a Pope *en posse*," who was ready "to cut off the heads" of those who opposed him, and who was inclined to "run-a-muck" at the Catholic faith and Catholic worship in the Church of England. The absence of several of the right rev. Prelates, whom he had expected to see in their places, he was afraid he must attribute to the fact that the Lord Mayor was that evening giving a sumptuous banquet at the Mansion House. The noble Marquess then

described certain religious services performed at Christ Church, Clapham, in which the Rev. Mr. Going and the Rev. Mr. Abbot again appeared as the principal actors, and a religious ceremony which took place at a church in the diocese of Gloucester and Bristol on the occasion of "the dedication of a Protestant and unwashed boy" to the service of the Church. The noble Marquess likewise read a description of the service performed in Bampton Church on the occasion of "the dedication of a bell." It appeared that a circular had been previously issued announcing that the time appointed for that service—namely, the 2nd December, 1865, had been fixed by the Bishop of Oxford, and inviting the clergy to attend in their surplices. The Bishop of Oxford was present and preached a sermon. The service sanctioned by the right rev. Prelate on that occasion was the same as that sanctioned by the Bishop of Salisbury on a similar occasion in January, 1866. On another occasion an old cracked bell was drawn from the church, accompanied by a procession, the band playing, "Oh dear, what can the matter be?" and afterwards the new bell was solemnly dedicated to the glory of God. He wanted to know whether anything in the Prayer Book justified these proceedings. In the diocese of Chichester a pastoral staff was presented to the Bishop by a body of the clergy, and there was a special service on that occasion in the cathedral, and in the address it was said that the crook was to draw on the obedient and the point to push on the rebellious. Now, in the first Prayer Book of Edward VI. a pastoral staff was mentioned as part of the insignia of a Bishop, but since then there was nothing to show that anything of the kind was allowed. The Bishop, too, had been over thirty years in his diocese, and it was not until he was eighty years of age that they had thought fit to present him with the staff. In another instance a chalice and paten had been solemnly dedicated to the service of the Church. On the 20th September, 1865, a set of vestments was presented for use in the service of the Church of St. Stephen, Devonport, in the diocese of Exeter, and they were received to the honour of God, and there was a prayer that they might be blessed, sanctified, and consecrated. The noble Marquess having described similar practices in the diocese of Worcester, and also in that of Norwich, added that he was now glad that

he had arrived at the conclusion of the detail of these criminal proceedings, which were disgusting to himself, and were no doubt tedious to their Lordships. He regretted that those right rev. Prelates, who might have given their Lordships a better understanding of the merits or demerits of this question, were not present. If the head of the Government had been present he should have asked him whether he thought that this matter ought not to be taken up by the Government, and even whether the question of Reform in the Constitution might not have been well postponed until next Session, if necessary, in order that the critical state of the Church in these matters might be considered by Parliament. He would have asked him whether he did not consider it his duty to advise that there should be a Message from Her Majesty asking Parliament to take into consideration the critical state of the Church of England; and he gave notice that on a subsequent occasion he would ask the noble Earl this question.

LORD RAVENSWORTH said, he did not mean to follow the noble Marquess in his narrative of the circumstances which had caused him so much scandal; but he rose to express, on his own behalf, and, he believed, on behalf of others of their Lordships, his regret that when a discussion of that nature took place in that House the Benches usually assigned to the most rev. and right rev. Prelates should be so thinly occupied. The noble Marquess had placed on their Lordships' Minutes for a considerable time a notice of his intention to refer to what he termed gross abuses in the conduct of certain incumbents of the Established Church in no fewer than ten different dioceses. Now, without inquiring then into the full extent of the merits or the demerits, or into the sinfulness, of such practices, he (Lord Ravensworth) did say that when no fewer than ten different dioceses were enumerated in the notice of the noble Marquess it was naturally to have been expected that at least some of the right rev. Prelates connected with those dioceses should have been in their places. Thirty years ago the Member returned to the Reformed Parliament for the borough of Gateshead was in the habit of annually bringing forward a Motion which proposed to declare that it was inexpedient that the Bishops should any longer sit in Parliament. It had fallen to his lot upon those occasions, being then in

the House of Commons as Member for North Durham, to stand up in defence of the right rev. Prelates in respect to the position they occupied in their Lordships' House. He argued that since Her Majesty was Head of the Church, and as the Church had no representative in the House of Commons, it was necessary that the Episcopal Bench should be maintained in at least one branch of the Legislature, in order that those best acquainted with the Church of England should have opportunity afforded them of expressing their opinions upon ecclesiastical questions for the information of the House and the benefit of the people. They were now more than threatened with another Reform of the House of Commons; and if it happened that the Member returned by the reformed constituency of Gateshead should follow the example of his predecessor of thirty years ago and submit an annual Motion for unseating the Bishops, he feared he should experience some difficulty, after the appearance of that Bench this evening, in repeating the arguments he had offered upon the occasion to which he referred. The noble Marquess had referred to what he called "superstitious ceremonies," but, much as he might have been scandalized by those exhibitions, one thing, it must be confessed, was equally scandalous in the eyes of the Christian community—he referred to the manner in which that most sacred day, Good Friday, was desecrated. Although it was the day set apart by the Christian Church for the commemoration of the great sacrifice, it was observed in London not as a day of fast, humiliation, and repentance, but as a day of revelry, and a complete holiday. Such a desecration he thought was equally deserving reprobation as the practices referred to by the noble Marquess.

THE BISHOP OF CASHEL said, the noble Marquess had no claim to a response from him, because in his diocese there was not a single church where the practices were carried on to which the noble Marquess alluded. It was only in Roman Catholic chapels that they had what were called the corporeal presence, altars, and oblations. He was most happy that there were no such exhibitions in the Protestant churches of his diocese, and he hoped that in this country, where they had been declared on good authority to be illegal, the good sense and good feeling of pious but mistaken men would induce them to give up such practices.

The Marquess of Westmeath

THE EARL OF LONGFORD ventured to express the opinion that the right rev. Prelates whose absence had been commented upon had exercised a very sound discretion in staying away. He heartily wished he was with them. They had heard a long statement introductory to the Motion from the noble Marquess, who had no doubt been prompted by the very best motives; but he questioned whether the discussion raised would result in the least advantage either to the Church, their Lordships' House or the country.

THE BISHOP OF CARLISLE said, he would offer no opinion, not feeling called upon to do so, as to the absence of his right rev. Brethren on that occasion. It was impossible, however, for any one who knew what was going on in some churches not to be of opinion that endeavours were being made not only to introduce the Church of Rome into this country, but also to import the Church of Rome into the Church of England. He sympathized with every well-considered attempt to put a stop to the practices complained of, and as evidence of the extent to which they existed he would read, with their Lordships' permission, a most trustworthy letter which he had received from one who, though formerly a not undistinguished member of the Church of Rome, had since become a beneficed clergyman of the Church of England. Their Lordships must, if they observed any singularity in the language employed, bear in mind that the writer was by birth a foreigner. Giving an account of the ceremony at which he had been present, he wrote—

"I was present at the Holy Communion at —, and you may imagine my astonishment at witnessing the biggest piece of profanation I ever saw, when I tell you that the whole of the service was a mockery, and a forced imitation of the Roman Catholic High Mass. From beginning to end the celebrant intoned, or rather spun out, every portion of the service, so as to make the whole appear as annoying as possible. The choristers were present at the consecration and the Communion in their stalls. The celebrant knelt before the Communion table in adoration, and at the end the choir began to chant 'Lord, now lettest Thou Thy servant depart in peace,' &c., and to complete the scene the celebrant carried the chalice covered with a green napkin and the corporal case, just like a Roman Catholic priest! I have been myself a priest in the Church of Rome; but I believe I would rather assist at a Mass than at a Communion service such as I have described. The one has antiquity and ceremonial adapted to it; the latter is a downright profanation of the sacred rite, tortured by whimsical and private observances, and utterly deprived of the

gravity and devotion so essential to our Scriptural Supper of the Lord."

Although fully appreciating the motive which had induced the noble Marquess to bring forward this subject, he thought it would have been better, after the announcement made by his right rev. Friend on the previous day, if the noble Marquess had postponed his Motion until he had seen what the Bench of Bishops intended to do.

THE EARL OF CLANCARTY: My Lords, I cannot concur with the noble Earl, who spoke last but one, in exonerating from a grave responsibility, still less in commending those Members of the right rev. Bench, who were specially referred to by the noble Marquess, for absenting themselves from the House on an occasion when due notice had been given that statements affecting the character of the clergy of their dioceses would be brought forward; although I feel assured that the Bishops of our Church generally must sympathize with my noble Friend in reprobating the practices so offensive to the Protestant feelings of this country of which he has given to the House so painful an exposition, it is much to be regretted, that by their absence this evening they should appear to have regarded the matter with indifference. Such, however, can hardly be the case with the right rev. Diocesan of London, who it is well known has been at much pains in endeavouring to repress the introduction into his diocese of the novel and superstitious practices that have been so justly objected to, and I may add that the right rev. Prelate in addressing the House yesterday evening appeared to have anticipated the statements of my noble Friend by informing your Lordships of the steps he was taking to ascertain what power the law gives to the Bishop for dealing with such cases; but, however, the law may be determined in that respect, though it should be found quite sufficient to enforce a conformity with the established ritual of the Church, and to maintain in our Protestant churches the simple forms of public worship that properly belong to them, it could not provide a remedy for the corruption actually within the Church. That for which the Bishops have the heaviest responsibility is not their acquiescence in the practices the noble Marquess has described, the distortions of our services to a seeming conformity with those of the Church of Rome, but their having admitted to holy orders men whose edu-

cation, habits, and inclinations altogether unfitted them for the sacred trust of the ministry of the gospel in the Reformed Church. Such men, commonly called Puseyites, have for the most part received their education at Oxford, some at Cambridge, but I am thankful to believe that few, if any, of that sect have been educated at the University of Dublin. Having noticed the term Puseyite as applied to the novel doctrines and practices that have of late crept into the Anglican Church, I wish to say that I believe that the rev. Divine whose name is so unfortunately connected with that movement is personally most respectable and well meaning; but to his teaching has undoubtedly been attributed much of that Romanizing tendency in the ministry of the Church, which after imitating the forms and ceremonial of the Roman Catholic Church has so often resulted in the minister showing to his flock the example of a total apostacy from the reformed faith. Vain, my Lords, will be the endeavour of the Bishops to maintain among their clergy a proper conformity with the principles of the Reformation, if from his previous education and training the ordained minister has not his heart really in the work of the ministry. No law, however stringent, and no Episcopal influence however earnest, will avail to render him a safe teacher or a faithful pastor to the Protestant flock committed to his charge. I therefore repeat it that the Bishops are for nothing so greatly responsible as for the character and previous education of the men whom they admit to Holy orders.

EARL BEAUCHAMP said, he would have preferred to leave the reputation of the members of the right rev. Bench with others; but he felt strongly that they had shown a very proper sense of what was fitting to their high office by not appearing in their Lordships' House on this particular occasion. The Bishops did not hold their seats in that House for the purpose of expressing their private opinion, they filled a high office which they were bound to administer according to law. It had been said that the right rev. Bishops had obtained an opinion from eminent lawyers which they were about to put in motion; and it would have placed them in a difficult position if they were to answer questions put to them in their Lordships' House, and thereby find themselves committed to a particular view by a hastily-formed opinion, which, upon mature deliberation, and after receiv-

ing the highest legal opinions, they could not carry out. He might remind their Lordships of a speech delivered last year by a Member of the right rev. Bench, in which his Lordship expressed his want of sympathy with those who followed such practices, but at the same time bore testimony that many of those who had adopted them, were among the most hard-working self-denying of our clergy, thoroughly devoted to the welfare of the poor. It seemed to be assumed that their practices were illegal; but one story was good until another was told; and that it was one of the first principles of the English law that no man was to be held guilty until he was proved to be so; and it would be a bad precedent for any of the right rev. Bishops to pass an opinion upon a matter which had not been fully argued and decided.

THE EARL OF HARROWBY said, he believed the right rev. Bench had taken the opinion of eminent lawyers, for the purpose of testing the law: it was better, therefore, that they should be absent on the present occasion. The laity had a right to have these questions legally investigated, and to have it determined what the Church of England was and what it was not. They had a right to know whether it was legal to introduce ceremonies unknown to our Prayer Book, and unknown to our congregations. No one who now entered a church could feel assured that the service would not partake more of the ceremonial worship of the Church of Rome than of the Church of England, and that he would not have forced upon him some unknown form of worship. The Church was in danger of becoming anything but Episcopal—it was fast degenerating into a Church of independents; save that, instead of each congregation having a right to determine what its customs should be, every clergyman claimed the right of determining on his own course without reference either to his Bishop or to his congregation. He hoped that the time would never come when young men fresh from the Universities, full of the insolence of youth and of imperfect knowledge, would be allowed, in defiance of the feeling of their neighbourhoods and the authority of their Bishops, to set up a Church which was neither Anglican nor Protestant. He should rejoice if the law were so altered that no alteration could be introduced into the service of any church without the fullest notice alike to the ordinary and to the congregation.

The Earl of Clancarty

THE EARL OF CARNARVON said, it was perfectly true that, in a certain sense, no one could object to the questions in dispute being put in issue before a legal tribunal. The Church of England was a church established by law, and to the law therefore there must always be an appeal. At the same time, it was well to remember that those who appealed to the law must themselves be prepared to have the law put in force against themselves. There were in this matter two parties, two distinct sides, neither of which could perhaps justify itself by the strict letter of the rubric. If, on the one side, censers, lights, and vestments were really illegal, it was not less illegal to close churches from Sunday to Sunday in the face of the Rubric which prescribed daily service; to introduce before or after sermons hymns or prayers which had no sanction from the Prayer Book; to omit the Offertory and the prayer for the Church Militant; to perform public baptism after the service instead of after the second lesson; to administer the other Holy Sacraments to the people collectively, instead of separately to each communicant; or to mutilate the marriage service till it could hardly be identified. If one party was wrong, so apparently was the other; and those who appealed to the law must expect to have it enforced against themselves. While he admitted that strict law was the standard which ought to be recognized, he could not shut his eyes to the fact that a wise, liberal, and statesman-like comprehension was a great element of safety to the Church. However much they might, as individuals, incline to one or the other party, they must see that the existence of both, so far from being a source of weakness, was a source of strength. There might, no doubt, be a spurious liberality and a spurious comprehension; but he had always admired the prudence of our early Reformers in avoiding, as far as possible, unnecessary changes and overnice definitions. In that way they had, as far as might be, comprehended within the pale of the Church different parties and different principles—the principle of Catholicism and the principle of Protestantism; and they had thus given a strength to the whole which neither could have imparted to it if it had stood alone. He trusted that whatever changes might be in store, nothing would be done to weaken or diminish that wise spirit of tolerance and comprehension.

THE MARQUESS OF WESTMEATH said, he had omitted formally to ask from the Lord Chancellor an answer to the Question

of which he had given notice—namely, the legality of appropriating the offertories to be collected in some twenty churches at the approaching anniversary to the purposes of the English Church Union, the rulers of which appeared to him in the light of thieves. [THE LORD CHANCELLOR: What is your Question?] It was, Whether the devotion of the offertory to the Defence Fund of what was called the English Church Union—that was, a fund for defending clergymen if cited before the Courts of Law on account of adopting practices considered by the ecclesiastical authorities to be illegal—whether such an application of the offerings contributed according to the rubric before the Communion Service as “alms for the poor and other devotions of the people,” and which the rubric at the close of the Communion Service prescribed to be for “pious and charitable uses,” would not be a misappropriation of church funds and a fraud on the poor in the several parishes where the offertories were to be made?

THE LORD CHANCELLOR said, he could not help remarking that it was a very inexpedient thing to put a person in the situation in which he had the honour to stand, and who might be called upon to exercise judicial functions and decide between conflicting parties what was or was not the law, into a position in which he might be committed, as it were, if the matter should hereafter come before him judicially. On this account he hesitated very much to give any answer to the Question. All he could say was this—that if the alms collected at the Communion Service were by law directed to be applied to pious and charitable uses, at the discretion of the minister and churchwardens, it did not require the acuteness of a lawyer to say that the appropriation of those funds not to what would ordinarily be understood to be pious and charitable uses, but to enabling persons charged with offences to defend themselves, without reference to the question whether they were guilty or innocent could hardly come within such a description. At the same time, he must guard himself even in what seemed so very plain a case, by adding that he could not commit himself even to that extent, unless the matter came before him in the course of his judicial duties.

Petitions read, and ordered to lie on the table.

House adjourned at a quarter before
Eight o'clock, to Thursday next,
half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, June 12, 1866.

MINUTES.]—PUBLIC BILLS—*Resolutions reported*—Court of Chancery (Ireland) [Salary, Retired Allowances, &c.]

Ordered—Landlord and Tenant (Ireland); Sale and Purchase of Shares.*

First Reading—Landlord and Tenant (Ireland) [190]; Sale and Purchase of Shares * [189].

Second Reading—Oyster Bed Licences (Ireland)* [175]; Attorneys and Solicitors (Ireland) [172]; Finsbury Estate [97]; Public Health [180].

Referred to Select Committee—Public Health [180].

Committee—Princess Mary of Cambridge's Annuity * [183]; Carriage and Deposit of Dangerous Goods * [168].

Report—Princess Mary of Cambridge's Annuity * [183]; Carriage and Deposit of Dangerous Goods * [168].

Third Reading—Transubstantiation, &c., Declaration Abolition * [82], and *passed*.

GAS LIGHT AND COKE COMPANY BILL (by Order).—CONSIDERATION.

Order for Consideration, as amended, read.

MR. ADAIR, in moving that this Bill be considered, said, that it was a Bill brought forward by the oldest gas company in the metropolis, which had at present works in three different parts of London. Anxious to meet the public requirements by reducing the price of gas they set about to find a place where they could concentrate their three works into one, and thus carry on their manufacture under more advantageous circumstances, diminish the price, and at the same time remove their existing works from the densely populated neighbourhoods in which they are at present situate. After considerable trouble they found a site at Hackney Marshes. They then made a proposition to the City of London Gas Company, whose works were in Blackfriars, that they should amalgamate with them, and remove their works to the same site. The Bills, sanctioning such an arrangement, ultimately came before a Committee of that House, and there had been no great number of petitions from either Hackney or Bow in opposition. The parish of Hackney certainly opposed the Bill, but it was only on a question as to the manner in which the mains were to be taken through the streets, and not against the merits of the Bill itself. These works being situate in the neighbourhood of Victoria Park an agitation was commenced for the purpose of preventing the proposed works being

placed in Hackney Marshes. The Metropolitan Board supported the opposition, and argued that the Bill ought to be rejected on account of the proposed works being so close to the park. The Imperial Gas Company, who had a Bill in Parliament for a new site in the same neighbourhood, in deference to that opposition, thought it right to withdraw their measure. Now, the Standing Orders of both Houses of Parliament very properly required that whenever any gas works were proposed to be erected within 300 yards of any property notice should be given to the parties. The Imperial Gas Works were within the proscribed 300 yards, but that was not the case with the works which were proposed to be constructed under this Bill. These works were at least 643 yards from the nearest point of Victoria Park, and there were various manufactories in the neighbourhood which were of a much more injurious character than gas works could be. Therefore it could not be said that the Gas Light and Coke Company were the first disturbers of this neighbourhood. This Bill, along with other Gas Bills affecting the metropolis, was referred to a Committee of twelve Members, who, after most carefully investigating the subject, and hearing the evidence upon both sides, and visiting the proposed site, came to the conclusion that there was no valid objection to the works being erected as proposed. They, however, inserted a clause in the Bill to the effect that the purifying process should not be carried on in any part of the works which were nearer than half a mile from the outer wall of Victoria Park. It might be said that it was perfectly possible to find a site for the erection of these works which should not be open to the objections which had been urged in this case; but he denied that such a site could be obtained, so near and so suitable, with a view to manufacturing the gas at a reduced price. He had as great a desire as any one in that House to preserve for the public the full enjoyment of parks and places of recreation, but he had an equal interest in removing existing gas works from densely populated and over-crowded neighbourhoods, and taking them to other places. Under these circumstances he trusted that the House would not refuse to proceed with the consideration of this Bill, as the Committee had unanimously reported in its favour, and the House ought not, without the gravest possible reasons (which he sub-

mitted were not forthcoming in this case), to undo what a Committee upstairs had done after a full consideration of all the facts of the case. He begged to move that the Bill be now considered.

Motion made, and Question proposed, "That the Bill be now taken into Consideration."—(*Mr. Adair.*)

MR. TITE said, that he had thought that the proper course would be to object to the Report being brought up, for the reason that he did not object to the Bill, but to the land clauses relating to Hackney Wick. If his hon. Friend would undertake to strike them out, he would give his support to the Bill. He had been familiar with the neighbourhood of Victoria Park from his boyhood, and he had come to the conclusion that the proposed gas works ought not to be constructed on the site contemplated. The consumption of 600 tons, some said 1,000 and even 2,000 tons of coal per day, would be a monstrous nuisance to the inhabitants of the locality. Gas works were undoubtedly prejudicial to the growth of vegetation. Dr. Hooker, in a letter to Dr. Miller, observed that the works at Brentford, though situated on the north side of the river, were unmistakably prejudicial to the Royal Gardens at Kew. He contended that another site might have been chosen not open to objections of this kind; and that the provisions of the Bill itself showed that those who drew them up had suspicions in regard to the way in which the public would view them. The hon. Member concluded by moving, as an Amendment, that the Bill be further considered that day three months.

LORD JOHN MANNERS, in seconding the Amendment, said, he never remembered such a widespread or deep-seated feeling as had been occasioned by the proposal to erect gas works in the immediate neighbourhood of Victoria Park. It was a feeling shared in not merely by the poorest classes, but by clergy, medical men, and gentlemen of every other profession. He himself had presented a petition on the subject signed by 2,000 clerks in wholesale warehouses in London. It was said the distance from the proposed gas works to Victoria Park was as great as from Westminster to Charing Cross. But if it were proposed to amalgamate three or four of the largest gas works in the metropolis and settle them down in Trafalgar Square, would not hon. Members rebel at the suggestion?

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Mr. Tite.*)

SIR JOHN TROLLOPE, as Chairman of the Committee to whom this question had been referred, and having minutely considered the evidence, said, he was perhaps as well qualified to offer an opinion as his hon. Friend the Member for Bath, representing the Metropolitan Board of Works. That Board was heard by counsel, who did not call a single witness in corroboration of their statement. It would be a most unusual and ungracious course, after the Committee had devoted five weeks to the consideration of the measure, to set aside their proceedings in the peremptory manner now proposed. The real question was whether or no gas works ought to be erected in the position indicated. The Committee did not even allow their decision to be influenced by the evidence adduced before them, but proceeded to inspect the site, which they found at Hackney, in a place which was a marsh in summer and a sea in winter. No houses could be built near the spot unless the ground were first raised considerably; and the company themselves proposed to make an embankment for the purpose of their works. Great stress was laid on the beauty of Victoria Park, but he was sorry to say that the single trees as distinguished from the plantations were all in a decaying state, and if the gas works were now at work in the neighbourhood the circumstance, no doubt, would be attributed to them. He defied hon. Members to say that the trees in or adjoining to Birdcage Walk suffered from proximity to the works at Horseferry Road, though these were nearer by one-half than the proposed works would be to Victoria Park. The members of the Committee had no personal interest in the matter, and the issue which they had to decide was the same with which the House would be now confronted, that was to say, as gas must obviously be made in the neighbourhood of the metropolis, the question was—where? One of the witnesses examined before the Committee appeared to think that gas ought to be made at the pit's mouth. The excited meetings held on the subject consisted largely, he believed, of non-residents; and from a question put to him yesterday he believed that many were under the impression that the Committee had sanctioned the erection of gas works in the very centre of the Park. The re-

torts were all to be close, and the chimneys carrying off the vapour were, by a special clause in the Bill, placed under the control of the Board of Works. The result of the erection of these works would be the removal of the gas manufactories now in the Horseferry Road, the neighbourhood of the Temple, and other densely populated districts. He might observe that the Committee had laid down some general principles with respect to gas works, which, if acted upon by the Government, would in his opinion be of public benefit. Under all the circumstances, he trusted the House would affirm the unanimous decision of the Committee.

MR. BERESFORD HOPE could not agree with his right hon. Friend who had just spoken. He had visited the site of the proposed works, and heard all that the officials of the company could say in its favour; but the result was that he felt the Bill was not one which ought to pass. The River Lea ran by one side of the site; there was a small ditch at another of its boundaries; and in another direction there was some stagnant water, caused, he believed, by a railway embankment; but he could not concur in the accuracy of his right hon. Friend's description of the place. London was rapidly spreading in the neighbourhood of the site; and that House ought to look to the future as well as to the present. He did not always attach importance to the evidence of persons who had grown up in the region of a gas works and had become used to the nuisance. Only that morning he was visited by the chairman of the gas company near the Temple, who assured him that every one in the neighbourhood liked the works there. More than that, the gentleman to whom he referred produced letters from learned lawyers stating the same thing. Having taken the pains to make inquiries among them, he could state that there was a unanimous feeling among the inhabitants of the neighbourhood against the proposal to bring the gas works to their locality. They were proud of their park, from which they derived much moral and physical benefit, and he trusted the House would consult their wishes, and insist upon the company spending a few more pounds in planting their works in a locality on which no public injury could be inflicted.

MR. AYRTON said, that respect for the decisions of Committees might be carried too far, for if all such decisions were to be considered binding it would practi-

cally deprive the House of the opportunity of reviewing the conduct of its Committees. The parishes affected by the Bill had placed themselves under the jurisdiction of the Metropolitan Board of Works, who had decided that the erection of gas works on the site proposed would be highly prejudicial to the neighbourhood. The question was, whether the House would sanction the concentration of a great number of gas works, and authorize an unlimited manufacture of gas, for there was no limit in the Bill to the extent of the nuisance and the amount of injury that might be created. He trusted the House would not allow the promoters of the Bill to create such a nuisance on a spot which had been devoted by Parliament to the recreation of the people. It had been stated that there were other nuisances in the neighbourhood in the shape of vitriol and other works; but that fact only furnished a stronger argument that there should not be one more. All London, of course, must be supplied with gas, but he maintained that it would be dangerous in the highest degree to aggregate gas works to an enormous extent in any one place. If they did so, and any accident occurred, the consequences might be terrific. If, on the contrary, they allowed each neighbourhood to have its own moderate supply of gas in its own district there would be no danger. He would like to hear some expression of opinion upon the subject from the Chief Commissioner of Works.

MR. COWPER must say, from his acquaintance with the Victoria Park, that the passing of a Bill for the erection of those gigantic gas works near the Park would be objectionable. Having regard to the interests of the Victoria Park, he felt bound to oppose the Bill. The vegetation in the Park had already been seriously injured by the noxious manufactures carried on in the vicinity, and if, in addition, these gas works were erected, he believed that the people who went to the Victoria Park to enjoy the advantages of health, recreation, and fresh air, would be liable to inhale sulphur, gas tar and ammonia, and would be deprived of some of their enjoyment. The Committee had not had the case against the works before them, and, considering the pains taken with, and the sums expended on, Victoria Park, the House should not run any risk by approving of the erection of these gas works; and that there would be risk no one could deny. Every one must admit

that the evil would be sensibly felt, but it might, in fact, be seriously felt; and it was right on public grounds to protect a place that was a source of immense enjoyment and of health and happiness to the people at the East End of London. On public grounds, therefore, and for the purpose of protecting the Park, he thought it right to oppose the Bill. It was urged that the gas company could not find any other suitable spot for the erection of their works, and that the ground sought for in this case could not be made available for any other purposes. But if the marshes could be rendered fit for the erection of these gas works, they could also be rendered fit for the erection of ordinary habitations; and with regard to the other objection, why could not the company go to a place where some other gas works had been proposed, seven miles from London and on the banks of the Thames. It was said that in the proposed site the company would have the benefit of railway accommodation; but was not the advantage of river accommodation more important? The river would prove far more economical for the carriage of coals than the railway. He was sure the House ought to take means to prevent the establishment of noxious works in the vicinity of a place of public resort, where the public hoped to have as little contamination of the air as was possible.

SIR JOHN PAKINGTON said, he had no knowledge of the localities in question, and therefore had no local prejudice, but he felt deeply interested in the welfare of an admirable hospital for the treatment of consumptive cases that was situated very near Victoria Park. He had received a strong representation from those who took an interest in the subject, and had presented a petition from the authorities of the hospital stating that if the gas works should be established they would produce an injurious effect on the unhappy inmates of that hospital. He must attach more weight to the statements of persons possessed of local knowledge than to the evidence given before the Committee. He should therefore oppose the Bill.

MR. BUTLER opposed the Bill on the ground of the injury which it would do to the Victoria Park. He hoped that Victoria Park might be preserved for the thousands of toiling artisans who lived within a short distance of its boundaries. Already offensive trades and manufactures were carried on in the vicinity of the Park,

and he desired to get rid of them, not to add to them. Those hon. Gentlemen who were in the habit of occasionally visiting the Park must be fully aware of the cruel effect which would be produced by the erection of these colossal gas works, which would be more injurious than all the other works in the vicinity put together. Besides, if the works were erected, a colony of houses would, in all probability, be built for the stokers and workmen, and those houses must necessarily be erected on that side of the Park from which all the pure air was derived. After the statements which had been made by hon. Gentlemen, and in particular by the noble Lord opposite (Lord John Manners), he should not go into the matter at any length, but he must implore the House not to inflict on the people so great a calamity as this Bill would bring about. This was an exceptional case, as it related to the enjoyment of hundreds of thousands of our fellow-creatures. Frequently, he might remark, from 20,000 to 50,000 persons were collected within the boundaries of the Park. If this measure were passed, vegetation would be destroyed. ["No, no!"] Well, that, at all events, was a matter of opinion, and for his part he thought it would be destroyed, and that the Park would be deserted. Nearly £200,000 had been spent in forming the Park, and he hoped the House would not now throw so large an expenditure to the winds.

MR. PAULL, having been a Member of the Committee, desired to say a few words on this subject. It was a most unfortunate thing for hon. Gentlemen who had served on Committees to be called upon to defend and justify the decisions which had been come to, for they appeared before the House as advocates after they had been discharging duties of a purely judicial character. In cases like this, however, it was right for Members who had served on the Committee, and had given every attention to the subject, to remind the House what was the evidence on which the decision of the Committee was arrived at. If the House desired to do justice and to uphold the dignity of its own judicial tribunals, it ought now to be guided by the evidence by which the Committee had been guided. As regarded the site, for instance, some Gentlemen seemed to think it was easy to find one within a reasonable distance of London. The evidence of the engineer to the company, however, showed that this was far from being the case, and that no place could

be found near the metropolis so eligible as Hackney Wick. It was, he believed, less populous and more remote from habitations than almost any part of the suburbs of London could be, and it was almost certain that it would remain so. As had been stated, the site called in the Bill the gas lands were marsh in summer and a sea in winter. On the one side it was bounded by the River Lea, on a second by a canal, on the third by marshes, and on the fourth by a railway, the Great Eastern, with which it would have direct communication. On the land there was a reservoir which had been abandoned by a water company, and there was a very large area that was perfectly useless for habitable purposes. The site was the more eligible for gas works because there was water communication on one side and railway communication on the other, so that, in addition to facilities for getting coal cheaply, there were facilities for getting rid of the residuary products of gas manufacture. The House ought to consider that the matter had been inquired into by a Committee of twelve at sixteen sittings, and that the promoters had had to bear the additional cost of this inquiry, whereas, if the Bill had been referred to an ordinary Private Bill Committee, it would have gone before the Chairman of Ways and Means, and would probably have been disposed of in a short time. Indeed, it was practically unopposed before the Committee, and if there was so much objection to the site being taken by the gas company, why was it that more evidence was not adduced before the Committee? He had asked the hon. Member for Bath to give evidence, but the hon. Member did not do so. While the clergymen of the parish abstained from opposing the Bill, one whose parish was a mile off, and who described himself as the "popular clergyman and agitator of the neighbourhood," gave evidence; he was the only one who had anything to say about probable injury to the Park, and that not from vapours or noxious effluvia, but simply from smoke, which would be prejudicial to the flowers and trees in the Park. But did Hyde Park and St. James' Park suffer from the smoke of the surrounding houses? The gas works would be 600 yards from the nearest corner of the Park, the chimneys 800 yards, and the purifier 1,000 yards, and the process of purification to be adopted would prevent the escape of noxious vapours. Because a little smoke might be blown over the Park

Mr. Paull

sometimes, was the House to say that so great an accommodation as the works would be should be denied? Why, the Bill would remove two of the largest gas works from London, so that the balance was in favour of the new works. Chymist after chymist told the Committee that the vapours and smoke from gas works were not prejudicial to health or vegetation; and he had visited Victoria Park which was not injured by the contiguity of works, the smoke and vapours arising from which were of a far more deleterious character than any that arose from gas works.

SIR ROBERT PEEL, who had no interest in the corporation nor in the Metropolitan Board of Works, took an interest in the decisions of Committees appointed by that House. The hon. Gentleman who last spoke was hardly audible, owing to the noise that prevailed. If the popular—or as the hon. Member for St. Ives (Mr. Paull), in the heat of debate, called him the "populous"—clergyman of whom he spoke had happened to be under the gallery and heard the mention made of him, he would have been fully justified in exclaiming "Paul, Paul, why persecutest thou me?" He would urge the hon. Member for Stoke, to whom Spitalfields, as he said, was as dear as his own drawing-room, to attend to the borough he represented, to support a Motion to be brought on that night, and to endeavour to abate the nuisance at his own door. He (Sir Robert Peel) kept his eyes on the hon. Member for Bath (Mr. Tite), and protested against that hon. Gentleman always standing up in the House on matters of taste. For the last five years he had submitted to the overbearing conduct of the Metropolitan Board of Works, which, through the hon. Member, now sought to overturn a decision of the Committee of that House, on the plea of protecting the interests of the poor. If there was a body that had done mischief to the poor by the destruction of their dwellings, and that had ruthlessly destroyed time-honoured sites, it was the Metropolitan Board of Works, and in his own person he had suffered from the arbitrary conduct of that Board. Therefore he watched jealously the hon. Member for Bath when he brought his great intelligence to bear on a subject of taste. When a Committee of that House had decided that a site was a suitable one for gas works, were they to follow the advice of the hon. Member for Bath? Rather let them be guided by their own better judgment. A great deal had been said about destroying the

public parks ; but he would ask whether gas works were not already near Battersea Park, and whether arguments of that nature would not go against every improvement ? He protested against the House following the taste in this respect of the hon. Member for Bath. He believed that as many as six miles would be covered by the illuminating power of the company, and he was sure that no better or any more suitable spot could be selected. Why an hon. Gentleman had just told him that he had erected gas works in his own park, and that they in no way interfered with the beauty of the scenery which, as he assured him, surrounded his mansion. Could there be a more beautiful town than Bath, and had it been destroyed by the proximity of gas works ? He trusted that the House would accept the decision of the Committee, and that they would not listen to the ill-advice or submit to the arbitrary proceedings of the Metropolitan Board of Works, under the guidance of his hon. Friend the Member for Bath.

MR. ALDERMAN LUSK said, that it had been proved before a Committee of which he was a Member, that the metropolis paid more for its gas than was paid in any other part of the country, and that in return they obtained gas of the most impure and inferior description. The Committee consequently recommended that Government should bring in a Bill on the subject. He opposed this present Bill, and he appealed to the House not to be indifferent to the feelings on this point of the poor people who lived near Victoria Park, although they were unable to appear before them by counsel thus to establish their grievance in the most forcible manner.

MR. HENLEY, when a Committee of the House had examined into this question, did not like to go against that Report without stating the grounds upon which he did so. If the House listened to the arguments of the promoters, they would come to the conclusion that gas works were no nuisance at all, and that it was rather pleasant than otherwise to have them close to you. Now he did not think that even the Chancellor of the Exchequer, fond as he was of grouping, would have the face to propose to bring a group of gas works within 600 yards of Hyde Park. Well, the present Bill was for the purpose of bringing a group of gas works close to a park for which they had paid £100,000, and he should vote against it on the ground that if it was improper to place gas works

in close proximity to Hyde Park it must be equally so in the case of Victoria Park.

MR. ALDERMAN LAWRENCE, who obtained a hearing with difficulty, on account of the impatience of the House, trusted that this question would be decided upon its merits, and not merely from a feeling of deference for the Committee. Now, the result of the Bill would be to place gas works as close to Victoria Park as gas works on Primrose Hill would be to Regent's Park, or gas works on the old Exhibition ground would be to Hyde Park. The intention was to remove all the gas works in Horseferry Road, the Temple, and various other places, to the vicinity of Victoria Park. Was this a fair proposition ? Was it just towards the classes who frequented Victoria Park ? The right hon. Gentleman the Member for Lincolnshire appeared to justify the proposal on the ground that there were already so many stinks on the spot that one stink more could not be of much consequence ; but he (Mr. Alderman Lawrence) protested against the project, and he called upon the House to reject it.

MR. T. J. MILLER, as a Member of the Board of Works, begged to differ from the conclusion arrived at by the hon. Member for Bath. He had carefully examined the spot on which the gas works were to be erected, and his conclusion was that it was every way suited to the purpose, and that a better one could not be selected. It was already occupied by a number of noxious manufactures, and he was convinced that if the proposed gas works were not erected their place would only be filled by other manufactures of a much more objectionable character, and much more prejudicial to the public health and convenience. The ground was altogether unfit for habitation ; it was continually covered with water, and in every respect it was one of those spots on which it would be impossible to prevent the establishment of offensive manufactures.

MR. LOCKE KING asked, whether the House were to take the opinion of a certain number of prejudiced Members who had come down here to oppose the Bill, or the opinion of the Committee, who had taken the trouble to inspect the proposed site for themselves ? Under such circumstances, he thought that the House was bound to respect and to adopt the opinions of the Committee ?

MR. STANILAND supported the Bill. He begged the House to consider how the

right hon. Gentleman the First Commissioner of Works had acted in this matter. The right hon. Gentleman spoke against the proposed works in the House; but if he thought them so prejudicial as he said, then he was guilty of a great dereliction of duty in not coming before the Committee and giving his opinion, and thus enabling the Committee to test its soundness. The Committee, as had been stated, visited the ground, and the parochial authorities met them there, and notwithstanding all that had been urged to the contrary the Committee came to the conclusion that the place selected was the best site. He hoped, then, the House would support the decision of the Committee.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 169; Noes 138; Majority 31.

Main Question put, and *agreed to*.

Bill, as amended, *considered*; to be read the third time.

ARMY—TROOPS AT ALDERSHOT AND COLCHESTER.—QUESTION.

MR. PERCY WYNDHAM said, he would beg to ask the Secretary of State for War, Whether it is intended to make further withdrawals of troops from country quarters, and concentrate them in larger numbers than at present at the Military Stations at Aldershot and Colchester; and whether any further enlargement of the barracks at Colchester, or of the buildings connected with them, is in contemplation?

THE MARQUESS OF HARTINGTON, in reply, said, it was not the intention of the Commander-in-Chief to quarter a larger number of troops, either at Aldershot or Colchester, than the number usually stationed at those places, or to erect any further barracks at Colchester.

SCOTLAND — WIGTONSHIRE ELECTION. QUESTION.

SIR JOHN HAY said, he wished to ask the Lord Advocate, Why the persons accused of the abduction of J. Wallace at the last election for Wigtonshire have not been tried; what were the reasons for postponing the trial at Ayr in the autumn of last year; what were the reasons for again postponing it at Dumfries in the winter; when and where the trial will take

place, and if they will be tried on the original indictment; and, if he will lay upon the table of the House a copy of the evidence on which the indictment was framed, and the other papers connected with the subject?

THE LORD ADVOCATE said, the case in question was an accusation against certain persons of having abducted a voter. The facts were reported to him on the 11th of August, and the papers were sent a short time afterwards. He was not satisfied with the information which he had first obtained, and he sent the matter back for further facts. When, in September, he received the further information he required, it was too late for the parties to be indicted that year. Accordingly he intended the case to be tried at the spring circuit at Dumfries. There was no winter circuit there, and as the parties were out on bail no injury could accrue from the delay. On the contrary, he thought it not undesirable that the excitement should pass by. They were indicted in April last at the spring circuit at Dumfries. A change had taken place by Order in Council of 1865, by which the county of Wigton was transferred from the Ayr to the Dumfries circuit, and an objection was taken to the trial taking place at Dumfries, inasmuch as the crime was in taking a voter from Wigtonshire to Ayr, and it was alleged that the Circuit Court at Dumfries had no authority to try the case. He did not think the objection a good one, but it was raised at the trial, and it was overruled, and the indictment sustained. It appeared, however, to the Advocate Depute that there was some risk in the matter, and at his own discretion, but with the full concurrence of the presiding Judge, he abandoned the indictment, and arranged to have the case tried at Edinburgh. Therefore an indictment would be preferred against the prisoners on the 2nd of July, at Edinburgh, and the trial would then be proceeded with.

CHINA—ALLEGED CONFLICT AT NEW-CHANG.—QUESTION.

COLONEL SYKES said, he rose to ask the Under Secretary of State for Foreign Affairs, What amount of truth there is in statements made in letters addressed to Shanghai and Hong Kong Newspapers received this morning from China, that the American Consul and his Marshal, and four other Europeans, had been wounded

Mr. Staniland

in a conflict with an armed body at Newchang; and that Mr. Consul Meadows had caused all British subjects to be supplied with a rifle and ammunition for their personal safety?

Mr. LAYARD stated, in reply, that the Government had no official information of the nature mentioned in the Question. From the various questions of this nature which had been asked by his hon. and gallant Friend, he was afraid that many of the statements sent to him were greatly exaggerated. There was in the papers that day a statement of the *North China Herald* that the United States Consul had been engaged in some fracas at Newchang, but that account did not agree with the statement in the hon. and gallant Gentleman's Question. It appeared that during last winter, when the port of Newchang was blocked up with ice, the British Consul organized a body of volunteers, but he was not aware that anything had been done by them. When the last accounts left a number of vessels had arrived at Newchang, and a flourishing trade was being carried on in the port.

INDIA—DELHI PRIZE MONEY.

QUESTION.

Mr. MACEVOY said, he wished to ask the Under Secretary of State for India, When the third instalment of the Delhi Prize Money will be paid at Chelsea?

Mr. MONSELL said, in reply, that there were certain legal difficulties about the distribution of the prize money which could only be removed by Act of Parliament. A Bill for removing those difficulties had passed that House, and he hoped it would in a few days become law. The distribution of the third instalment of the prize money would then be proceeded with.

IRELAND—THE LATE FIRE IN DUBLIN.

QUESTION.

LORD NAAS said, it appeared that after the recent fire in Westmoreland Street, Dublin, broke out five persons appeared at the windows; that two fire-escapes, supported out of the public funds of the city, were sent for; that they were utterly and completely broke down; that no other steps were taken to rescue these unfortunate persons. It also appeared that the supply of water was inadequate, that the fire-engines were badly managed, and that the steam

fire-engine was so badly worked that it was useless. He, therefore, wished to ask the Chief Secretary for Ireland, Whether it is the intention of the Government to institute a rigid inquiry into the causes of the late lamentable loss of life by fire in Dublin, and into the conduct of the Fire Brigade and the condition of the Escape Ladders?

SIR JOHN GRAY said, he would also beg to ask the Chief Secretary for Ireland, Whether he had received from the Lord Mayor and Corporation of Dublin a requisition that a most searching inquiry into this lamentable event may be instituted?

MAJOR STUART KNOX said, he rose to order. When on a former occasion he wished to ask a question just as a Member of the Government was rising to reply to another question he was not allowed to do so.

Mr. SPEAKER said, that when a question was asked and a Member of the Government rose to reply, it was proper that he should be allowed to do so at once; and that hon. Members should reserve further questions till that reply had been given.

Mr. CHICHESTER FORTESCUE said, that instructions had been given to the Law Officers to attend on the part of the Government at the inquest about to be held on the bodies of those who perished in the lamentable catastrophe referred to. It would depend very much on what was disclosed at the inquest whether or not the Government would think it right to institute an inquiry such as had been applied for by the Waterworks Company and Corporation of Dublin.

SIR JOHN GRAY said, he wished to know, whether the Government had received a requisition from the Lord Mayor and Corporation and the Waterworks Committee of the Corporation requesting an investigation, not only of all the circumstances that occurred in connection with this calamity, but also with the origin, constitution, and efficiency of the Fire Brigade, and also whether it was not true that the Corporation had taken all the means in their power for the purpose of constituting an effectual brigade?

Mr. CHICHESTER FORTESCUE stated that the Government had received such an application, and it was couched in language which showed a desire to have all the facts investigated.

COUNTY ELECTORAL STATISTICS.

QUESTION.

COLONEL DYOTT said, he would beg to ask the President of the Poor Law Board to explain the discrepancy in his Return No. 335, relating to "County Electoral Statistics," particularly to the population of towns exceeding 5,000 in the county of Stafford, from the Return No. 162, issued by the Registrar General on the same subject. This Return gave the population of West Bromwich as 17,000, and that of Wednesbury as 15,000. The House was aware that notice had been given of a Motion to the effect that these places should be separately represented, and therefore it was necessary that the statistics relating to them should be accurate. The Return of the Poor Law Board stated that the population of West Bromwich was 41,000, and that of Wednesbury 21,000. He wished to ask the right hon. Gentleman for some explanation of this discrepancy between the two Returns?

MR. C. P. VILLIERS: Sir, it is not so much that there is discrepancy in these Returns, as that they are Returns to different orders. These orders were made on different departments, and were not for the same Returns. One was sent to the Poor Law Board for a Return of population in different townships and parishes, and the other was sent to the Registrar General's Office for a Return of boroughs and market towns. Now, the places named in these Returns, though they bear the same names and are parts of the same districts, are not conterminous, and their areas contain different populations, and the Returns as made are in accordance with the terms of the orders. The two places named by the hon. Gentleman, returned as towns by the Registrar General, give for Wednesbury a population of 15,298, and for West Bromwich 17,024; but the Return from the Poor Law Board gives the population as for the parishes, and for Wednesbury gives the number of 21,268, and for West Bromwich 41,795. The hon. Gentleman referred in his notice to towns of above 5,000 population; some of these are returned by the Poor Law Board as being townships which are not named in the Census, because they are not properly towns, or the population of the town part is under 5,000. There are other differences of the same kind to be found in the Returns for Staffordshire, and are to be accounted for in the way I have named.

THE CONFERENCE.—QUESTION.

MR. SANDFORD said, he would beg to ask, When Her Majesty's Government will be able to lay on the table of the House the Papers relating to the Conference?

MR. LAYARD replied that those Papers were being prepared and would be laid on the table as soon as possible.

THE DEBATE ON THE STATE OF EUROPE.—OBSERVATIONS.

MR. BENTINCK desired to call the attention of the House to the fact that for a considerable time during the debate on the present crisis on the Continent, brought on by the hon. Member for Bridgwater (Mr. Kinglake), neither the Chancellor of the Exchequer nor the Under Secretary for Foreign Affairs was present in the House. Under these circumstances, he begged to ask the right hon. Gentleman Whether, in his opinion, it was consistent either with public convenience, or with the courtesy which Her Majesty's Government were bound to show to all independent Members of the House, on whichever side they sat, that during an important discussion on Foreign Affairs there should be no Minister present responsible for that Department of the Government?

THE CHANCELLOR OF THE EXCHEQUER: I shall not decline to answer the question of my hon. Friend, although I think it is one that rather tempts criticism. I am thankful for the notice my hon. Friend kindly sent me, and although I did not get it till I came to the House, it was amply sufficient for a question of this nature. I should, however, have liked to ask my hon. Friend what he meant by "a considerable time." He has not defined his views on this point. I myself heard the whole of the discussion, excepting about half-an-hour, the discussion having lasted, I think, five hours. I had no notice of the debate—nothing beyond the intimation of my hon. Friend the Member for Bridgwater that he would put three questions to me in reference to Continental affairs. Perhaps, however, my hon. Friend opposite received notice of the debate. My hon. Friend the Under Secretary for Foreign Affairs was still more destitute of information than myself, and I believe all the notice he received that these three questions were going to be put was communicated to him by myself. It was a debate brought

on without the slightest knowledge or preparation on our part, and it of course involved a complete change in the arrangements of the Government, which, according to the regular order of the House, were to proceed with the Reform Bill. I myself remained here till two minutes before eight o'clock; I then left the House, and returned at a quarter to nine, and during a portion of that interval the House was not sitting. My hon. Friend the Under Secretary remained here about the same time as myself, and as he and I had both spoken in the debate, we were quite incapable of affording the House any further assistance. I did not, however, leave the debate without attention. I arranged with my right hon. Friend the Secretary of State for the Home Department, and my right hon. Friend the Chancellor of the Duchy of Lancaster, that it should be attended to, and there was not a single moment of the debate during which one or both of those Gentlemen were not present till the time of my return. I need not say that with regard to a question of that kind, which had no reference to details, and requiring no departmental knowledge, every Member of the Cabinet was in a position to answer for the conduct of the Government. I am therefore bound to say, in answer to my hon. Friend, that I do think our conduct was perfectly consistent with public convenience, and the courtesy due from the Government to independent Members.

COAL.—MOTION FOR A ROYAL COMMISSION.

MR. HUSSEY VIVIAN, in rising to move—

"That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to issue a Royal Commission to investigate the probable quantity of Coal contained in the Coal fields of the United Kingdom, and to report on the quantity of such Coal which may be reasonably expected to be available for use:

"Whether it is probable that Coal exists at workable depths under the Permian, New Red Sandstone, and other superincumbent strata:

"To inquire as to the quantity of Coal at present consumed in the various branches of manufacture, for steam navigation, and for domestic purposes, as well as the quantity exported, and how far and to what extent such consumption and export may be expected to increase:

"And, whether there is reason to believe that Coal is wasted either by bad working or by carelessness or neglect of proper appliances for its economical consumption:"

said: * Sir, the question to which I now seek to call the attention of the House cannot fail to be regarded in this country, which

owes so much of its position among the nations of the world to the possession of coal, as a matter of vital importance. At any time it is a question which would deserve to be most carefully and fully discussed, but circumstances have of late directed attention very pointedly to the considerations connected with it. Men, not obscure or unknown, but holding some of the highest positions among us, have brought the subject prominently forward, and fixed the eyes of the country upon it. Some years ago, Sir William Armstrong, as President of the British Association, pointedly directed his observations to this question. He is one of our foremost and most scientific engineers, and the words he then used were certainly calculated to awaken grave fears. Since then we have had a very remarkable book published which has exercised considerable influence upon the present position of the question. That book had not long appeared when it attracted the notice of no less a man than the hon. Gentleman the Member for Westminster (Mr. Stuart Mill), who took an early opportunity of calling the attention of the House to this subject. Subsequently the Chancellor of the Exchequer, upon one of the gravest occasions of the Session—at the period when he is called upon to make the Financial Statement of the year—referred in a marked manner to the coal question, and drew from the facts which he put before the House this moral, that we ought to set our house in order, as it was very doubtful, indeed, in what position the generations that would succeed us might find themselves in reference to this most necessary mineral. Still the nation is without what may be called any authentic statement on the point. I took occasion, shortly after the speech to which I have referred, to say that I had strong reason to doubt whether any such prospective scarcity was in store for us. I believe that we have sufficient coal to last for many, many generations to come. But the question, in my opinion, is not one that ought to rest on the authority of a single book, nor do I think it ought to rest on the statement of a single individual. Let us test the value of the information at present in our possession. What does it amount to? It amounts simply to the book which was compiled by Mr. Hull, five years ago. In all discussions of this subject, Mr. Hull's work has been made a text book, and has formed the basis of all subsequent calculations. That gentle-

man certainly deserves our thanks for the efforts which he has made. To him belongs the great merit of being the first who has endeavoured to deal with this great subject comprehensively. During the remarks which I shall have to make it will be necessary for me to refer frequently to the work of Mr. Hull, but if I criticize the figures contained in his book, I shall do so in the most friendly spirit; for everybody must feel that the estimates, which he was at so much trouble to draw up, have facilitated the labours of all who come after him, and are, in fact, the only attempts made, even up to the present time, to deal with this great question in a spirit worthy of, and with care befitting its vast importance. Another work was written later by Mr. Jevons, which is throughout well argued, and exhibits great research, but still I think, as he has based his figures on the original calculations of Mr. Hull, we are bound to go back to the former book, as we shall there find the source and foundation of the arguments of Mr. Jevons. I am well aware that this question is one of such magnitude that it would task the powers of the ablest man among us to cope with it; I do not pretend that I am competent to do so. But this I can claim, that I have a personal acquaintance of many years standing with its practical features, and that I have endeavoured to the best of my ability to make myself master of the details before I ventured to intrude upon the attention of the House. There are several great natural divisions into which this question resolves itself. First the question of depth; unless we can decide on the probable depth at which coal can be worked, we can hardly arrive at any conclusion as to the quantity now in the bowels of the earth which we shall be able to utilize. The question of depth also is assumed to have an important bearing upon the price at which coal can be raised. Price is certainly a most important element in all calculations of the future of our coal supply. Then comes the question as to the amount of coal known to exist in our present coal fields, or the existence of which can be determined without any great difficulty. And that is followed by the still greater question of the quantity of coal that may be supposed to exist in fields yet unknown and undiscovered—fields lying beneath more recent formations. Then we come to that most complicated and difficult question, the rate of consumption. Finally,

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we have to inquire as to economy of working, and in the use of coal. These are the chief heads into which the main question branches out, and it is essential to examine them all if we desire rightly to comprehend the subject. First, as to the question of depth. Mr. Hull considers, and he has argued the point at length, that a depth of 4,000 feet is the utmost at which we, or those who may come after us, will be able to work coal. I beg the particular attention of the House to the consequences of the limit thus imposed; and I will give, as an illustration, the effect of the rule in the case of a single coal field, that with which I am most intimately acquainted. That limit of 4,000 feet cuts off at one fell swoop from the coal field of South Wales the gigantic quantity of 24,000,000,000 tons. That is the quantity of coal which Mr. Hull calculates to be below this imaginary and arbitrary limit of 4,000 feet, beyond which it is represented that operations cannot be pushed. Those 24,000,000,000 tons would actually supply the present enormous consumption of England for nearly 300 years. Taking the value of these 24,000,000,000 tons, and computing them only at 5s. a ton, we obtain no less than £6,000,000,000 sterling as their value, or something like seven and a half times the amount of our gigantic National Debt, cut off from the resources of South Wales alone by this assumed limit of 4,000 feet. Not only in the South Wales coal field, but throughout all the coal fields of the kingdom, very large deposits will be in portions of the field at a depth greater than 4,000 feet, and from the fields as yet unexplored or undetermined, because lying under more recent formations, it is perfectly plain that enormous deductions must be made from their actual coal contents, if that limit of 4,000 feet is to be retained. What I have said, however, with regard to the single coal field of South Wales, must impress any reasonable man with the conviction that the depth at which coal is capable of being worked, must exercise a material bearing upon the ultimate solution of the problem of the available supply of coal in England. The two reasons which have led Mr. Hull to assign 4,000 feet as the limit beyond which, in his opinion, coal is not attainable, are, first, the increase of temperature, and next, that of pressure. If there is a reasonable presumption that in sinking into the depths of the earth we should come to such high temperatures

as would prevent the possibility of our miners working in them, then, indeed, should we be obliged to admit, that there is an impassable limit—a fatal barrier to winning our deep coals. I do not deny that temperature heightens as depth increases—we have abundant proof that such is the fact. But I would ask, in what way were the experiments made? They were made by boring holes in the strata at the pit's bottom, two or perhaps more feet in depth—and sinking thermometers into those holes. But that is not the way in which our miners are dealt with. We do not bore holes, and put our miners into them, and leave them in those holes without air for many hours. It may be all very well to determine scientifically, to what extent, and in what ratio the temperature of the earth increases, and for that purpose the measurement by thermometers placed in holes may be a very proper mode of proceeding. But when we come to the practical question of working, we must go somewhat further. We must consider in what position and under what conditions we can place the miner at his work, and at what depth he can be supplied with abundant and cool air whilst at his work. I contend that you can convey fresh air in such abundance, and at such a temperature to the miner at almost whatever depth he may be, that the question of temperature practically falls away. And not only so, but after a column of cold air has descended the shaft, and circulated through the different main airways of the mine for a considerable period, the strata, even if originally heated, gradually cools down. Of this fact we have sufficient proofs, and I will take one from Mr. Hull's book. At Rosebridge Colliery, near Wigan, the shaft is 1,800 feet in depth. When first sunk to in 1858, the strata showed a temperature of 80°, but after working for 2½ years, the temperature had fallen to 73°, two feet in the solid strata. This result was entirely due to the circulation of air through the shaft for that comparatively short period, the effect being to cool the strata 7°. Hence it follows that what may even be true when the shaft is first sunk, and the mine first opened, may have ceased to be true after it has worked some time. We must now consider the important and practical question—what temperature actually surrounds the working miner in deep pits. Since I gave notice of the question which I shall have the honour of moving this evening,

I have had some experiments made in one of our own collieries. These experiments extended from the 25th of May to the 9th of June, in fact until a few days ago. The temperatures recorded on the intervening days showed that the air at the mouth of the pit stood at a mean of 60°, and in passing down to the bottom of the pit, the moderate depth of 480 feet, the temperature fell to 55°; by the time it reached the bottom of the engine plane, a total depth of 1,200 feet, it had increased to 61°; and after it had done its duty, and passed through all the workings, the return air at the furnace was only 63°. Therefore you find that in practice, in a very large and extensive colliery, 1,200 feet in depth, you have an actual addition to the temperature of the air of only 3° from the time that the air entered the colliery till it left it again. Then take the maximum—for the figures which I have just read to the House represent the mean of the thirteen days' observations—we ought, however, to look also at the effect upon the mine of a higher temperature—the highest temperature recorded at the surface was 67°. At the bottom of the pit the air had been cooled in its passage down to 59°. By the time it reached the bottom of the engine plane, a depth of 1,200 feet, the temperature had only risen to 64°; and on its return to the upcast, after passing through the whole of the workings, it had receded again to 63°, showing a loss in point of heat from the moment of its first entry into the mine of 4°. It may be said that this applies to only a comparatively shallow mine, as the one to which I have been alluding is only 200 fathoms or 1,200 feet deep. But I will quote the deepest mines in the country. I have received some very interesting data with respect to a colliery belonging to the Messrs. Andrew Knowles and Son, near Manchester, a firm very eminent as workers of coal mines, kindly furnished by Mr. John Knowles. On the 5th June, 1866, at the Pendlebury Colliery, the surface heat was 68°; the heat at the bottom of the downcast shaft—a depth of 1,590 feet—67°; at the bottom of the engine brow, 500 yards to the deep of the pit, and 2,088 feet of vertical depth, it was 72°; at the end of the west level, 1,100 yards from brow, or 2,160 feet deep, the temperature was 75°, showing an increase of only 8° after passing through the whole of the working places of the mine. But is even that increase altogether due to the

temperature of the strata? In a letter dated June 10th, 1866, Mr. John Knowles says—

"I have no doubt that a very large portion of the increase of temperature at the bottom of the upcast shaft (which is only 8°) is due to the lights from the lamps, the natural warmth of the men, and also of the horses; and that a very small proportion is given off from the strata."

Then, again, I take a case quoted by Mr. Hull. In the Shireoaks Colliery, belonging to the Duke of Newcastle, which is 1,530 feet deep, the return air, after passing through the workings, was only 6° higher than the intake at 63°; but, on the other hand, in a close heading, in the same mine and at the same depth, it was 86° or 23° higher. Nothing can more clearly demonstrate the effect of ventilation in keeping down temperature. In the Rose-bridge Mine the intake air was 60½°, and the return 73°, thus showing only an increase of 13° after the air had passed all the men, the horses, and the lights; starting with a low temperature, and without data as to the amount of the ventilation, for Mr. Hull's figures are not clear in this respect. The depth of this mine is 1,800 feet. The House will observe that in the deep mines to which I have been alluding no special arrangements have been made to keep down the temperature; and further, that it may only increase to such an extent as the heat from the men, the horses, and the lights might reasonably be supposed to increase it. If, however, there existed a strong reason for desiring to keep the temperature down, nothing could be more simple or more easy than to arrange various contrivances which would effectually secure that object. I think I could undertake to do it—to, in fact, keep the mine supplied, at almost any depth, with air at nearly the same temperature as that of the air which entered the shaft. It would be only necessary to build slight brick walls along the main airways, arching them over so as to leave a clear space between the walls and the strata, and to carry along this intervening space a slight current of air, connecting it directly with the upcast shaft, which would effectually carry off every particle of heat emanating from the strata. This, undoubtedly, would prevent any possible heat of the strata from influencing the temperature of the main column of air brought into the mine by the downcast shaft, and would cause it to reach the miner at the temperature of the surface

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air. There are various ways in which an artificially low temperature could be maintained. Much has been said and written on the subject of barometrical pressure; and on this point I would remark, that if heat be produced by additional barometrical pressure, it is equally true that by rarefaction we produce cold. On the Continent they ventilate their mines generally by mechanical exhaustion. I have seen very large and expensive machinery for that purpose in Belgium and France. Our system is to trust chiefly to furnaces. But by the system extensively used in Belgium and France, mechanical exhaustion produces slight rarefaction, and a consequent current of air. Carry the exhaustion further, and you may put the men in mines under such a temperature as is to be found only on an icy mountain or an Alpine peak. I do not think it is desirable to go to such a length, because it is quite unnecessary to do so, and many bad results would follow, especially the additional issue of inflammable gas; but I say that before we suffer ourselves to be cut off from such gigantic quantities of coal as we possess, at great depths, we should undoubtedly adopt some such system rather than submit to those sad results which would ensue from our inability to work our coal mines at great depths. Again, it must be borne in mind that the compressed air engine, which is becoming very useful in the working of our coal mines, may exercise an important influence in respect of temperature. By means of this engine, the air compressed at the mouth of the mine is carried down into the pit, and is given off below. Many coal-cutting machines depend for their working power on compressed air. And what does the House think was one of the first difficulties encountered in connection with this engine? I am told that the cylinders in which the air was compressed became so hot from the emission of latent heat, that is so much heat was given off by the compression of the air, that it became exceedingly difficult to work the engine. The cylinders were eventually placed in water, and thus kept at a proper temperature. Then another difficulty was encountered. As the air was given off, the re-absorption of heat was so rapid that ice was produced. I am told that the valves became choked with ice. When permitted to expand, the air demanded back the heat which had been pressed out of it, and thus produced artificial cold. Before the time when we

shall find it necessary to have recourse to our very deep mines, coal-cutting machines will probably be the rule instead of the exception; should their use become thus general, large quantities of artificially cold air would, of necessity, be produced in the depths of our mines. Again, there is a very beautiful theory, which was mentioned to me the other day by Mr. Dickinson, one of the most able and useful of the public servants of this country. He pointed out to me that the gases in mines are of great tension. We know that this is so; for it is almost impossible to wall them back, and we are obliged to allow them to escape. Well, Mr. Dickinson said—

"Is it not possible that one of those beautiful laws of nature may step in here? May it not be that by a principle of compensation the additional heat of the strata will be taken off by the gases expanding from their high degree of tension, as in the case of air from the compressed air engine, and that thus one law of nature may counterpoise another?"

I do not say that this theory is correct. It may be, or it may not be, but I think it is a very beautiful one at least. We are not driven, however, to theories, and I now only again express Mr. Dickinson's opinions. Make your shafts sufficiently capacious; make your airways large enough; bring plenty of air down; and you will have the temperature of your mines low enough for all practical purposes at any depth. If this be found insufficient, simply make a double airway, as I before suggested, and you will find no difficulty in having cool air in any part of a mine. The next question is that of pressure. I feel a difficulty in meeting the objection to deep mining on this head, because I can find no evidence to support the assumption. If the superincumbent strata exerted its real pressure, nothing could withstand it, and not a single ton of coal could be worked out of a coal mine of any depth at this moment. Let us see how the matter stands. A cubic yard of stone weighs from 39 cwt. to 40 cwt. At a depth of one yard it exerts a pressure of 3·4 lbs. to the square inch. At a depth of 600 yards—not an uncommon depth—the pressure would be increased to 2,000 lbs. on the square inch. No timber, much less the small ordinary Pit Prop Timber, could withstand such a pressure, and yet you see in such mines comparatively small timber supporting the superincumbent strata wherever timber is needed; but I have been in mines of great depth, and have travelled for miles along them without seeing a single stick of tim-

ber set to support the roof. The fact is, that you may make a small hole in a wall and yet not cause the wall to tumble down, you may creep through it and feel no pressure, and that is exactly the case with regard to the gallery of a mine. The area which is occupied by working places is so extremely small that the pressure of the superincumbent strata does not come upon them in its full intensity, and is thus either not felt at all or very slightly felt. Of course, it is perfectly true that where coal is worked out over a large area the strata falls after a time, even up to the surface, but that is a very gradual process. It falls bit by bit, so that the real action upon the superincumbent strata occurs only a long time after the miner has left the spot. One of the great questions which the coal miner has to take into consideration is how to prevent the pressure from coming upon him, and he works his mine so as to cause it to "ride off" him. The fact is, that the pressure of which he is most sensible depends upon the few yards of strata which lie immediately over the coal, and not upon the great depth of the mine. If there are ten or fifteen yards of rotten stuff overhead there will be what is called a "heavy" roof, but if it consists of strong rock there is no occasion for the miner to trouble himself about pressure. Then it is said that coal becomes so dense at great depths that the men can hardly work it. That, however, is not the case. I hold in my hand a letter from Mr. George Elliot, a man who, during all his life, has been engaged in collieries, and who has had the management of some of the greatest concerns in the kingdom, including Monkwearmouth and Lady Londonderry's mines. Well, Mr. Elliot says, that the ease with which coal is worked at great depths is a compensation for any extra cost there may be in raising it. Indeed, so little true is it that coal becomes more dense at great depths, that Mr. Elliot asserts it to be an actual fact that in the mine at Monkwearmouth, which is 1,800 feet from the surface, the coal is worked easier than in mines of less depth. This may be, and I think probably is, an accidental circumstance. I am afraid I am wearying the House [*Cries of "No, no!"*], but I wish to meet the objections which have been brought forward so prominently in those books which have so terrified the country. Well, then comes the question of water. Now in reality it is very rarely—indeed I have only met with one or two exceptions—

that water finds its way into a deep coal mine. There is plenty of water in the superincumbent strata, but the object of the miner is to leave the water behind him, and this he effects while sinking his shaft by putting in a foundation which is perfectly impervious, and "tubbing" his pit from that foundation upwards. In this way the water is kept back, and the mine beneath worked without water being present in it. The fact is that coal strata are generally not waterbearing strata. Their base is for the most part clay, or at least there are many beds of strong clay rocks in them, which keep up the water, and thus deep coal mines are not generally troubled with water. And now comes the question of ventilation. It has been stated that ventilation is more difficult in a deep than in a shallow mine, but there never was a greater mistake. The fact, on the contrary, is, that it is much easier to ventilate a deep mine than a shallow one. The deeper the upcast shaft is the greater is the absolute power of ventilation. The upcast shaft is nothing more nor less than a high chimney, and the higher the chimney is built the greater is the power of draft. So it is in the shaft of a coal mine. Next comes the question as to the increased cost of deep mines. Now the main element of increased cost lies in the first outlay, and of course the first outlay of a deep mine must be greater than that of a shallow mine. Simple figures will best meet a case of this kind. Imagine, for example, an original capital in excess of what is wanted to win an ordinary mine at the present day—for it must be borne in mind that I am speaking of increased cost, of £250,000. That is a very liberal sum, for the majority of mines at present do not cost half as much, perhaps not one-tenth part that sum. [An hon. MEMBER: What is to be the depth of the mine?] I should imagine that for such a sum it might be of almost any depth, I take these figures for the sake of example. Well, £250,000 is equal to 60,000,000 pence. Now I will assume that such a pit as I have referred to will "win" 2,000 acres, which would be represented by something like three miles in one direction, and one in another. Mr. George Elliot has written to me to say that he is now commanding distances of five miles, and that seven would be no difficulty. I will take it, however, at 2,000 acres. Coal one foot thick equals 1,500 tons to the acre, which extending over 2,000 acres, would be equi-

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valent to 3,000,000 tons. At the same rate 20 feet thickness of coal would be equivalent to 60,000,000 tons, and 1*d.* per ton upon that quantity would return the original outlay of £250,000. If, then, by the outlay of £250,000 it is possible to "win" 2,000 acres of coal 20 feet thick, and for every ton raised we put by 1*d.*, that sum will recoup the original capital before the mine is exhausted. If a case were taken where the coal is only 10 feet thick, it would be necessary to put by 2*d.* a ton before the capital could be recouped. It must be evident, therefore, that the question of outlay resolves itself into a 1*d.*, 2*d.*, or 3*d.* a ton at most, and it may be much less. I will give the House a practical example. Mr. John Knowles says—

"At the Pendleton Colliery there are three seams at present in work of a total thickness of 13 feet 6 inches in the lowest being at the depth of 530 yards. A section of the strata from the bottom of these pits shows that the Arley Mine would be at a depth of 1,133 yards, and from the surface to that depth there are 46 seams of coal varying in thickness; out of these 20 would be above 2 feet in thickness, and there will be in this range of coal field 60 feet of coal that can be worked. The area of this taking is about 3 square miles (or nearly 2,000 acres)."

It must be borne in mind that I have been speaking of the future, and not of the present. I am now discussing the question how far the cost of coal is likely to be affected in the future. I think that the only real increase in the cost of working coal from these deep mines would arise from the increased cost of winding; and even that is only a small matter. I find that the cost of our ropes for several collieries and for many years has averaged about a farthing per ton of coal worked from the collieries. Mr. Elliot informs me, that in the collieries with which he is connected, in no case does the cost of the ropes exceed from 1*d.* to 1½*d.* per ton. The whole expense of winding does not consist in the ropes, but also in the engine and machinery employed in winding; but in the case of deep mines, the true policy is to put down powerful winding engines which pay for the outlay they involve by enabling coal to be drawn at much the same cost per ton as it can be drawn from shallow mines. I state this not alone from my own experience, but also upon the authority of others. Mr. Knowles writes to me—

"The improvements that have been made in machinery for raising coal from great depths have almost kept pace with the increased difficulties, and, as a rule, I find that the deeper the pits

have been sunk in this neighbourhood, there has been an increased quantity of coal raised, so that the extra cost has been distributed over a larger get of coal."

Mr. Elliot writes much in the same strain. He says that the expense of winding coal has not been materially increased, because the apparatus for winding has been so much improved. In winding from these very deep mines a great improvement has been made recently by the introduction of steel ropes, which are very light and very durable, and enable coal to be wound from greatly increased depths at little or no extra cost. Again, in many collieries of great depth, coal is obtained by the use of inclined planes, which indeed have become common in deep mines. In a case with which I am familiar, a pit was originally sunk to the depth of 80 fathoms, and by means of inclined planes the depth has been slowly increased until a depth of 200 fathoms has been reached. I believe that greatly increased depths can be reached by this means gradually and almost insensibly. The truth is that we are arguing very much without knowledge in these matters, certainly with very limited information and views. My impression is that the mechanical genius of those who come after us will be as great in itself and in its developments as that of the past and of the present generations; and that if difficulties arise hereafter, they will be encountered in the manly spirit that has overcome the difficulties of the past. Do not let us then be alarmed for the future on the score of mechanical difficulty, or on account of internal heat. Neither of these causes will prevent our obtaining adequate supplies of coal, or increase greatly its cost. What will really affect the cost of coal more than anything else is the rate of wages. I have made calculations from the cost sheets of large collieries. I find that upwards of 60 per cent of the total cost of coal arises from labour. You may depend upon it that, if the manufacturing industry of this country is destined to curtailment, it will result from the scarcity and the consequent advance in the price of labour. I often look with terror upon the probable progress of that scarcity. The darkest spot upon the horizon of this country is in my opinion the possible scarcity of labour; and therefore I deplore to see the State lending its aid to emigration. We ought by the enactment of good laws, and by striving to ameliorate the condition of the working classes, to keep every

man we can in this country. Every able-bodied man who leaves our shores takes away so much of the bone and pith and marrow that are required for the development of our national wealth. If we can only command labour we need not talk of the greatness of the country being endangered by the want of that which Providence has given us in such vast abundance.

I come now to speak of the resources of our coal fields. I cannot but regret that a proposal I made two or three years ago was not adopted, as I think it ought to have been. It may not be generally known that the surveys we possess of many of our mineral districts are upon the small 1-inch scale. It is most important to have the mineral resources of this country properly and accurately ascertained, and I think, therefore, that we have a right to ask that the best possible surveys should be made of the mineral districts. It is a matter of national importance that these districts should be surveyed on a large scale, and that every facility should be afforded for accurately estimating and duly working our mineral riches. I pressed upon the War Department the importance of making a large survey of the district I represent, but I am sorry to say that nothing has yet been done. Our survey is a generation old, it is from twenty-five to thirty years since the 1-inch Ordnance Map was made; and I understand in other mineral districts much the same may be said. I hope that the ground of the present complaint will soon be removed by the extension of the large scale survey to all the mineral districts. I desire to bear testimony to the general accuracy of the geological survey of South Wales, made by my late friend Sir H. de la Bêche, assisted by Sir W. Logan, Mr. Struvé, Mr. Williams, and others. I have lately tested it, and I have found it wonderfully accurate. Now as to the extent of our coal resources, Mr. Hull's is the only general estimate yet made. I do not desire to pass any hostile criticism upon his book, far from it, I wish to give him every credit for his attempt; but I must consider the mode he has adopted to ascertain what our mineral resources are, and I will illustrate it by the method of computation he applied to the coal field of South Wales. Now, if we suppose that every seam of coal still exists over the entire area, which is not the fact, and assume the gross thickness of the coal contained in seams of two

feet and upwards in thickness, which I take at his figure, 84 feet over the whole area, there would be 73,000,000,000 tons of coal. But a deduction must be made for the non-existence of some of these seams over considerable areas; what ought that deduction to be? I do not think it possible for any man, merely from plans and sections, to estimate at all accurately what that deduction ought to be. Mr. Hull deducts at a fell swoop one-third, and reduces the 73,000,000,000 tons to 48,000,000,000 tons. From that residue he deducts one-half for the coal below the depth of 4,000 feet, which leaves 24,000,000,000 tons; and from that again he deducts one-third for waste and the quantity worked out, so that he leaves only 16,000,000,000 tons as the total available for man's use. This calculation appears to be a great deal too rough, and I think we ought not to place too great reliance upon the results to which it leads. At the time the Commercial Treaty with France was under discussion, I made a statement in this House of the quantity of coal which we might expect to win from the South Wales coal field; and finding from Mr. Hull's book, published subsequently, that his estimate of the available quantity of coal differed from my own, I printed my speech, and gave the grounds upon which I had based my calculation, stating my reasons for thinking Mr. Hull's estimate could hardly be correct. I had taken the gross thickness of available coal at 60 feet, deducting therefrom 40 per cent for faults, quantity worked, and loss. I found by a backward calculation that Mr. Hull had assumed a net thickness of only $27\frac{1}{2}$ feet. That I concluded must be an erroneous estimate, and I asked in what part of the section such comparatively barren ground could be found? I find, from the book of Mr. Jevons, that Mr. Hull has since added 10,000,000,000 tons to the original 16,000,000,000 tons he allotted to South Wales, probably owing to my remarks. That is a very large addition, but I am not satisfied with it. The question between us is mainly one of depth. If the 4,000 feet limit of Mr. Hull is to be taken, probably his amended estimate is not far from the truth; but if we can win our coal at a depth of 5,500 to 6,000, my estimate will be exceeded. I pass on to notice the South Yorkshire and the Derbyshire coal fields in order to show the effect of a deduction for denudation in the lump. In these cases, by the same process, I make the original quantity, if

every seam had continued through all time to exist, that is, the gross total quantity of coal which existed before any was denuded, to have been 33,500,000,000 tons, while Mr. Hull states the gross total, after making a deduction for denudation, to be 17,000,000,000 tons, being a deduction of very nearly one-half. He then deducts a quarter for the quantity worked, and a quarter for waste, &c., and thus reduces the total available quantity to about 9,000,000,000 tons. Now this calculation may be a perfectly true one; but these are enormous figures, and it will not do to rest simply upon such rough calculations. We must have a thorough investigation and ascertain if possible the real quantity we have in store. I have calculated in the same manner the fifteen principal coal fields in England, and assuming that every seam had continued to exist through all time and that none had been denuded, my calculation gives a gross total of 235,000,000,000 tons. Mr. Hull's gross estimate, after deducting for denudation is 134,000,000,000 tons, leaving little more than half the quantity originally created, and from this quantity he makes further deductions, reducing the total available quantity to 64,000,000,000 tons. That again may be true, but I do not think that such rough calculations as these are worthy of the place they have occupied in the attention of this House and the country. At any rate I think there is margin enough for error in figures of such immense magnitude, and in calculations involving so many assumptions.

Sir, I do not think that any great difficulty would arise in investigating this subject. If the Commission for which I am now moving were granted, and the members of that Commission placed themselves in communication with first-class viewers in different parts of the kingdom, and obtained from them the benefit of their local knowledge, they would take the areas in which various seams of coal and ranges of seams were known to exist, and looking at these and estimating quantities in the same manner that any one would who was going to open up a mineral property, we should obtain a fair approximate estimate of the quantity of coal we are likely to have available for all future time. This, however, can only be done by the assistance of those persons who possess considerable local knowledge. If a sound estimate of the nature which I have suggested were once made—an estimate in which the coun-

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try could place confidence, and which would be really reliable—it need not be repeated, because Mr. Hunt collects with great care year by year the quantity worked in each coal field, and by deducting this quantity from the gross estimate, making due allowance for loss, waste, &c. we could always arrive approximately at the quantity that was left.

I now, Sir, come to a larger question than even that on which I have just touched, and that is the quantity of coal which exists under the more recent formations. First, I will speak of the permian formation which overlays the coal, and next of the trias formation. We used to call these the magnesian limestone and the new red sandstone. But as these names have been replaced by new terms, I suppose we must refer to them now as the permian and trias formations. Now I have taken some trouble to ascertain the thickness of the permian formation. I cannot find that either Professor Phillips or Sir Charles Lyell give any estimate of its thickness in their works upon geology, though they afford a great deal of information upon other points connected with this formation. But Mr. Jukes, who I believe is a member of the Geological Survey, says that—

“The thickness of the permian formation is believed to vary almost indefinitely within the limits of 1,000 to 3,000 feet.”

Again, Mr. Hull says that the thickness of the permian formation is in North Staffordshire 600 feet; in Denbighshire from 1,000 to 2,000 feet; in Lancashire from 350 to 650; in Warwickshire 2,000 feet; in Derbyshire and Yorkshire, 130 feet; at Shireoaks in Nottinghamshire, 196 feet; and in the Great Northern coal field, from 500 to 600 feet. Then we come to the trias formation, commonly called the new red sandstone. Professor Phillips takes a typical point in the Vale of Severn district, and computes the depth of this formation at 1,350 feet. He also quotes Mr. Ormerod, who says that in Cheshire it is 1,700 feet thick, composed of upper 700 feet, middle 400 feet, bunter 600 feet. Sir Charles Lyell estimates its thickness in Cheshire and Lancashire at between 1,000 and 1,500 feet. Mr. Jukes says that in South Staffordshire it is 2,100 feet thick. Mr. Hull finds that in Somerset it is from 270 feet to 120 feet thick; in South Staffordshire, the bunter alone, 1,200 feet; in Lancashire, 4,750, of which he estimates the Cheshire red marls at 3,000

feet; in Warwickshire, 780 feet; in Leicestershire, 900 feet. Taking these figures I find that the least thickness of the permian formation is put down as 130 feet, and the greatest 3,000 feet, while the trias formation ranges from 120 feet to 4,750 feet. If we add them together we find the least thickness of both formations 250 feet, and the greatest 7,750 feet. But if both together are taken at from 2,000 to 3,000 feet of thickness, in the most unfavourable positions, coal will still be easily attainable below them. These great supposed developments of strata, however, are for the most part simply geological deductions. Now it is extremely difficult to determine, with any degree of accuracy, the thickness of strata from surface measurements alone. These strata are spread over a vast area, and as you have nothing but railway cuttings, roads, quarries, or such like shallow surface data to depend upon in forming your judgment, it is almost impossible to determine accurately the thickness of strata. Undoubtedly in some cases, as in the salt works, where shafts have been sunk, reliable data may be had. But for the most part mere surface indications, I think, will be found unreliable. A variation in the angle or direction of inclination, a fault, or any other sudden change, hidden beneath alluvial deposit at once disturb the best calculations from surface data. All these strata, however, have been sunk through at various points in this country; and coal has been won through all of them, adjoining nearly all the coal fields. In Durham, as we all know, the permian strata has been sunk through very largely, and enormous quantities of coal are being got beneath it, though not half a century ago the highest geological authorities maintained that no coal existed under that formation. At Shireoaks, in Nottinghamshire, the late Duke of Newcastle expended a large sum in sinking for coal, and after penetrating through the red rocks his perseverance and enterprize were fortunately rewarded by winning a very valuable colliery. The permian strata at Shireoaks were thus proved to be, as I have said, only 196 feet in thickness. In Leicestershire, Lord Maynard has sunk a shaft through the new red sandstone, and the result is thus stated by Mr. Holdsworth in his excellent work—

“Viscount Maynard, on the faith of the sub-trending measures to the southward, made many years ago the bold experiment of boring for them on his Bagworth estates, and after upwards of

three years incessant labour, succeeded in the discovery of a richly-stored new coal field, and some of its valuable seams are now being extensively wrought. At this spot, so far from the Ashby coal field, although the sinkings commenced in the uppermost (Keuper) beds of the red marl formation, the whole series proved to be only 105 yards thick (equal to 315 feet) to the coal measures, thus showing the absence of the permian, and the trending of the coal, and its concomitants to the southward at moderate depths, beneath the upper new red rocks."

At West Bromwich, where Lord Dartmouth has pits, coal has been won through the permian strata. At Cannock Chase a very large coal field has been opened up through the lower portion of the new red sandstone. And in Worcestershire, in Halesowen Valley, on Lord Lyttelton's estate, extensive sinkings are being carried on by Messrs. Dawes and Co., through the red rocks to the coal measures; one of those land-marks well known to miners, called the "Black Ring," has been met with; and an estimate has been made that the famous "thick coal" will be cut at a depth of only 900 feet. Mr. Jukes says, that at Lord Dartmouth's pits, coal has been won through permian, at West Bromwich, 806 feet; at Lyng Colliery, 550 feet; at Lewisham Pit, 315 feet; and at the Terrace Pit, through 135 feet of red rock. These are moderate depths, and the moral of these various figures is that when these rocks are practically dealt with, it will be found that their thickness is very much less than has been supposed from surface indications. In fact, in all the cases where they have been so dealt with, they have been found comparatively thin. But this really opens up an enormous question, because these formations which are next above the coal, and from below which at various spots coal has been and is being won and worked, occupy an area three times as large as that of the known coal fields of England and Wales, and twice as large as that of the English, Welsh, and Scotch coal fields together. I have had the area of the trias and permian formations measured by a Surveyor upon the Reduced Ordnance map, and I find that they occupy an area of 9,412 square miles; while the area of the English and Welsh coal fields are 2,779, and that of Scotland 1,720; making together 4,499 square miles. I do not say that coal exists under the whole of those red rocks—far from it; but what I believe is, that beneath the formations to which I am now alluding the great coal formation will

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be as the sea and the barren spots as its islands. Let any one look at the map, and if he will imagine for a moment that these formations are like a great red shawl—the black fringe representing the existing coal fields—he will have a pretty good idea of the vastness of our great coal formation, including at one glance the discovered and undiscovered coal fields. We are in the habit of talking of the coal fields of North Staffordshire and South Staffordshire, of Lancashire, and so on; but these are, in my judgment, merely the outlying fringes of the great coal formation. The day will come when they will be joined together by intermediate workings, and recognized as one vast whole. Then, in the case of the Great Northern formation, extending from Nottingham on the south to South Shields on the north, we have the red shawl with the black fringe folded in length. My impression as to this district is, that the same will be found to be the case; I think that the Durham and Yorkshire coal fields will be found to be continuous. We are, in fact, only working at those parts of the coal fields which have been exposed to view in part by denudation, and in part thrown up to the surface by the wild convulsions of nature. But I have by no means done with the more recent formations. The formation which comes next above the trias is the lias. Now in the Bristol and Somersetshire coal fields the permian, trias, and lias formations have been found to be extremely thin, and coal has been won even through the lias formation, yet a few years ago no geologist would have dreamt of winning coal through lias. Mr. Hull says—

"Shafts penetrating the lias and red marl into the coal have been sunk at Paulton and Timsbury; and another, near Radstock, commencing in the upper beds of the lias, reaches coal at 200 fathoms."

That is to say, 1,200 feet, which is a very moderate depth, in view of the immense thickness which these formations might be expected to attain. The possibility of winning coal through the lias formation is thus proved; but the question is whether that formation, which is of so large an area in England, may not prove to be of such a thickness, including the trias and permian, as to prevent the possibility of reaching coal beneath it. It is quite impossible to say whether the red rocks beneath may thin out; if so, and if the depth through the lias thus proves not insur-

mountable, there will be at least a repetition of the area of the present coal fields in those beneath the lias. I do not attach much importance to that eventuality; but still it is possible that at some points coal may be reached through the lias. And this leads me to another question of a very curious character—namely, the possibility of the existence of coal in the South of England. It is the belief of many geologists, and there are good grounds for the belief, that coal does actually exist and may at some time be attainable in the South of England, and, in point of fact, even under this great city, and under the very floor of this House. Geologically, there ought to be enormous formations above the coal. The permian, trias, lias, and then the great oolite, a formation which is largely developed in many parts of England, especially at Bath. Next the green sand formation, which shows itself in great thickness in the Isle of Wight; and then the chalk, an immense formation which is well known in so many places. We thus have six geological formations, each in its full development of great thickness, which, if they exist in such development, must extinguish all hope of attaining coal beneath them; but do they so exist in the South of England? In order to deal with this question properly, I must go back to South Wales. The South Wales coal field, and especially the southern portion of it, is traversed by a succession of parallel anticlinal axes which have caused the dip or inclination of its strata to be at right angles to that of the more northern portions of England. This coal field may be described as a trough running east and west. If we follow out the line of this trough to the eastward, we find that it embraces the Somersetshire coal field; in fact, the anticlinal axes of the Mendips are identical with and mere continuations of those of South Wales. It is to the action of these anticlinal axes that the very existence of the South Wales coal field is due. After passing Somersetshire they disappear beneath the more recent formations at Thornbury on the north and Frome on the south. If we extend this trough on in a straight line, it will pass under London, which will be found to be situated nearly in its centre, and this and parallel troughs will embrace much of the South of England. Extend these troughs still further eastward, and they will be found to embrace almost all the great coal fields of northern Europe,

including those of the North of France, Belgium, Westphalia, Saxony, and Silesia. It is very curious that the troughs of coal measure, which commence in South Wales and Devon, should, if thus extended in two parallel lines to the eastward, embrace almost all the great coal fields of the North of Europe. Reasoning thus, geologists have been led to assert the possible existence of available coal in the South of England. But the great question is, what is the thickness of the strata superposed above these troughs? We have to go but a very short distance to satisfy ourselves on this point. A few miles from Boulogne, just across the Channel, the coal formation actually reappears at the surface, about 170 miles to the eastward of the point at which it disappeared in Somersetshire. Again, in the neighbourhood of Valenciennes pits have been sunk through the chalk—through the very same formation as that on which we now stand, for after the London clay comes the chalk—and they are winning and working large quantities of coal from beneath the chalk. Let any one travel along the North of France, and then come over to this side of the water, and say whether there is any apparent geological difference between the two sides of the Channel. The white cliffs on the one side are to all appearance the same as the white cliffs on the other, and Valenciennes is on the same continuous formation as London. But how different would be the contour of the country if in truth the six great geological formations, which terminate with the chalk, actually exist in their full development on our side of the Channel; assuming, as we have a fair right to assume, that the coal measures or still older formations which are unconformable with the more recent rocks, retain a uniform level or datum line from Somersetshire to the Boulognnais—and any other assumption, seeing that we are now considering a line parallel to the line of strike of the older rocks, would be unreasonable—we must, then, have these six great formations piled high above the sea level, and our southern coast would present all the features of a lofty mountain range. Instead of this the features of the country on both sides of the Channel are the same; and if coal be found beneath the chalk strata of Boulogne or Valenciennes, what reason is there why it should not be also found beneath Brighton or London? I take it, therefore, that there is no strong ground for disbelieving that

at some day, perhaps not very distant, coal may be found in the South of England. That, however, is a thing which nothing but the point of the pick and the borer can determine. I believe that sooner or later on the northern shores of the Channel coal will be found by the French, who need it more than we do, and I venture to state that no impossibility exists that a coal field may not be by-and-bye discovered almost on the very spot where we stand.

But I have not yet finished with the subject of collateral adjuncts to our supplies of mineral fuel. Within the last few years a discovery of extraordinary importance has been made in America—I allude to the discovery of mineral oil. That discovery has caused almost a social revolution in America. We read accounts of colossal fortunes being made out of this wonderful substance, and there can be very little doubt that it is destined to play a great part in the future as regards heat, light, and everything connected with combustion. This mineral oil is not wanting in England—or rather within the United Kingdom. Abundance of mineral containing oil has been now discovered in Scotland. It may not be generally known, but it is known to several hon. Members of this House, that discoveries have been made of oil shale, which yields abundant supplies. I am told that the extraordinary Torbane mineral yields no less than 120 gallons per ton; and that shale yielding only 28 gallons per ton can be profitably worked. This shale is now being worked over a large extent of country, and there is a probability of its being found in all our coal fields. I have no doubt that the oil produced from the shale is nothing more than the result of gases which have exuded from the coal, which the shale has probably arrested. I believe, too, that it is but little known as yet what services this oil is destined to render to mankind. On this head I will read an extract from *The Press* newspaper, headed *Petroleum versus Coal*. It is as follows:—

“Mr. Gladstone may be comforted. When coal fails we can still find refuge in petroleum. A boiler made at Woolwich to test the practicability of burning the oil for steam purposes has been tried; and the result is pronounced exceedingly satisfactory. There were tubes for superheating the steam and consuming the smoke; and nothing seemed to need alteration except the size of the boiler. The fires were kept up so easily that the stoker was quite at a discount. Other people, besides enthusiasts in oil, talk of petroleum as

certain to come soon into use for marine and other engines. It would seem that oil is more plentiful in the world than coal, it occupies a smaller space, and it burns without leaving any waste in the way of cinders or ashes. There appears no reason why it should not be really much cheaper as a steam generator than coal.”

I think, Sir, I have now finished what I had to say with reference to our coal resources; and I next come to the important question of its consumption. That I know is held by many to be even more important than any of the questions with which I have hitherto dealt. I confess this question of our future consumption is to me much less satisfactory, because it cannot be dealt with in the same simple and practical manner. It is extremely difficult to forecast what will be the consumption of coal in this country during generations and in ages to come. Sir William Armstrong, who was the first to call attention to this point in 1863, proceeded on a very simple principle of computation. He stated what had been the increased quantity of coal used from year to year, and then calculated from that how long our resources were likely to last if we went on increasing our consumption at the same rate. He took our increased consumption at 2,750,000 tons per annum, and calculated, on Mr. Hull's data, that at the same rate of increase, our supply of coal would be exhausted in 212 years. Mr. Jevons stated our increased consumption at 3·26 per cent per annum from 1854 to 1863, and took an average increase of 3½ per cent. In 50 years, the increased consumption, if computed by an increase in a geometric ratio, would be 458 per cent, or 5½ times as much as it is at present. Thus, while in 1861 the consumption was 83,500,000 tons, in 1961 it would, if it increased in a geometric ratio of 3½ per cent, amount to 2,607,500,000 tons per annum. At that rate 110 years' consumption would exhaust our mines, assuming Mr. Hull's quantity to be correct. But we must look a little deeper into this matter. Our consumption in the past year was 92,787,873 tons of coal. The first question I ask myself is this, in what way was this 92,787,873 tons consumed? An estimate has been made that each person in the kingdom consumes about one ton of coal per annum. If that be so, and it is probably not far wrong, we may roughly set down the quantity used for domestic purposes in the United Kingdom at 30,000,000 tons. This is one of the points that I would have ascertained by

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the Commission if appointed. Then I have calculated that iron consumes in its manufacture 24,435,747 tons—say 24,500,000. Our exports of coal in 1865 were 9,170,477—say 9,000,000 tons, which leaves for all other manufactures, railways, home steam navigation, and other purposes, say 29,250,000 tons, making in all, 92,750,000 tons. Now it is pretty plain that as far as domestic use is concerned, the consumption of coal can hardly be expected to increase more rapidly than the population. At least we have no reason to believe that those who come after us will consume more coal per head than we do. The tendency would rather be to burn less. As the population only increases at the rate of 1·2 per cent per annum, the increase in the consumption of coal for domestic use can hardly go beyond that rate of increase. Our exports of coal in 1854 were 4,309,255 tons. In 1864 they amounted to 8,809,908 tons. There was therefore an increase within that period of 10 years of no less than 4,500,653, or $104\frac{1}{3}$ per cent, or $10\frac{1}{2}$ per cent per annum. The sudden increase of our exports during the last 10 years will account for the increased quantity of coal produced from our mines to the extent of about one-fifth only. But there is very little hope of that increase continuing. In the past three years the increase has only been at the rate of $3\frac{1}{3}$ per cent per annum. The export of coal in 1862 was 8,301,852 tons, and in 1865 it was 9,170,477 tons, showing an increase in three years of 868,625 tons—about $10\frac{1}{2}$ per cent in three years, or, as I have stated, $3\frac{1}{3}$ per cent per annum. Of course, it is perfectly well known that the leading causes which gave rise to the sudden increase in our export of coal were the great extension of steam navigation throughout the length and breadth of the world, and the repeal of the coal duty under the French Treaty. Thus the actual rate of increase of coal exported during the last three years is no more than the increased rate of production throughout the kingdom. But there is an increase going on which in my judgment in a great measure accounts for the great increase in our consumption, and that is the increased quantity of coal used in the manufacture of iron. While the average increase in the consumption of coal has been $3\frac{1}{3}$ per cent per annum, the manufacture of iron has increased, I now refer to pig iron alone, at the rate of $5\frac{1}{3}$ per cent. The coal used in other manufactures, such as textile fabrics,

bears but a small relation to their value; it probably does not exceed 1 per cent. But iron, like a devouring giant, consumes more than its share. The quantity of pig iron manufactured in 1854 was 3,069,838, and in 1864 it was 4,767,951, showing an increase in 10 years of 1,698,113, or 55·30 per cent= $5\frac{1}{3}$ per cent per annum. If the manufacture of iron continues to increase at that ratio, the coal used to make it must also increase at the same rate, or if it does not, an increased quantity of coal will not be used. In calculating the quantity of coal consumed in making one ton of pig and bar iron, I take the estimate of Mr. Baker, the inspector of the Staffordshire district. My impression is that Mr. Baker's estimate is somewhat high, but as his figures have been published I accept them as my data. Mr. Baker estimates that in making one ton of pig iron $2\frac{1}{2}$ tons of coal are consumed, while in the conversion of pig iron into bar or wrought iron $3\frac{1}{2}$ tons of coal are consumed per ton. About one-fourth of the pig iron manufactured may be assumed to be used as pig, the other three-fourths being converted into bar or wrought iron. From these data I find that in making 4,767,951 tons of pig iron, at $2\frac{1}{2}$ tons of coal per ton, 11,919,877 tons of coal would be used; and to convert three-fourths of that quantity—namely, 3,575,963, into wrought iron at $3\frac{1}{2}$ tons per ton, 12,515,870 would be required, so that we have 24,435,747 tons of coal used for the manufacture of iron alone. If the increased consumption of coal is to be calculated by geometric progression I have an equal right to calculate the increased production of iron in the same manner, and therefore at the rate of $5\frac{1}{3}$ per cent per annum. But I will be merciful and take it at 5 per cent; then 4,769,951 tons of pig iron, increasing at the rate of 5 per cent per annum, will in 100 years be equal to 626,991,583 tons per annum, and 1,125,986,597 per annum in 112 years, and the coal to be used in making this iron, at the same rate for pig and wrought, would, according to this theory of geometric progression, be stated thus—24,435,747 at 5 per cent per annum= $3,213,331,617$ per annum in 100 years, and 5,770,680,864 in 112 years. In 1961 iron would use 2,775,796,665 tons of coal. But how does this correspond with the quantity Mr. Jevons has calculated upon? He states, from statistical calculations, that the total production of our coal mines in England must in the year 1961 amount

to 2,607,000,000 tons per annum to meet all the wants of England, including of course the manufacture of iron. So that we have here a very curious paradox reposing upon the incontrovertible logic of figures—namely, that the lesser quantity, although contained in it, still overtakes the greater, and we arrive at this ridiculous result, that the quantity of coal consumed for the making of iron alone exceeds the total quantity which Mr. Jevons lays down, according to the theory of geometrical progression, as required for the total consumption of the kingdom, including iron, 100 years hence. The truth is, that calculations of this nature, based upon a constant increase by geometrical progression, are not to be relied upon. They break down when tested by common sense. Is it conceivable that such a quantity of iron could possibly be used? Where could it be used? How could it be used? It must be borne in mind that, during the past ten or fifteen years, we have been covering one-half the world with railways. We have a perfect net-work of railways at home, and we have made rails, or supplied with iron for railway purposes, Russia, America, and nearly all the Continent of Europe. India, too, has been getting on with the construction of her railways, and the rails have all been supplied by this country. And yet, when we have covered half the world with rails, we find ourselves involved in this absurdity, that, according to the theory of geometric progression, we must, year by year, go on making, not alone the same number of miles of railway that we have heretofore made, but as many more miles of railway as geometrical progression imposes upon us. Sir, I do not believe it. It is simply nonsense. It comes to this, that in the year 1976 we should be making 240 times as many miles of railway as we are making at the present time. This is simply a *reductio ad absurdum*. The whole question of the consumption of coal or anything else, or the rolling up of money by geometrical progression, must break down, and always does, when it comes to be tested by plain common sense. I do not believe it possible that the greatness of England can depend upon her increase in a geometrical ratio. Neither coal, nor iron, nor cotton is king, but the prosperity of this country depends upon our general manufacturing activity and industry, and our commercial prosperity maintained and increased from year to year, but not for ever and for ever multiplying itself at the whirl-

wind velocity of the past decade. There is plenty of greatness in store for this country, and we need not yearn after a constant expansion in a geometric ratio, nor lament if such be not accorded to us. Look at the wealth laid up for us in this one item, "Coal." We are now raising 92,000,000 tons of coal annually, which, even at 5s. a ton, represents a sum of £23,000,000. Speaking roughly, one-half of that goes in wages, and one-half in materials. What enormous benefits the expenditure of that sum annually indicates! Who shall describe the ramifications of its operations? That amount circulates through the length and breadth of this land, as the blood circulates through our veins, and "One and All," in a thousand direct and indirect ways, we are enriched by it, not individually alone, but nationally and collectively. If only 2s. per ton is saved to some one, there is an addition of £9,000,000 annually to the capital of the country, as the produce of this one source of wealth, stored up for us by a gracious Providence. I will not talk of what this capital would come to if it were accumulated at interest. If you accumulate only £5,000,000 per annum, at 5 per cent compound interest, it would amount to £800,000,000, equal to the National Debt of this country, in forty-five years. Let us, for an instant, contemplate and value the stock of coal we have remaining; Mr. Hull estimates it at 83,000,000,000 tons. I believe it to be far more, but even that quantity at 5s. a ton represents £21,000,000,000, as the value of the coal in our known coal fields at 5s. per ton. Sir, even in this modest estimate of the value of our coal presents figures so gigantic that they are almost beyond the grasp of the human mind. £21,000,000,000 is a capital sum, the interest of which alone at 3 per cent would annually produce £630,000,000, nearly ten times as much as the whole income of the United Kingdom, and almost equal annually to the capital of our National Debt. We have, as I believe, other coal fields not yet discovered, but before our known coal fields are exhausted that amount of wealth must be distributed and ramified through the whole of the kingdom. It is impossible to say to what pitch of greatness a nation may not rise which has such vast wealth stored up for its future use, and it must be borne in mind, that coal though essential to, yet enters in an insignificant degree into the cost of many of our most impor-

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tant manufactures. I am assured that in the manufacture of textile fabrics coal does not represent 1 per cent of the total cost, and thus minute portions of this inestimably valuable mineral, conduce to the acquirement of collateral gains which cannot be fully expressed. I take coal at 5s. per ton, and prove my case from that modest figure, but it is self-evident, that it really represents in our social system benefits which must accrue to this country in high multiples of such a figure, so that the gains from the working of 83,000,000,000 tons cannot be measured even by the enormous capital sum thereby set in motion, but must be infinitely multiplied by the vast ramifications of the benefits which must incidentally accrue to various branches of our trade and commerce. It is not permitted to us to forecast events, but thus much we know from the hard physical facts which are before us susceptible of demonstration, that there are mineral riches and material wealth in vast abundance stored up for this favoured country, wealth which no present spendthrift can forestall, because its production must necessarily be a slow and gradual process. There is, indeed, no need whatever to fear for the future in this respect. One thing, however, is certain, other countries will to some extent step in and develop their mineral riches. America, for instance, is stated to possess 196,000 square miles of coal field. This is something too gigantic to conceive, being almost forty-four times greater than the enormous quantities I have mentioned as being possessed by this country. It is impossible to doubt that America must play a very prominent part hereafter in the production of all those manufactures which chiefly require the consumption of coal. This gigantic store must sooner or later enter into the general supply of the world. It is simply a question of labour, and when labour is procured in sufficient abundance, you may depend upon it that those coal fields will be developed to an enormous and unparalleled extent. But, in my judgment, England will even then be able to hold her own so far as Europe and a large portion of the world is concerned. We have, indeed, plenty of coal stored up for ourselves and for others; but it is plain that America must enter into competition with us for the general supply of the world, and quite certain that she will not draw her supplies, as she has hitherto done, even in part, from us. But America is not the

only country which possesses coal. There are considerable coal fields in France. Belgium is competing with us in those manufactures which depend on coal. I have known instances recently in which Belgian iron manufacturers have absolutely taken away contracts from the greatest iron manufacturers of this country, and I believe simply from our high rate of labour. That is, you may depend upon it, the most serious question now affecting the manufacturing industry of this country. I mean the competition of cheap foreign labour. It is estimated that the coal fields of Northern France and Belgium together, cover 1,200 square miles. In Rhenish Prussia they are put down by Mr. Hull at 900 square miles; but the Prussian Government are constantly extending the area of their coal fields by borings, and thus additional tracts are being continually discovered. The Westphalian coal field is stated by Mr. Hull to extend over 963 square miles; but its limits are not defined, and may be and probably are far greater. The Russian coal field of the Dnieper and the Don were estimated by Sir Roderick Murchison at 11,000 square miles, or two and a half times as much as the discovered coal fields of this country. I have myself seen in Silesia, not many miles from the Russian frontier, a seam of coal nearly fifty feet thick; and there is in that district no inconsiderable area of coal field. Scarcely a country in the world can be named in which coal is not found. Spain has a large coal field in the Asturias. Coal is found in Austria, in India, in Japan, in China, in New Zealand, in Australia, in Brazil, in Chile, and even in Melville Island. In fact, you can hardly go to any part of the world without finding rich stores of coal. Providence has not stored up these precious hoards for no purpose, and although the real resources of these countries have not yet been developed, depend upon it they soon will be, and that their trade will be proportionately increased, while the drain upon our resources will not in the same degree continue. England, however, will not be the less great because she does not supply the whole world with iron and coal.

I now come to consider the last branch of this subject—namely, the question of economy in the production and in the use of coal. It is extremely difficult to deal with this part of the subject, because here there are really no data to go upon. One thing however I may say, that some sys-

tems of working coal are far more economical than others, and that improvements are being constantly made in the working of coal. The system known as the "stall and pillar system," is the most wasteful possible, and I am glad to say that it is being gradually abandoned. The sooner this wasteful system is entirely abandoned the better. I have heard the loss from this system, estimated by competent judges, at from 10 to 30 per cent. Mr. Bassett of South Wales, an engineer of some eminence, who acts for Lord Tredegar in the management of his extensive mineral property, and who has charge of about fifty collieries for the lessors, read a paper before the Institute of Engineers of South Wales, in 1861, and gave six instances of the working of mines, and the following is the result with regard to five of them. One relates to the working of 27 acres on the "long wall" system, and the loss, comparing the computed quantity due to the thickness of the seam with the amount of coal actually obtained, was 6·40 per cent. In another case of 12 acres, on the same system, the loss was only 2·14 per cent. Mr. Bassett gives another instance of 36 acres worked on the old "stall and pillar" system, in which the loss was 30·43 per cent. In a fifth case of 88 acres the loss was 34·09 per cent. In a sixth case of 64 acres, the loss reached 39·84 per cent. Undoubtedly there may be and are various circumstances in the instances referred to by Mr. Bassett, which may account to some extent for these results; and I do not believe that such losses as those which I have last mentioned usually occur; nor perhaps that coal can be worked under the most favourable circumstances with such small average loss as he has described. Much must undoubtedly depend on the nature of the coal, the roof and the bottom, as also its freedom from dirt, which sometimes becomes inextricably mixed with the coal. The saving also in the first instances is not all due perhaps to the "long wall" system, but partly also to the quality of the small, being in the one case good and the other bad and worthless, but I believe, that in many instances wasteful and bad systems of getting coal still prevail. On the question of economy in the consumption of coal, I would not have it thought either that very great savings have not been made, or that further savings may not also be practicable. Undoubtedly every manufacturer who consumes coal, considers that one of the main elements of his suc-

cess must lie in economy of all kinds, and he strives as far as possible to economize the consumption of coal. His thoughts are constantly directed towards its economical consumption; and it is only due to the intelligence and industry of this country to give one or two prominent instances in which the consumption of coal has been economized. There have been many inventions for this purpose, which have been most successfully applied. One of the most successful inventions was that of hot blast, in the production of pig iron, by which millions of tons of coal have been saved, and will be saved for all time. Then there is the process of using the waste gases from iron blast furnaces, by which again millions of tons have also been and will be saved, a very beautiful invention, first perfected by M. Fabre de Fourès. I remember some twenty-five years ago visiting an obscure works on the Continent, Waseralphingen, where that process, which is now so successfully established in this country, was then drawing its first faint gasps under his auspices. Then again, waste heat from reverberatory furnaces is largely utilized, so that at no well conducted iron works do you now see the production of power dependent on the barbarous use of crude coal. Then again, the dense volumes of smoke which formerly issued out of every chimney in the metropolis, no longer defile and pollute all we touch; they are now consumed and turned to profitable purpose. The saving of coal by these various means has been almost incalculable. But I cannot refrain from alluding to one of the most splendid inventions of this age. I allude to the Bessemer process, by which immense quantities of coal have been already saved, and still more will be directly and indirectly saved hereafter. It is well known that cast iron is not iron, but a combination of iron and coal, or strictly of iron and carbon. By Mr. Bessemer's invention air is blown at a high pressure through the heated metal. By that means the coal contained in the metal is got rid of, and the iron is reduced to its metallic state, so that what previously required the consumption of immense quantities of crude coal is now effected by consuming the carbon contained in the body of the metal itself. One result is that the metal thus obtained is far more durable and strong than that obtained by the method previously in use. The steel or iron thus produced has been and is being rolled into rails; and it is

within my own knowledge, that sixteen years wear can be guaranteed for them, while previously rails of the best wrought iron that could be got, did not last more than the same number of months in some positions. The saving therefore by this invention is not alone in the use of coal, but indirectly in the duration of the iron produced, which has been proved to be some twenty times greater than wrought iron of ordinary make; and it is not too much to say, that rails made by this process, which have stood the wear of our greatest stations for considerable periods, are likely to prove everlasting when laid down in ordinary positions. But savings of coal are not confined to iron making alone; they are to be found in all branches of manufacture; in one comparatively small case, that of spelter, I may mention that the same work is now done with one-fifth of the coal that was formerly used. I have known as much as 25 per cent struck off the consumption of coal by the mere alteration of the depth of the grate of a melting furnace, the work being at the same time better done. In fact it is impossible to say to what extent we may not go in economizing the use of coal, for day by day inventions are brought out for this purpose. Black smoke is the most barbarous form of waste, which it needs no chemist to appreciate; but it must not be forgotten that Providence has decreed that nothing in this world shall be destroyed or ever cease to exist. Sir, we ought to remember that the frail body which decays, the iron which rusts, the coal which burns, still exist and will exist for ever and ever, so long as this world endures; nothing ceases to be; nothing that ever was, is not, in some shape, still; the form varies, but the material element is there. So with coal. Coal when it burns undergoes two changes; the atom of carbon combines with an atom of oxygen, and produces a volatile and inflammable gas called carbonic oxide, which again, when it burns, produces intense heat, and, taking up another atom of oxygen, becomes carbonic acid, a heavy unflammable gas; but this may be again decomposed, as in the blast furnace, and in that case the original atom of carbon would again be capable of exerting its pristine vigour by producing intense heat in its reversion into carbonic acid, thus doing its work over and over again. I am well aware of, but I need not trouble the House with, the difficulties which stand in the way of such a gigantic saving as is

involved in this problem; in the blast furnace it is solved; why should it not hereafter be solved in the reverberatory furnace?

I think I have now touched upon pretty nearly every point that ought to be touched upon in dealing with this question, and I am sensible that I have done so very imperfectly and very inefficiently. [*Cries of "No, no!"*] Still I hope I have now combatted the notion that there will be a speedy end to or diminution of our supply of coal, although I may not perhaps have done so successfully. It only remains for me now to notice the Amendment to my Motion of which notice has been given. It is proposed to refer the question to the Geological Survey, or rather to the Museum of Practical Geology. I speak with very great reluctance on this point; and I do not desire to say a single word which is not highly respectful to the members of the Geological Survey. The President of that Survey, Sir Roderick Murchison, who may be said to stand on the very pinnacle of scientific fame, was one of my late father's oldest and most valued friends, and I, his son, have received nothing but kindness from that distinguished gentleman. Several other members of the Geological Survey are well known to and highly esteemed by me; and if I thought a question of this kind could be properly left in the hands of any one body of men, I know of none I should be more willing perhaps to leave it to than to the members of the Geological Survey. But I do not think that this is a question which could be left to any one body of men. It is a broad and large question, and requires the consideration of men of varied minds and varied experience, practical and commercial, as well as purely scientific. For my own part, I hope to see Lord Granville, or the Duke of Argyll, or some men of like position and ability at the head of this Commission. I should wish also to see among its members some practical coal-viewers from our extensive coal fields, as well as men of high scientific attainments. I think that if some of the members of the Geological Survey were appointed to serve upon it their appointment would be attended with much advantage to the inquiry. I should like also to see upon the Commission some one or two sound commercial men having especially a practical knowledge of the iron trade. It would, in my opinion, be highly unsatisfactory to delegate this question to any body of men holding a

particular set of views ; nor am I singular in that opinion, for I find in the *Colliery Guardian*, of the 26th May, the following passage in an article by no means complimentary in all respects to my Motion :—

“The House of Commons will probably agree to this in order to dispose of the question in the most feasible and satisfactory way ; not without hope perhaps that some valuable information and useful suggestions may thereby be obtained. Whether such expectation will be realized will depend altogether on the composition of the Commission ; for if it consist mainly of scientific men, that is, of men in the habit of talking about coal or gathering statistics of the quantity raised, used, and exported, but with no experimental knowledge of the working of coal mines—the results of its inquiries will possess little substantial value.

... If any good is to come out of the Royal Commission to inquire into the national stock of coal, the gentlemen intrusted with the task must be guided by practical knowledge rather than philanthropy or philosophy, for thus only will they be able to get at the root of the matter. ...

In conclusion, we may observe, that the colliery owners entertain no objection to the appointment of the proposed Royal Commission for inquiring into the duration of the coal supply, provided the information sought to be asked for in a proper and civil manner, and used for legitimate purposes. The respect with which they will regard the Commission, and the value which they will attach to its labours, will depend altogether on the sort of men of which it is composed.”

In that view I concur. I think the value of this Commission will depend mainly on the men who may be appointed to serve upon it, and I do trust that we may have a good sound practical mixed Commission, which will go into this question thoroughly, and if possible, set it at rest once for all, so that we may no longer be frightened out of our wits by these statements as to the probable exhaustion within a limited period of our coal fields. In conclusion, I beg to thank the House for the great kindness and patience with which they have listened to a statement, which I am well aware has extended to an unusual length, but which I have nevertheless endeavoured in every way to curtail. I beg to move the Address of which I have given notice.

Mr. LIDDELL said, that in seconding the Motion which had been so ably proposed by his hon. Friend in his comprehensive and exhaustive speech, he would take it for granted that they were all agreed upon the importance of that subject. It was a mere truism to say that the manufacturing supremacy of this country depended upon our retaining a cheap and abundant supply of coal. In treating the question he would not attempt to follow his hon. Friend who had just sat down into

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any scientific, geological, or geometrical calculations, but would content himself with making a few practical suggestions as to the course which he thought the proposed inquiry ought to take. First of all, he hoped and believed that the Government were prepared to grant a Commission of Inquiry, because he would remind the House that no small amount of apprehension had been created out of doors on the matter. Very able Members of that House on more than one occasion that Session had stated their own views upon it, and supported those views by the written opinions of others who had studied the subject closely. But the opinions of private Members and even of public writers were not to be placed in the same scale with the observations which had fallen from the leader of the House. The Chancellor of the Exchequer had not only endorsed statements made in that House, but had even gone so far as to put the probable exhaustion of our workable coal fields in the front rank of his reasons for the financial operations which he proposed with respect to the National Debt. It was unnecessary to point out that the apprehensions that had previously existed in the public mind had gained ground by the tone adopted by the Chancellor of the Exchequer ; and it was plainly the duty of the Government to grant a Commission for the purpose of showing either that the apprehension which had been excited in the public mind was well founded, or that there were no real grounds for any alarm on that subject. Indeed, his hon. Friend had gone a long way that night towards appeasing the public mind ; and representing, as he did, a large coal district, he tendered his thanks to his hon. Friend for helping to allay the apprehensions which had been created by speakers in that House and by writers out of doors. Having spoken of the dependence of our manufacturing industry upon abundant supplies of coal, he would remind the House that although by God's blessing those supplies were abundant, and although that abundance might be all but inexhaustible, yet our industry was subjected to very close and keen competition with other nations, those other nations being also coal producers and largely endowed with those invaluable resources. Any considerable rise in the price of coal might, therefore, very materially alter our position in respect to that competition and throw the balance greatly in favour of our competitors. Having himself been in com-

munication with Sir William Armstrong on that subject, he was sure the House would be glad to hear the opinion of so eminent a practical man, who had devoted a great deal of time and labour to the examination of that question, and was one of the first persons who had called public attention to it in his able address to the British Association. Sir William Armstrong said—

“I am far from thinking that the geology of the question is the only thing we require, but I do think it is the first thing we require. I am of opinion that we ought to have a complete geological coal map, showing the area, number, thickness, depth, and inclination of the various coal beds, and the extent to which they have severally been worked. When we get this fundamental information, then I say let the evidence of practical men be brought to bear upon the facts either before a Royal Commission or a Parliamentary Committee. It is difficult to get facts from those who have interests at stake, and I think we should endeavour to obtain as much independent information as possible. I therefore think that the first step should be to set the geological surveyors at work upon the subject.”

He entirely concurred in those remarks of Sir William Armstrong, and attached very great importance to the constitution of the Committee or Commission. The question to be inquired into was one of national importance, and the attention of the nation would be concentrated on the investigation. It might and probably would be that the whole trade of the country would be affected more or less by the results of the inquiry; and they must inspire public confidence both in the *bond fides* of the inquiry and in the competence of the inquirers. In order to do that it would be absolutely necessary to combine the maximum of scientific and practical knowledge with perfect independence of any particular class of views or any particular class of interests. He wanted, therefore, to see a thoroughly independent Commission dealing with the question from a national point of view, and with reference only to the national interests. There were one or two points into which it was very desirable that inquiry should be instituted. He should like to know something of the coal-producing countries of which he had spoken. He should like to know the price of coals at the pit's mouth in those different countries (he referred more particularly then to European countries), also the price at which they delivered their coals at their centres of manufacture, and likewise the price at which they delivered their coals at their respective ports

of shipment. And here he might observe that although our export of coal had been but a fraction of the whole quantity of coal raised in this country, yet it was now a largely increasing branch of industry, and one in which an immense amount of capital was invested; and in these days of free trade it was not to be supposed that a heavy export duty on coal would be advocated. Such an impost would be very unfair towards those who were engaged in the trade. His hon. Friend had only done justice to Mr. Holdsworth, a gentleman who had studied and written on the subject of the existence of coal beds under the new red sandstone. That gentleman had for thirty years held the theory of the existence of valuable coal beds at accessible depths throughout the Midland districts of this country, a theory which he had argued out by induction and proved by fact, although it had met with no inconsiderable degree of antagonism on the part of other geologists. It was not to be expected that the Government would carry on costly experiments, or make borings at great expense to the public, in order to discover the truth on that point; but he believed it would only be necessary to direct public attention to Mr. Holdsworth's views in order to stimulate that individual effort which he was convinced would not be found wanting. Whatever good results might follow these investigations, one very excellent one could not fail to ensue—namely, the attention of the public would be directed to the necessity for practising greater economy in the consumption of coal. There was still great room for improvement in the construction of furnaces and domestic fire grates, by which a smaller quantity of fuel would be used. The various ways in which coal was employed in this country had been very properly classified under three great heads; it was used for household purposes, for the production of motive power, and for the manufacture of iron and operations of that description. Was it not possible largely to economize the consumption of coal in private houses? The fire-places in our sitting-rooms and kitchens were constructed on no other principle apparently than to consume the greatest amount of coal and to give out the smallest possible amount of heat in return; and this he held did not accord with the high scientific renown of a country like England. He would now state to the House an important fact in regard to the coal used in the army. Four years ago the soldiers of the army

consumed $1\frac{1}{2}$ lb. of coal per head per day for culinary purposes; but this amount, owing to tuition and improved supervision, was reduced to $\frac{1}{2}$ lb. per day; and even upon this many regiments made a considerable saving—in some cases as much as 8 lb. per month—half of the value going to the men to form a fund to improve their rations. This was only a single item, but it was instructive, and furnished a proof of what might be done in the direction of economy. The same remark applied to the use of coal in our fire places; and when it was considered that 29,000,000 of tons were annually consumed for domestic purposes alone it was evident that there was room for considerable economy in this direction. Then as to the next head—the consumption of coal in the production of motive power. The opinion of Sir William Armstrong was decisive upon this point, for that distinguished authority had stated that the average quantity of coal expended in realizing a given effect by means of the steam engine was about thirty times greater than would be requisite with an absolutely perfect heat engine; and fully one-fourth of the whole of the coal produced was used in the production of heat for motive power. Here was another opening for the exercise of extensive economy. Every one who had been in our coal and manufacturing districts must have observed the large volumes of smoke which were hourly and daily poured forth from the chimneys of manufactories; this smoke was to a great degree wasted fuel, undeveloped heat. It had been calculated that two-thirds of the whole heating power of the coal consumed escaped undeveloped into the air, and it was to be regretted that it was not applied and used for reproductive purposes. Fuel was the mainstay of our industry, and it was to be regretted that this undeveloped heat was not employed for reproductive purposes, instead of its being allowed to destroy and deface the fair face of nature, to obscure the light of Heaven, and put the inhabitants of these districts to inconvenience and discomfort. It was no doubt a large question, and probably some of his constituents would be annoyed at the attack he had made upon them, but he should remind them that it would be economy on their part to utilize that undeveloped heat, and he had no doubt when they were fully persuaded of it, that they would cheerfully adopt it. When they considered there were a thousand blast furnaces in operation for the manufacture of iron the ques-

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tion assumed gigantic and appalling proportions. They had been told there were other substitutes for coal, such as electricity which might be applied to motive power for the purpose of locomotion, but he must remind them that for this extraordinary and almost supernatural force to act, Sir William Armstrong had stated that coal was the best and cheapest base on which to produce it. He had been surprised at the stress which had been put upon what he called the Anglo-Saxon argument; but while he had great confidence in the energy and industry of the people of this country he did not place too much reliance on that argument. Emigration was going on to a country where energy and invention had the fullest and the freest scope, and where the mineral resources were absolutely inexhaustible. He believed his hon. Friend had not overstated the resources of America, a country destined to be England's greatest, most powerful, and most zealous rival in commerce. He fully concurred in the observation that every shipload of emigrants which left these shores was so much taken away from our productive power, and so much added to the country to which they were going, and although he agreed so far with his hon. Friend the Member for Glamorgan on that point, he did not, however, concur in thinking that the Legislature would be justified in depriving the poor man of his birthright. He understood his hon. Friend to say that something should be done to stop emigration.

MR. HUSSEY VIVIAN: I simply suggested that the State should not assist emigration.

MR. LIDDELL was very glad his hon. Friend had no desire to prohibit the people of this country emigrating whenever they pleased. He did not regard the prospect of America being our competitor with alarm or envy; but he wished to point out that an advance in the price of coal would turn the scale in favour of that country. Upon these grounds he strongly urged the necessity of exercising the greatest economy possible in the use of fuel. Before sitting down he would quote two or three lines from a great authority. Dr. Buckland, in a note to a treatise on our coal supply, said—

“This highly-favoured country has been enriched with mineral treasures in the strata of coal incomparably more precious than mines of gold or silver. From these sustaining sources of industry and wealth let us help ourselves abundantly, and liberally enjoy these precious gifts of

the Creator, but let us not abuse them or, by wilful neglect and wanton waste, wholly destroy the foundations of the industry of future generations."

These were wise and weighty words, and he heartily commended them to the attention of the country.

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to issue a Royal Commission to investigate the probable quantity of Coal contained in the Coal fields of the United Kingdom, and to report on the quantity of such Coal which may be reasonably expected to be available for use :

Whether it is probable that Coal exists at workable depths under the Permian, New Red Sandstone, and other superincumbent strata :

To inquire as to the quantity of Coal at present consumed in the various branches of manufacture, for steam navigation, and for domestic purposes, as well as the quantity exported, and how far and to what extent such consumption and export may be expected to increase :

And whether there is reason to believe that Coal is wasted either by bad working or by carelessness or neglect of proper appliances for its economical consumption."—(*Mr. Hussey Vivian.*)

Mr. M'CULLAGH TORRENS moved, as an Amendment,

"That a special Report as to the extent, quality, and cost of working coal in the United Kingdom be directed to be made by the persons charged with the conduct of the Geological Survey, and that the same be laid before Parliament with the least possible delay.

Concurring as he did heartily in the views and objects of the Motion of his hon. Friend who had addressed the House on so interesting a subject as that of our coal supply, it was unnecessary for him to say that nothing was farther from his intention than to throw the slightest impediment in the way of a full and impartial inquiry into the subject. His sole object in proposing an Amendment was that being acquainted with many eminent geologists, and knowing the value of the services rendered by the Geological Department, it appeared to him that it might be mistaken by the public as a slight upon that department if it should be passed over and a new Commission instituted. He felt that the gentlemen connected with that department were the most competent to conduct the inquiry. If, however, it was the wish of the House to adopt the mode proposed by his hon. Friend the Member for Glamorganshire, he should not press his Amendment. He asked the House to remember that in constituting such a Commission as that proposed, and sending them forth to make

inquiries into what touched nearly the profits of enterprise and labour, they would raise up a certain amount of impediment and difficulty, because although men whose interests were involved might not refuse to give the information required they might in reality withhold it ; and after the Commission had made its Report they might not like to incur the responsibility of errors and oversights which subsequent information might detect. He had never expected when he came into Parliament to find himself talking on geological subjects ; but when he found a man like the hon. Member for Westminster (Mr. Stuart Mill) taking up a subject which had produced a sort of panic in the community, he considered it was his duty to look more carefully into the matter than he had ever done before, and he confessed that the inquiry which he had made had not tended to increase his faith in the unbounded fears which his hon. and gifted Friend and others seemed to entertain with reference to the short supply of coal. He knew but very little of geology, but he had taken some pains to make himself acquainted with the history of industry, and he knew nothing more deteriorating and demoralizing to a great industrial community than to be easily alarmed by panics of this kind. He did not believe it was well for a community to be bewitched into believing that their resources were about to be exhausted by vague surmises or unprovable calculations. It would be impossible for the House of Commons, after being told by the Chancellor of the Exchequer that it would be necessary in the face of the prospective exhaustion of their coal supply to submit to additional taxation in order to diminish the burden of the National Debt, it would be impossible to avoid making the proposed inquiry. But pending that inquiry, he trusted the nation would not feel less confidence in the resources than they did at present. One of two things must be true—either what the hon. Member for Glamorganshire had endeavoured to prove, namely, that there was no danger of the exhaustion of the coal fields, or that the mineral resources of the country would eventually become not suddenly exhausted—that was out of the question—but that the price of coal would rise some 7s. or 8s. a ton. Mere cheapness of raw material had never been the true foundation of any great or lasting branch of industry, and still less was it correct to assume that

the possession of the supply of the raw material within our own confines, was indispensable to our commercial independence or our pre-eminence in trade. What had been our experience with regard to the first of all industrial necessities, food? Thirty years ago, for a population of 17,000,000, we grew at home about 16,000,000 quarters of corn and 1,000,000 we imported. The orthodox creed of politicians at that time was, that if we ever came to rely on foreign wheat to any considerable extent, our land would go out of cultivation, our agriculture would be ruined, and our people would starve. Well, what has happened? Regardless of all the political prophets, hon. and right hon. of the day, we resolved not to depend upon native food alone, but to buy it wherever we could get it and to encourage its use without stint. Has agriculture perished, have wages fallen, have the profit of industry declined? Why, it has come to this, that we grow abroad one-third of the corn requisite for our daily bread, and nobody ever dreams of our lacking as much as we want while we have industry to earn money enough to pay for it. He defied any one to show that a moderate increase in the cost of obtaining any primary element of industrial life had ever tended to anything but the moral improvement of the community, and to thrift and economy. Enhanced cost implied and entailed something very different from mere mischief. Gradually increasing and wisely adapted it was the weight on the valve which regulated the power of the engine. In a certain sense he agreed with the statement that the danger of the country lay chiefly in the loss of labour; but it should be remembered that forty years ago the House had been terrified by the anticipated increase of the population, and the tendency of legislation then was against the morality and comfort of the people, for fear they should increase too rapidly. He hoped the Government would consent to an inquiry, whatever form that inquiry might assume, and he would add that to be effective it must be thorough and impartial, and above all there should be no parsimony with regard to the means placed at the disposal of the Commission to whom plenty of time should be given, and the House should withhold its hand from legislation until the Report of the Commission was received.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a

Mr. M'Cullagh Torrens

Special Report as to the extent, quality, and cost of working Coal in the United Kingdom be directed to be made by the persons charged with the conduct of the Geological Survey, and that the same be laid before Parliament with the least possible delay,"—(*Mr. M'Cullagh Torrens*),

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

SIR GEORGE GREY: I think it is impossible to overrate the importance of the question which has been brought before the House this evening with so much knowledge and ability by my hon. Friend the Member for Glamorganshire (*Mr. Hussey Vivian*). My hon. Friend proposes that we should address the Crown for the appointment of a Commission of Inquiry, in order to obtain accurate information with reference to a subject of the greatest national interest. Independently of the immense advantages which we enjoy from the possession of coal in this country, as regards the comfort and health of every class of the community, it is impossible to doubt, even making every allowance for that national energy and Saxon character to which hon. Gentlemen has referred, and independently of the possibility of our obtaining fuel from other countries, that the growth and even the existence of the manufactures and the commercial prosperity and greatness of this Empire depends in a great degree on our continued possession of coal at such a depth as to make it available for the various purposes to which we now apply it; and, therefore, the Government felt the importance of the inquiry asked for by my hon. Friend, and are fully prepared to concur in the spirit, and substantially in the terms, of my hon. Friend's Motion with the view of obtaining the best information that can be procured on the subject. The only question in dispute, if dispute I can call it, after what has fallen from my hon. Friend, might be as to the means and agencies by which that inquiry should be conducted. The hon. Member for Glamorganshire has addressed a most interesting speech to the House, showing an intimate knowledge of all the details of this question, and containing suggestions well worthy of the consideration of the House and the country. To follow him through those details would require a knowledge which I do not possess; but even were I capable of the task, I think it would be undesirable that I should enter into topics which, after all, are merely matters of

opinion, inasmuch as, with our present information, we are not competent to come to a conclusion on the subject, whether we take the more hopeful view of my hon. Friend, as to the supply of coal, or the less sanguine one entertained by other Gentlemen. I take it that the object of the present Motion is to enable the House to obtain the means of arriving at a definite opinion on the subject; for my hon. Friend proposes that the Commission should inquire on four principal points. The first duty which he proposes to intrust to the Commission is—

“To investigate the probable quantity of coal contained in the coal fields of Great Britain, and to report on the quantity of such coal which may be reasonably expected to be available for use.”

That is a point on which I believe a great deal of accurate information may be obtained; but even if approximate information could be obtained as to the amount of coal in existing coal fields, I think much advantage may be derived from the inquiry. The second branch of the inquiry proposed to be intrusted to the Commission is as to—

“Whether it is probable that coal exists at workable depths under the Permian, new red sandstone, and other superincumbent strata, and whether the Commission would recommend that bore holes should be sunk in any and what localities.”

I think that is a point on which it will be far more difficult to obtain the same amount of information as is likely to be collected on the first point. To a certain extent, my hon. Friend has shown that information may be obtained, and that experiments have been successfully made proving that by probing these superincumbent strata coal could be found that might be worked; but when my hon. Friend states his opinion that coal is to be found in every part of the country, even under the chalk formation in the South of England, I doubt very much that information can be got to establish that proposition on certain data. It is important, however, that there should be inquiry on the point, in order that we may obtain all the knowledge which can be derived on it; and I hope the result will be to show that the alarm felt in some quarters as to our future supply of coal is an exaggerated alarm, and that there are stores not yet ascertained which may be made available for their use. With regard to the inquiry as to the consumption of coal, I do not apprehend that there will be any difficulty in obtaining accurate infor-

mation. The annual statistics published by the Geological Survey contain full information on that subject, both with respect to the consumption and exportation of coal; and if hon. Gentlemen refer to the volumes on “mineral statistics,” they will find accurate details on that subject. The last branch of the inquiry suggested by my hon. Friend is—

“Whether there is reason to believe that coal is wasted either by bad working or by carelessness or neglect of proper appliances for its economical consumption, and whether the Commission would recommend legislation with a view to avoid such waste.”

I think it would not be desirable to adopt words of reference which might pledge the House to legislation for preventing persons from making use of particular modes of working or for obliging them to avoid the waste of coal; but I trust that the Report of the Commission will have its due effect with the public without any compulsory legislation in the direction which the last words of the Resolution might seem to indicate. I have, therefore, proposed to my hon. Friend, and I believe he is prepared to adopt my suggestion, to strike out the words “and whether they would recommend legislation with a view to avoid such waste.” There is only one matter in respect of which I would qualify what I have just said about legislation, and that is the consumption of smoke. I stated an opinion this Session, when the Motion of my right hon. Friend the Member for Tamworth (Sir Robert Peel) was before the House, which opinion, I think, has been borne out by some papers recently laid upon the table of the House. I said that there is in existence a law applying to almost every large town, the provisions of which would tend to check the nuisance arising from the non-consumption of smoke; but I then promised that the subject should be further considered by the Government with a view to the introduction of a Bill which would be directed not so much to making the existing law more stringent as to affording additional facilities for enforcing it. A Bill on the subject has been prepared and stands for a second reading to-night. That Bill it is proposed to refer to a Select Committee, and if it should receive the sanction of the House it will, I hope, promote the abatement of this nuisance, while I believe it will, at the same time, benefit those who now dread the expense that they apprehend would be incurred in the consumption of

smoke. And now I wish to say a few words with regard to the mode in which this inquiry is to be conducted. When I was questioned on this subject a few weeks ago, I told the House that I thought the Geological Survey Department could obtain full information with respect to it, and immediately afterwards I placed myself in communication with Sir Roderick Murchison in order to ascertain how far that department could be made available to attain the object in view. I inquired of him whether such information as to the quantity of coal which might be made available for future use could be furnished either by their ordinary mode of proceeding or by a special inquiry to be instituted by the department. Sir Roderick told me he thought that a special inquiry could be made by the department with a view of estimating the amount of coal available for future use, and that a fair approximate idea might be given of the probable duration of the supply of coals at the present rate of consumption. He added, however, that if such an inquiry was instituted the services of a good many members of the Survey Department would be required for a period probably of eighteen months, and at an expenditure of about £5,000. I need not speak in this House of the very high scientific attainments of Sir Roderick Murchison, who is one of the first geologists of the day. I think that the inquiry would have been efficiently conducted by the Geological Survey Department; but on communicating with the Department of Science and Art of the Privy Council, I found it was the opinion of that body that it would be impossible to confine the inquiry exclusively to the Geological Survey Department without employing for an inconvenient length of time a number of their ablest officers, and they thought this would not be expedient as it would delay the completion of the Geological Survey of Great Britain. The Government therefore thought it would be advisable to associate with the chief members of the Geological Survey Department men of practical knowledge and experience in the working of mines and great manufacturing operations, especially as the inquiry is not to be confined to the supply of coal, but to extend to its consumption. The conclusion we have arrived at is, that it will be right to accede to the Motion of my hon. Friend in the terms in which he has now proposed it, subject to the few Amendments to which he has consented at the suggestion of the

Sir George Grey

Government. The inquiry will be confided to a mixed body of men of the highest scientific attainments, some of them gentlemen connected with the Geological Survey Department, including, I hope, Sir Roderick Murchison. I believe that that inquiry will be conducted with ability and impartiality, and the result, I trust, will be satisfactory to the country, and will give us the means of forming a far more accurate opinion than we can at present with regard to this important subject.

SIR ROBERT PEEL: I do not wish to detain the House for more than two or three minutes, but as a Friend of mine on the opposite side of the House has drawn attention to the smoke nuisance in the early part of the present Session, I wish to express to the Government the thanks, I may say, of the community, for having taken up the subject in the manner they have done. There is a Bill on the subject which stands for a second reading to-night, and perhaps now no one will prevent the Bill passing that stage in order that it may go through Committee and pass the House of Lords during the present Session. I believe that that Bill will have a considerable effect in preventing the nuisance. I listened to a great portion of the speech of the hon. Member for Glamorganshire, and certainly the ability he displayed, and the information he laid before the House, merit at our hands the warmest commendation. But I must say that before my hon. Friend placed his notice on the paper, I was inclined to concur with the Home Secretary and the Amendment moved by the hon. Member below the gangway that it would be better to leave this matter in the hands of the Department paid by the State for the purpose of supplying information to the public on questions affecting the geological survey of the country; and I believe I speak the opinion of Sir Roderick Murchison, with whom I have conferred on the subject, that that department does feel a little slighted in being passed over in a matter of this kind. At the same time, as the Home Secretary has stated that we shall have on this Commission the advantage of the opinion and services of Sir Roderick Murchison, I think nothing will be lost, and, if Sir Roderick has consented to serve on the Commission, great advantages will also result from associating with him men who, like my hon. Friend near me, possess a really practical knowledge of the subject. The attention of Parliament has been called a

good deal to this question lately by the hon. Member for Westminster, the right hon. Gentleman the Chancellor of the Exchequer, and other hon. Members. My hon. Friend near me stated his belief that there was a vast quantity of coal which had not yet been touched, lying at a depth below any working at present in force. Now, I believe with him that it would be possible to arrive at the working of that coal in a manner that would be serviceable to the country. Whether that is possible or not, however, will be ascertained by the Commission which my hon. Friend has obtained from the Government. I hope that the Commission will commence their labours without loss of time, and that they will have full powers to obtain all the information which my hon. Friend desires. I am quite sure that the result of that Commission will be to assure the country that there is no danger whatever from the exhaustion of the supply of coal, and that it will at the same time draw public attention to the necessity of making use of all the advantages supplied by science for economizing that supply, and rendering it available to the country.

SIR GEORGE BOWYER said, that the House and the country owed a deep debt of gratitude to the hon. Member for Glamorganshire for the very lucid and able speech which he had addressed to the House on this important subject. He hoped it would tend to allay the alarm created in the country by the Chancellor of the Exchequer, and on which the right hon. Gentleman had founded his proposals for reducing the National Debt. Those proposals reminded him (Sir George Bowyer) of the schoolboy, who, on hearing what a dreadful thing the National Debt was, said he would cheerfully give half his pocket money towards its reduction. The inquiries instituted by the Commission might lead to extremely useful results; but, at the same time, he regretted that the Secretary of State seemed to exclude from the labours of the Commission the interesting subject of the supposed existence of coal under a new formation.

SIR GEORGE GREY said, that would not be excluded, but would, on the contrary, form an important branch of the inquiry.

SIR GEORGE BOWYER said, he was glad to hear that statement. With regard to the consumption of coal, he had been informed that in the smelting of iron processes had been discovered by which half

of the fuel was economized, and he had no doubt that if scientific men applied their minds to the subject, means might be found of economizing coal in all the processes of manufactures. If hon. Gentlemen would go to the spot where the new Foreign Office was being erected, they might see a steam engine at work constructed on a new principle, by which more than half the fuel was saved. The foreman of the works had informed him that in ten hours the cost of the fuel was only 3s. 6d., instead of, as formerly, 12s. That formed an instance of the extraordinary extent to which coal could be economized. And when such results were obtained by the adaptation of modern discoveries, it was fair to presume that scientific research would be fruitful in the future also, and that coal would be economized to a still greater extent than it was possible to economize it at present. On this account, he was of opinion that the fears of the Chancellor of the Exchequer on this subject were not deserving of much attention; and none, he was sure, would be quicker in coming to that conclusion than the right hon. Gentleman himself.

MR. BAZLEY, in behalf of his manufacturing constituents, begged to thank the hon. Member for Glamorganshire (Mr. Hussey Vivian) for his able and interesting speech. He also thanked the Government for so readily acceding to the Motion which had been made, and he hoped that the Commission would be unrestricted in its action. Coal, in his opinion, was essential to England's existence as a commercial nation; of the whole consumption, one-fourth was for manufacturing purposes. The hon. Member had set down the value of the coal consumed at £24,000,000, but he suggested that the value should be estimated from the price paid by the consumer, instead of the price at the pit's mouth. In that case the sum would be much greater. [Mr. HUSSEY VIVIAN: Hear, hear!] It had been elicited in the course of the discussion that the general opinion was in favour of the presumption that our coal supply would not become exhausted in so short a time as a century. Indeed, a lease of six centuries had been given us, and probably a little more examination of the question would result in the conclusion that we might count on several more centuries' grace in the matter of our coal supply. He congratulated the Government on giving their attention to so important and economical a question.

MR. SAMUELSON supported the Amendment which had been proposed by the hon. Member for Finsbury on the ground that the plans prepared by those conducting the geological survey were the only trustworthy foundation for any inquiries upon the subject to go upon. The very terms of the Motion of the hon. Member for Glamorganshire showed that the inquiries he proposed to have made were inseparably connected with the business of the geological surveyors. The Commissioners, too, would have to extend their inquiries over such a long series of years before they could arrive at conclusions satisfactory to themselves that it might be fairly assumed that the Commission, if appointed, must necessarily be a permanent one. This would be evident when it was recollected that to bore to a depth of 4,000 feet, a depth which the hon. Member deemed insufficient, would require at least four years. He was therefore of opinion that if the inquiries were not conducted by a Government Department the Commission should work in close connection with a Government Department, so that the House could be informed from time to time as new facts were brought to light. Otherwise nothing practical would be accomplished. He agreed with the Secretary of State for the Home Department that the Legislature should only interfere to prevent waste when it became a nuisance. And as for the waste of small coal, that waste no longer existed now; formerly people preferred buying large coal to carrying the small away; but since the price of coal had risen, not only had the small coal ceased to accumulate, but even the old "spoil heaps" had been removed and converted into coke. He could bear testimony to the great saving which had been effected in the cost of iron manufacture. He was now producing with 100,000 tons of coal the same quantity of iron which formerly required 200,000 tons of coal to produce. But it was not necessary to employ a Royal Commission to teach his neighbours how to do likewise. They would find that out for themselves, and if they did not follow the same course they would doubtless have good reason for not doing so.

COLONEL SYKES thought, that since only a fixed quantity of coal existed, it was a fair subject for inquiry as to what that quantity was. The time must, of course, come when our coal fields would be exhausted, and the real question was when

— whether within 100 or 1,000 years. He had heard Dr. Buckland say that our coal would last 3,000 years, and now it was said that they were to be exhausted in a century or two. The matter was altogether one of speculation. We might be able to come to some conclusion if geological strata were transparent; but as it was, we were quite in the dark. But why should we go to the expense of a Commission when the Geological Department could in three or four months give the practical results of the facts which it had recorded during the last twenty-five years. To appoint a Commission in the first instance would be to overlook a department which had received the approbation of Europe for its labours; and he therefore hoped the hon. Member for Finsbury would divide the House.

MR. PEASE, who did not attribute to the Chancellor of the Exchequer any panic-stricken alarm on this subject, but gave him credit for availing himself of an opportunity to appropriate a surplus towards the repayment of the National Debt, was glad to receive the promise of a Commission, because he believed that no other step would have satisfied the House and the public. He believed that the improvement of machinery would enable them to reach any necessary depth, and said that experiments in Cornish mines had proved that beyond a certain point heat did not increase with the increase of depth. The real question was one of wages and the price of labour here and in other countries; but economy of working was also an important consideration; and he could name a place where a consumption of $2\frac{1}{2}$ lb. of coal per hour was doing the work formerly done by 16 lb. or 17 lb., and a large establishment that burnt hundreds of tons of coal into coke without producing as much smoke as escaped from the flue which ventilated that House. The two questions of economy and wages would establish the duration of our coal fields; but, at the same time, it would be useful to have the information which a Commission would obtain.

THE CHANCELLOR OF THE EXCHEQUER: I desire to say a few words before the debate comes to a close, because the hon. Baronet the Member for Dundalk (Sir George Bowyer) has evidently misapprehended a good deal of what I have said. My hon. Friend the Member for Glamorganshire (Mr. Hussey Vivian) represented with accuracy the position I have taken. It is that there was a certain amount of apprehension and presumption,

Mr. Bazley

which I did not endeavour to define, and which I could not now endeavour to define, not at all that we should see the exhaustion of our coal, but that we may find ourselves in a position in which it would not be possible to produce an unlimited quantity without a serious advance in price. That is a proposition very different from that which the hon. Baronet has stated. With respect to the exhaustion of our coal, I am not aware that any scientific or other persons has ever looked forward to anything that would correspond literally with that description. There has been undoubtedly a belief that certain physical obstacles would amount to an absolute bar to access to that coal; and if that were so, in its practical results that would be almost equivalent to exhaustion. The hon. Member for Glamorganshire, in his interesting and able speech, sought to show that there need be no apprehension of insurmountable physical obstacles. The question of cost, into which he has entered largely, is one of an entirely distinct character, and of the greatest interest; and it would be great presumption in me to give an opinion upon what has fallen from a gentleman who is so high an authority. I confess it appeared to me that his tone was rather sanguine as to the increased cost of working deep mines. This is clearly one of the questions which may be very well referred to a Commission; and the fact that such a question is involved appears to furnish a conclusive answer to those who would contend that this inquiry should be left exclusively to the department which now, on the part of the Government, discharges so admirably such important functions. That department is a scientific department. It seems to me that there is a certain amount of distinction between the positions of scientific and of practical men on this subject. Among scientific men, the great tendency is to alarm with reference to the approach—not of utter exhaustion, but, at any rate, of scarcity and consequent dearth of coal. As far as I am aware that alarm has not to an equal degree taken possession of the minds of practical men—that is, of the manufacturers, who are so dependent upon the unlimited production of cheap coal, and of those who are acquainted with all the details and difficulties of the coal business. I think it would probably be very good for both men of science and of practice that they should meet in a Commission of this kind, and there, in close

contact, compare their views. I do not believe a Commission can report with certainty upon a question of this nature; but, as sensible men, we ought to be satisfied with the best evidence obtainable. I will say a word on the question of the waste of coal. Reference has been made to the odious and offensive waste of coal which takes place in the form of smoke. On that branch of the subject there are a thousand social reasons, quite apart from economical reasons, why Parliament should make it an object of policy to restrict that kind of waste. But, no doubt, the waste of coal in itself is a great mischief, in the destruction of power without profit which it causes; and this Commission will have a valuable result if it should bring home to the minds of men methods by which that waste may be prevented, an information at present known only to a few, and if by thus throwing our knowledge into a common stock, we should appreciate better the full value of the treasure we possess. It appears to be thought by some that by stopping the waste of coal in manufactures we are likely to retard its consumption. But that, I think, is a doubtful matter. Probably there are cases in which the restraint of waste will retard consumption, but in perhaps the great majority of cases the effectual application of the power which coal contains is more likely to accelerate than retard consumption, because by cheapening the production of all those things of which coal is the principal factor, you will extend the demand, and thus increase the consumption of coal in producing those articles. Of course there can be no universal rule applicable to such a subject, but, undoubtedly, as a general rule, when a greater quantity of a particular commodity can be obtained for the same sum as before, more money is expended upon it; and it is perfectly possible, therefore, or even probable, that the economy of coal may result not in a slower, but a more rapid consumption of coal. Not that this is a reason for preventing waste, because a consumption accelerated in that way would naturally be attended with greater use and benefit to the community. A desire has been expressed by some Gentlemen that the Commission should be a body of a permanent character. Now I cannot think that we want such a body in relation to this subject, except the body which we have already. No doubt, as regards the statistics and details of scientific research and the comparison of the results

of experience from year to year, with anticipations previously formed, it would be always desirable to have a body who should supply us with that information. But that is not the object of the Commission now to be appointed. The Commission has a much more extended object before it. It is to bring together different views of the subject—the scientific, the economical, and commercial views—and to collect into one focus all the experience of the past, and all the information which the present can yield. That is a function which eminently belongs to somebody appointed for the purpose, and it is a function which could not be adequately discharged by the scientific researches and labours of those gentlemen whose services we have at command. They are not in the least qualified by virtue of their scientific knowledge to enter with any peculiar advantage upon those vital branches of the question to which my hon. Friend (Mr. Hussey Vivian) devoted a large portion of his speech. The economical management, and the waste of coal, the probable addition to the cost of deep workings, and the prospects of the labour market—these are questions as to which we have no right to expect a solution from a scientific body, and must seek for information on those subjects from those whose experience and knowledge best qualify them to supply it. I think, therefore, that the Government have taken the only course which they could take in acceding cheerfully to the appointment of the Commission, and I entirely join with those hon. Members who have expressed their gratitude to my hon. Friend for the valuable contribution he has made this evening to the aggregate of knowledge upon this subject. It has happened that the less favourable view has been ably and prominently argued, and brought to the minds of the people; and it was quite time that the more sanguine view of my hon. Friend should be likewise placed in the prominent position which it will now occupy. As to the apprehension expressed by my hon. Friend of possible danger from an increased rate of wages, it appears to me that any inconvenience or danger arising from this cause ought to be regarded without any great alarm, and that we ought rather to welcome such a result, because in every instance it is accompanied by a more than compensating share of good. It is a result which implies the increasing share of the labourer in the reward of his skill and industry; it is a result which implies his ascent in the social scale,

The Chancellor of the Exchequer

and it is almost impossible that that increase of wages should ever be illegitimate in its character, because the moment it reaches a point beyond that which natural, social, and economical laws justify, that moment the demand for labour ceases, and the evil corrects itself. The subject of the increase of wages is one among those points which, I think, upon the whole, we may be content to contemplate with satisfaction and pleasure.

Amendment, by leave, *withdrawn*.

Main Question put, and *agreed to*.

Resolved, That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to issue a Royal Commission to investigate the probable quantity of Coal contained in the Coal fields of the United Kingdom, and to report on the quantity of such Coal which may be reasonably expected to be available for use:

Whether it is probable that Coal exists at workable depths under the Permian, New Red Sandstone, and other superincumbent strata:

To inquire as to the quantity of Coal at present consumed in the various branches of manufacture, for steam navigation, and for domestic purposes, as well as the quantity exported, and how far and to what extent such consumption and export may be expected to increase:

And whether there is reason to believe that Coal is wasted either by bad working or by carelessness or neglect of proper appliances for its economical consumption.”—(Mr. Hussey Vivian.)

NEWHAVEN HARBOUR OF REFUGE.

MOTION FOR A SELECT COMMITTEE.

MR. MELLER moved for a Select Committee to consider the importance of ereating a harbour of refuge at Newhaven. The united testimony of naval officers, pilots, and engineers, the latter including the names of Cubitt and Rennie, was in favour of the harbour of refuge at Newhaven. Besides the general reasons for harbours of refuge there were special reasons why there should be one at Newhaven. It was on the great highway of our trade to the colonies, and just between the mouth of the Thames and Falmouth. There was not a harbour of refuge which could be used by a vessel of large tonnage. From the conformation of the coast at Newhaven it was peculiarly suited for a harbour of refuge, and there would be a depth of fifty-four feet of water at the mouth of any such harbour. Large sums had been expended on other harbours during the last six years, but nothing had been done for Newhaven. Captain Washington, in 1857, reported that lying as it did half way between Spithead and the

Downs it was most suited as a refuge. It had a well-sheltered anchorage, and had nineteen feet high of tide. The Government Commissioners had directed their attention to it, and the Emperor of the French had, with his usual acumen, sent two Commissioners to examine Newhaven with the view of making it a harbour of refuge for Dieppe. It was said that Dover was a harbour of refuge, and that there was no need for constructing another at Newhaven. The fact was that Dover could not afford accommodation for a fleet of merchantmen, and there being but twelve feet of water at the entrance, vessels of large draught could not make it available. An objection was offered to this proposal on the ground of expense, but the House was not asked to pledge itself to any expenditure, but only to appoint a Select Committee to examine the subject. Besides, Captain Roberts had reported that a guarantee of 4 per cent on the expenditure from the Government would enable the harbour to be constructed, and that, owing to the harbour deed, it would probably cost the country nothing. The hon. Member for Lewes (Mr. Brand) stated that Captain Roberts had underrated the traffic which the harbour would bring with it, and that the Government ought to give a guarantee. Surely something ought to be done to render it a refuge available in time of war. There was another objection, that with the modern guns of long range the harbour would be within reach of the enemy. But it had been pointed out how it could be protected. It might be said that Parliament had not acted upon the reports issued in favour of the harbour, but this was a new Parliament, and if former Parliaments did not deem it necessary to take steps to protect the coast, this was not a precedent for the present Parliament.

Motion made, and Question proposed,

"That a Select Committee be appointed to consider the importance of creating a Harbour of Refuge at Newhaven."—(Mr. Meller.)

MR. MILNER GIBSON said, that it would have been better if a proposal relating only to one particular place had been introduced as a Private Bill, when it would have been investigated in the ordinary way. It was not usual in the House of Commons to appoint a Select Committee to inquire whether a particular harbour could be improved. An attempt had been made this year to deal with the question by a Private Bill. The Bill was introduced and fell

through on Standing Orders, and now that the promoters had unfortunately failed they applied to the House for a Select Committee to consider the merits of their particular undertaking. Were the House to grant a Committee in the case of Newhaven similar inquiries would have to be granted in every other case where a seaport required its harbour improved, and the result would be that nearly every bay on the coast of the United Kingdom would make out a good case for constructing breakwaters and other extensive works for the protection of the passing shipping. No doubt, if a Committee were to inquire into the case of Newhaven, they would report that vessels could anchor there safely during eastern gales, and that if proper works were erected it would make an admirable harbour. He must remind the hon. Gentleman that the local authorities at Newhaven had already greatly improved their harbour under the provisions of the "Passing Tolls and Harbour Act," and probably when the works were completed the harbour would be fit for the reception of large vessels. If Parliament were to enter into the general question of harbours of refuge, they would probably be inclined to adopt the recommendations of the Royal Commission which sat some few years ago to inquire into the subject, and among the places selected by the Commission as suitable for being made into harbours of refuge, Newhaven was not included. He trusted that the hon. Gentleman would withdraw his Motion.

MR. MELLER, while withdrawing his Motion, thought that a great country like England should not permit her southern coast to be without a harbour of refuge.

Motion, by leave, *withdrawn*.

LANDLORD AND TENANT (IRELAND)

BILL.—LEAVE.—FIRST READING.

SIR COLMAN O'LOGHLEN, in moving for leave to introduce a Bill to regulate and improve the Tenure of Land in Ireland between Landlord and Tenant, explained that the measure would not in any way interfere with the Government Bill bearing a somewhat similar title. The Bill proposed to do away with the present short and uncertain tenures customary in Ireland, and to introduce in their place a system of written agreements and leases for twenty-one years. He only desired to have the

Bill printed, in order that it might be fully discussed next Session.

Motion agreed to.

Bill to regulate and improve the Tenure of Land in Ireland between Landlord and Tenant, ordered to be brought in by Sir COLMAN O'LOGHLEN and Mr. GREGORY.

Bill presented, and read the first time. [Bill 190.]

POOR REMOVAL (IRELAND.)

RESOLUTION.

MR. M. MORRIS rose to call the attention of the House to the state of the law of removal from Great Britain to Ireland of persons receiving relief, and to the injustice of maintaining a system which was applicable in favour of Great Britain only. The hon. Gentleman contended that the present law was one of injustice to Ireland; that there was no reciprocity in it between Ireland and the sister countries. The law which commenced in the reign of Queen Anne was amended by the 8 & 9 *Vict.* c. 117, which contained various provisions in reference to parts in Ireland where paupers were to be removed. It was surely a great injustice that a female who left Ireland in her childhood and married and settled in England could be removed, if her husband died and she became destitute, to a country which she had long left, and where she had no friends. It was unnatural, also, that children over sixteen years of age, if they applied for relief, could be taken from their parents and conveyed as prisoners to Ireland. In the last Report of the Irish Poor Law Commissioners instances were given of the hardship which was occasioned by the transfer of paupers from England to Ireland, and some of them read more like sensation novels than facts. He would only mention two cases. On the 6th of January in the present year Elizabeth Finn and her four children were removed from Toxteth Park union to Wexford under the plea of desertion by her husband, who had merely gone in search of work. She was forcibly removed, officers of justice attending her as if she had been a culprit, and prepared to handcuff her if she resisted. Her husband on returning home was of course surprised to find his family taken away. He naturally wrote for them, and they came back to Lancashire. The other case to which he would refer was that of Mary Barry, who with her two children were removed from Westminster to Limerick on the 9th of

Sir Colman O'Loghlen

November last year. She was twenty-eight years of age, and had lived for sixteen years in one employment in London. Her husband having left her in search of work, she was taken from the workhouse, put into a cab, driven to St. Katharine's Wharf, and thence despatched to Limerick, the place of her nativity. Her husband, on his return, wrote to her, expressing his surprise and indignation at such proceedings, and his hope that the guardians of the Limerick union would send her back, as he had plenty of employment and was able to maintain her. It was monstrous that such arbitrary acts could be committed under the pretence of desertion, for to constitute desertion, as had been laid down by so eminent an authority as Chief Justice Erle, a man must have left his wife without reasonable probability of returning. The report from which he had taken these cases stated that an additional impulse had been given to these removals by the recent reduction of the term of irremovability from three years to one year, and it urged that such an interference with the liberty of the subject, which was unknown in any other country of Europe, should be abolished. In the case of Ireland there was an especial grievance, for under the Poor Law of that country persons were entitled to relief in the place where they became destitute, and many soldiers' wives and other persons who went to live in Ireland received relief under this provision. The law in Scotland was similar to that in England, so that Ireland enjoyed no reciprocity in the matter. An Act had been passed in the reign of Her Majesty making provision for the removal of paupers from England to Scotland, and from Scotland to England, and from both to Ireland, but there was not a word about their removal from Ireland to either England or Scotland. That reminded him of the triangular duel in *Mr. Midshipman Easy*, in which one of the combatants found that the pistols of the two others were levelled at him. At present a residence of one year in a particular union was required to insure irremovability, so that if a person had resided forty years in England in the same place, if he changed his union and applied for relief, he might be removed, and even handcuffed, if he could not show that he had resided in the union from which he sought relief for twelve months. That was a monstrous state of things. There was a Mr. Frost, living in Wapping, who had formed a dépôt for

the export of paupers to Ireland, and the report which he had in his hand was full of attempts to make the agents of this man Frost amenable to the law, which inflicted the mild penalty of £10 in case the person in charge of the pauper deserted him while taking him over. He (Mr. M. Morris) objected to the system as an unnatural one, and as having no reciprocity. When the late Mr. Herbert brought in a Bill to enable Irish Boards of Guardians to deport English paupers to this country, the House of Commons would not sanction it, and very justly, for justice and common sense would say that these poor people ought not to be removed from places where they had lived all their lives to other places where, perhaps, they knew nobody, and nobody knew them. In conclusion, he begged to move that, in the opinion of this House, this was a question that ought to receive the immediate consideration of Her Majesty's Government.

Motion made, and Question proposed,

"That the state of the Law of Removal from Great Britain to Ireland of persons receiving relief is a subject deserving the consideration of Parliament."—(Mr. Michael Morris.)

MR. C. P. VILLIERS hoped the hon. and learned Gentleman would excuse him for not entering fully, at that late hour, into the subject which he had brought forward, which was certainly nothing less than the whole law of settlement and removal; because the hon. Gentleman had argued against the operation of that law as it had existed in this country, and as it had acted indirectly upon Ireland, and the arguments that he had used against the policy of that law were as applicable to England as to Ireland. ["No, no!"] The hon. Gentleman has been arguing against the hardship of removing people from places where they have been living and employed, to places where they have no friends, and are not wanted, and so far the hardship is the same, whether the persons removed are English or Irish. The hon. and learned Gentleman is perhaps under the disadvantage of not having had a seat before in this House; because if he had he would have known how old a grievance this law has been, and with what prejudice and opposition anybody has had to contend who has attempted to alter a law which had lasted for two centuries. The hon. Gentleman would also have acknowledged that this subject had received peculiar attention of late years; as it had applied to Ireland it had

most certainly not been unattended to by Irish Members any more than by the Government. During the last five or six years there had hardly been a year in which this question had not arrested the attention of the Government, and some mitigation of the hardships of removal had not been effected. When I became connected with the Poor Law Board, the state of the law was such that any Irish poor person who could not prove that he had lived consecutively for five years in the parish at which he applied for relief, and never had been chargeable, was liable to be removed not to any specified place in his own country, but to any part of the coast of Ireland. That had struck him as, doubtless it was, a very great hardship, and yet he was assured that his predecessors had made great efforts to change the law, and the hon. Member for Cork had been most zealous and assiduous in his endeavours to procure a change, and had often brought the subject before the House; and he could say truly, that he had been much assisted by that hon. Gentleman in effecting the change that was made three years ago, and which provided that any person who had lived three years independently in any part of the union could not be removed, and when removable, he could then be sent only to a place where he was known or where he had been born. The arrangement then was that the paupers were to be left in the union of the port where they were landed, and that union was to be reimbursed by the removing parish in England for any expense incurred in conveying them to their destinations. Some evil was found to be attendant on that course in the following year, and in consequence he had introduced a Bill, which was carried, providing, that, if any union removed any poor Irish person, that they should employ an agent to convey him to the place of his destination, so that he might be certain to reach it. So far, the intention of Parliament, in rendering the law more humane, was clear. The hon. Gentleman, however, considers that he has reason to complain of the manner in which the law has been carried out, and has reflected severely upon the conduct of the agent who has been employed by the London unions for this purpose, and who has a dépôt in London for the reception of paupers to be removed. The hon. Member points to particular cases where there has been misconduct in this respect. He knew that there had been

such cases, and he had done the same as he had done in every other case, wherever they were brought under his notice, in directing the fullest inquiry to be promptly made in the matter. The hon. Gentleman would see that the person charged had been prosecuted for deserting a pauper and convicted, and not being able to pay the penalty he had been imprisoned. So far, the law would have been operative, he hoped, had the circumstances continued the same; but the hon. Gentleman has referred to, and is therefore acquainted with, a recent enactment called the Union Chargeability Act, by which the position of the Irish poor had been greatly improved, and at present any poor person who had lived only one year in any union could not be removed, and if in want, must be relieved. Had such a measure been proposed before, it would have failed; but, by previous legislation, it had been found practicable, and I believe its real effect will be to put an end to the removal of the Irish poor altogether. The hon. Gentleman had been misinformed as to the mode in which he thought that Act would operate harshly to the prejudice of the poor. He doubted whether any sufficient experience had yet been obtained of its operation, or that any return could yet have been given of the removals, if any, that had occurred under it; for, as he had said, he believed that the effect of the Act, both by facilitating the means of obtaining the status of irremovability and by the requirements of the law in the mode of the removals, would be to abolish the system of removal altogether. If the poor even returned again to this country, and lived a year in a union without being chargeable, they would alike be still irremovable. The hon. Gentleman must now have a little patience. The improvement had been gradual but certain during the last few years. Not twelve years ago 10,000 Irish paupers had been removed from Liverpool alone to Ireland in one year, and last year he doubted if there had been 100, and throughout the whole country there had been a great change of system, and the number of removals were greatly reduced. It was under these circumstances of great improvement having already taken place, and still more being expected, that he hoped the hon. Gentleman would not press upon the House a further change of the law at present. The experiment that was now going on should, at least, have fair play;

Mr. C. P. Villiers

but should it be found that the hon. Gentleman's views were borne out, and that the present law operated more harshly than that which preceded it, he would give his most serious consideration to any measure that might be proposed, and, indeed, his own earnest efforts to effect a further amendment of the law.

LORD CLAUD HAMILTON hoped the hon. and learned Gentleman would not be discouraged in his very useful efforts to amend the law in this matter. Great progress had, however, been made, and much glaring and iniquitous injustice had been removed. The progress of events clearly indicated a tendency to remove most of the remaining inequalities, which were wholly indefensible. He hoped they would all join in the endeavour to expunge from the statute book that law which enabled persons to be carried from the locality with which they were familiar into the midst of strangers.

Motion, by leave, *withdrawn*.

FINSBURY ESTATE BILL.—[BILL 97.]

(*Mr. Ayrton, Mr. Locke.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Ayrton.*)

MR. WALPOLE said, that the object of the Bill was to apply the value of certain lands of the Finsbury Estate to fall in to the Ecclesiastical Commissioners for the benefit of the Metropolis only, whereas the rule had been to apply such funds for the benefit of the country at large. Another thing was that out of the common fund there were conditional grants for benefactions to the clergy in various parts of England, which required so large a sum as the interest on nearly £500,000. The third purpose of this common fund was to give unconditional grants to the clergy of poor parishes. At first they gave £300 a year wherever the population was over 10,000. Now, they gave it where the population was 5,500, and they hoped shortly to give it to those of 4,000. His learned Friend asked them to give a large amount derived from the Finsbury prebend to the metropolis only, and as the common fund was derived mainly from London and Durham, if claims of that kind were made they could only be granted at the expense of the rest

of the country, and moreover, London now received its full share of the benefit of the fund. If they anticipated the income for the purposes of one particular part of the country, they would recede instead of advance. One of the greatest benefits conferred by the Ecclesiastical Commissioners was the increase of church teaching in the large and populous mining districts; and anything that would tend to interfere with that would be a great evil. His object was to treat the whole of the country with fairness and liberality, so as to supply the spiritual requirements of large and populous districts. He should not oppose the second reading, but on going into Committee he should be prepared more fully to enter into the subject.

MR. BERESFORD HOPE said, the feeling in London was that the Finsbury prebend should not be swallowed up by this omniferous Commission. The Ecclesiastical Commissioners had no doubt done their best to meet the spiritual requirements of the people; but they were obliterating the whole local administration of property. There was a great feeling in favour of making this an exception for London purposes. The Bill would no doubt require some alteration in detail when in Committee, but he gave the scheme his unqualified approval.

MR. SELWYN said, the Bill was inconsistent with the Report of the two Committees that had inquired into the subject. He agreed with the hon. Member for Stoke that it was impossible to deny that great benefits had been conferred by the Ecclesiastical Commissioners, but that was not the question. It was argued as if they had created the funds by which that good was done, but that was a mistake. The Select Committee, which included four of the Ecclesiastical Commissioners in 1863, reported that the Ecclesiastical Commission as constituted was objectionable, and also the funds being administered by one central body. It was shown before the Committee that if there were more local associations in every diocese for the administration of their own affairs persons living in the locality would more readily make voluntary contributions to meet spiritual destitution than contribute to a general fund. There was a great objection to this centralization. He wished to put an end to the great centralizing incubus which had grown up, and that the principle of local associations carrying on their own affairs be set in motion. He protested against the present

system being continued longer than necessary. The Bill was inconsistent with the Report of the Committee. He should not, however, oppose the second reading, but suggested its amendment by the adoption of the recommendations of the Committee.

SIR GEORGE GREY believed that if local bodies were established as suggested throughout the country, they would find it extremely difficult to distribute those funds from which, in the hands of the Commissioners, so much benefit had been derived. He thought the proposal that the whole of the funds to which the Bill related should be confined to the dioceses of London decidedly objectionable, and although he should not oppose the second reading of the Bill, the Government would deem it to be their duty to move the insertion in it of various Amendments when it went into Committee.

MR. POWELL hoped the right hon. Gentleman would lay on the table of the House on an early day the Amendments which he meant to propose. He must add that, having some experience of the working of the common fund in the hands of the Ecclesiastical Commissioners in the rural districts, he felt deeply grateful to them for all that they had accomplished, and would resist to the utmost of his power any proposal which would have the effect of interrupting the growth of that fund.

Bill read a second time and *committed for To-morrow.*

PUBLIC HEALTH BILL—[BILL 180.]
(*Mr. Bruce, Mr. Chichester Fortescue, Sir George Grey.*)

SECOND READING.

Order for Second Reading read.

MR. BRUCE moved the second reading of this Bill, and said he proposed to refer it to a Select Committee.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Bruce.*)

MR. CHICHESTER FORTESCUE said, his name was at the back of this measure, which contained clauses extending to Ireland the Acts relating to public health already in operation in England. Several Irish Members would therefore be nominated for the Select Committee.

Bill read a second time, and *committed to a Select Committee.*

SALE AND PURCHASE OF SHARES BILL.

On Motion of Mr. LEEMAN, Bill to amend the Law in respect of the Sale and Purchase of Shares in Banking and other Companies, *ordered* to be brought in by Mr. LEEMAN, Mr. WALDEGRAVE-LESLIE, and Mr. GOLDNEY.

Bill *presented*, and read the first time. [Bill 189.]

House adjourned at a quarter
after One o'clock.

HOUSE OF COMMONS,

Wednesday, June 13, 1866.

MINUTES.] — PUBLIC BILLS — *Ordered*—Local Government Supplemental (No. 3).*

First Reading—Local Government Supplemental (No. 3) * [191].

Second Reading—Poor Relief (Ireland) Law Amendment * [153], debate *adjourned*.

Committee—Tests Abolition Oxford [15].

Report—Tests Abolition Oxford [15].

Third Reading—Princess Mary of Cambridge's Annuity * [183]; Carriage and Deposit of Dangerous Goods * [163], and *passed*.

TESTS ABOLITION (OXFORD) BILL.

(Mr. Coleridge, Mr. Grant Duff.)

[BILL 15.] COMMITTEE.

Order for Committee read.

Motion made, and Question proposed,
“That Mr. Speaker do now leave the Chair.”—(Mr. Coleridge.)

MR. NEATE rose to move, as an Amendment,

“That an humble Address be presented to Her Majesty praying that She will be graciously pleased so far to extend the terms of Her Royal Commission of the 25th of May last, as that they may include an inquiry into the Oaths, Declarations or Subscriptions now required to be taken, made, or subscribed in the Universities either of Oxford or Cambridge as a condition for admission to the governing bodies of either of such Universities, or to the headships or fellowships of any of the Colleges thereof, or that Her Majesty will be pleased to appoint such other Commission as to Her Majesty may seem fit, for the purpose of considering and reporting on the matter aforesaid.”

The hon. Gentleman said, that although he approved of the principle of which this measure was the expression, and if there had been any prospect of its passing into law during the present Session he would not have opposed the Motion for going into Committee, he did not think the House was at present in possession of sufficient information to justify them in proceeding

to its practical application. What was right and proper for Oxford was equally right and proper for Cambridge. The proceedings of the House in regard to this measure had been characterized rather by the arts of the tactician than honesty and fairness; and he could not concur in the one-sided legislation contemplated, which would place the University with which he was connected, in the eyes of a great majority of the public, in a position of inferiority. The course which he was now taking had been partly suggested to him by the reply of the right hon. Gentleman the Secretary for the Home Department to the hon. Baronet the Member for Clare (Sir Colman O'Loughlen), in the course of the discussion upon the Transubstantiation Bill, that the abolition of the declaration contemplated by that measure was a matter which might properly be inquired into by the Commission to which he desired to refer this subject. Although he agreed that the public institutions of the country should be adapted to the altered circumstances of the day, it was to be borne in mind that there was a great deal of difference in the application of the principle affirmed by this Bill to a municipal corporation and its application to an University; yet even in the case of municipal corporations, when carrying that principle into practice, it had been thought necessary to deprive them of their ecclesiastical patronage and to make some provision for the just administration of their charitable funds. In the instance of municipal corporations all that was done was to widen the limits, but the effect of applying the principle to the Universities would be to unsettle every principle upon which Parliament had for generations not only permitted but encouraged the Universities to regulate themselves. He did not say that that might not be right, but he desired hon. Members to bear in mind that this was altogether a shifting of foundation, and that there was not a stone in the University edifice but what, if not displaced, would be shaken by it. Before the House did that it ought to know what alterations would be necessary to adapt the University to this great change. They had, in fact, no knowledge which enabled them to deal fairly and effectually with the subject. The whole matter was argued too much in the rough and in block. Hon. Gentlemen opposite did not know how far, even after the passing of this measure, the Colleges might, in virtue of their own statutes and regulations, retain their connec-

tion with the Church ; while hon. Gentlemen who supported the Bill overlooked the circumstance that if it was passed it would be necessary to subject the University to Episcopal jurisdiction, and to place its pulpit under the control of the Bishop of the diocese. There was an idea that such might be the effect of some measures which were then before the House, and great alarm and apprehension was created in the University by that prospect. Many sermons were delivered from the University pulpit which would be sure to bring down the animadversion of the Bishop ; and he could assure hon. Gentlemen that if they enabled the Episcopal jurisdiction to control the preaching of the University, they would have inflicted a blow upon religious freedom in the University of Oxford, and through it on the whole of the country, which the presence of 500 orthodox Dissenters would do very little to remedy. The natural course of the Dissenters would be to combine with the Low Church party—he did not mean the present Bishop in particular, of whom he always desired to speak with the greatest respect, but any Bishop of the diocese—to control the freedom of discussion. He doubted, however, whether the effect of the Bill would be to produce a great invasion of the University of Oxford by Dissenters. He did not believe that Dissenters, as a class, would desire to bring their studious youth into contact with the greater knowledge and more educated piety of the Church of England. They would probably be more inclined to take advantage of the measure introduced by his right hon. Friend the Member for Kilmarnock (Mr. Bouverie) which would allow them to participate in existing endowments, than to avail themselves of the facilities which this Bill would give them for founding and endowing Colleges of their own. An intention of that kind had indeed been manifested recently by Roman Catholics. A purchase of ground was made about a year ago by a section of the Roman Catholics, under the advice and direction, he believed, of Dr. Newman, their idea being to found a Roman Catholic College with the right and excellent purpose of extending to the youth of the Roman Catholic aristocracy and better classes generally, the advantages of University education and of contact with others of the same class belonging to the Church of England. That purpose was unhappily defeated by a letter which came from beyond the seas and beyond the mountains,

and when the time came for carrying the design into effect those who desired to witness its accomplishment were met with the usual answer *non possumus*, and the thing dropped. He did not say that the advent of the Roman Catholics would have been welcomed by the entire University ; but a very large proportion of the University greatly regretted that this project had fallen to the ground. The House had not in its possession the information necessary to enable it to legislate with good effect in the direction contemplated by the Bill. Even the excellent representatives of the University were representatives rather of 3,000 or 4,000 gentlemen who had passed through its course than of the present working life of the interior, and had no actual knowledge of the difficulties and complications arising out of recent discussions. The whole question was in much the condition of a tangled skein, which it was easy to rend asunder, but very difficult to unravel ; and the University ought to have the opportunity of stating before the Commission to which he proposed to refer the subject what were the difficulties which occurred to them as standing in the way of the Bill. If the Government thought that such a Commission should be issued it would be for them to consider whether they would give the Commission the opportunity of suggesting to the University or to that House such changes as they might deem to be necessary. There was one point of very great importance that ought to be considered, and that was the question of the extension of the University, and he believed that this matter would never be adequately considered until some gentle pressure was applied to the University. For these reasons he begged to move the Amendment of which he had given notice.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "with a view to obtain adequate information for the consideration of this Bill, an humble Address be presented to Her Majesty, praying that She will be graciously pleased so far to extend the terms of Her Royal Commission of the 25th day of May last, as that they may include an inquiry into the Oaths, Declarations, or Subscriptions now required to be taken, made, or subscribed in the Universities either of Oxford or Cambridge as a condition for admission to the governing bodies of either of such Universities, or to the headships or fellowships of any of the Colleges thereof, or that Her Majesty will be pleased to appoint such other Commission as to Her Majesty may seem fit for the purpose of considering and reporting on the matter aforesaid,"—(Mr. Neate,)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

SIR GEORGE GREY said, he wished to say a few words which he would confine entirely to the Amendment which his hon. and learned Friend had moved to the Motion that the Speaker leave the Chair. He did not desire to say anything upon the principle of the Bill, as that was affirmed upon the second reading; but with reference to the Amendment, which prayed that the Crown would enlarge the terms of the Commission issued on the 25th of May last, with regard to oaths and declarations, so as to include an inquiry into the oaths taken and declarations made by members of the Universities of Oxford and Cambridge, he did not think his hon. and learned Friend had looked at the terms of that Commission. First of all, he would say that it was not within the scope or intent of those who advised the issue of that Commission, that it should be empowered to enter into the general policy which was involved in the principle of the Bill—namely, whether degrees should be taken and academical offices should be held without requiring any religious test at all. He doubted whether that was a question which ought to be referred to a Commission; but as far as the terms of the Commission went, there was nothing whatever in those terms which excluded from the consideration of the Commission the declarations or the oaths required to be taken or made by members of either of the Universities. The terms of the Commission were quite as ample as his hon. Friend could make them. [Mr. NEATE: Subscription.] The word "subscription" was not used, but subscription was, in fact, nothing but a written declaration, and he thought the term subscription might be fairly included under the term declaration. The only exceptions were the oaths taken by the Members of either House of Parliament, those having been settled by an Act passed during the present Session; the oaths taken by prelates and clergy of the Established Church, or the declarations made by them, that being a matter which was settled by the Act of last year, passed upon the Report of the Clerical Subscription Commission; and the oaths taken in Courts of Justice. Assuming that there was to be a religious test, he apprehended it would be quite competent to the Commission to inquire into the declarations

made by members of the University, with a view to recommend any alteration in their terms which they might deem desirable; but he did not think it would be within the scope of that Commission to inquire whether all tests should be abolished, and all degrees and offices thrown open without requiring any tests at all. He should hesitate to recommend them to do that, as it was a question to be dealt with by Parliament. In the case of the Clerical Subscription Commission, it was not a question for their consideration whether any test should be put to the clergy at all, but, assuming there were certain tests, what those tests were to be, and it was for the Commission to simplify them and to remove certain objectionable parts of them. He thought the House ought to know what the object of his hon. and learned Friend was in making the inquiry—whether he meant to refer the whole question to a Commission, in which case he (Sir George Grey) could not agree with him; or only that the alteration of the terms of the test should be inquired into. He hoped his hon. Friend would let the House know what he meant by the Amendment; but he could not advise it to agree to the Amendment.

MR. NEATE said, he was satisfied with having placed before the House the principles upon which he should have been prepared to act, in the not improbable event of the failure of the Bill, and would therefore withdraw his Amendment.

MR. PERCY WYNDHAM said, it was rather difficult for those who had not been members of either University to understand exactly the bearing of a Bill like the present. In a former Session he had voted against a Bill very similar in its character, believing that it would interfere with the religious teaching given by the Colleges at Oxford. But having listened to this debate upon the second reading, and making further inquiry, he could not believe that the religious teaching given in the Colleges would be interfered with in any manner by its provisions. The House was told in the debate on the second reading that this religious teaching consisted of divinity lectures and attendance at chapel in the morning. Never having heard of the lectures he could not offer an opinion in relation to them; but with regard to "the chapel," he should be sorry to see it abolished, affording, as it did, an opportunity to those who attended the University of strengthening their religious impressions.

Mr. Neate

He was told, however, that attendance at chapel was entirely a mere matter of College discipline, which might be relaxed or enforced as the Heads of Colleges thought proper, and the headship of a College was an office fenced about with many barriers, none of which the Bill attempted to remove. It was said that the measure would tend greatly to increase religious discussions in the University; he presumed on the assumption that it would induce many more Dissenters to present themselves. Now, he did not believe that the measure would have any such effect, and for this reason, that it was altogether a mistake to suppose that discussions of this nature took place pre-eminently among those of different denominations. The present discussions, as rife probably at Oxford as at any other place in the kingdom, were totally independent of any peculiar denominations; he did not believe that in this respect the passing of the Bill would work any change. Such discussions could not be got rid of.

"Naturam expellas furcâ, tamen usque recurret,
Et mala perrumpet furtim fastidia victrix."

If it were desired to bring about religious controversies and discussions at the University in their worst aspect, the House would be taking the most effectual course by encouraging the foundation of denominational Colleges; and for this reason. Young men at the University were at that period of life when they felt more strongly than they would do in later years the disagreeable sense of a want in their case of their own denomination of the prestige and activity possessed by other bodies, represented by young men in the same social level as themselves, and when, moreover, those possessed of the coveted advantages were at an age which disposed them to take little pains in dissembling their own consciousness of superiority. If it were sought to bind the Dissenters together by a pact, rendering it almost a point of honour not to desert the comrades of their youth, that course ought to be taken with regard to the Universities, tending to increase the foundation of denominational Colleges. He was not one of those who believed that the Church had any reason to fear if this Bill were passed. The Church was already in possession of the field, and he had too much confidence in the sincerity and earnestness of those representing her to believe that her position was in any way likely to be affected. He was aware that the Bill was

supported by those entertaining designs inimical to the real interests of the Church of England, but he did not see why, on that account, friends of the Church of England should feel themselves bound to vote against the Bill. He did not mean to say that they were not to be opposed when Motions were brought forward hostile to the Church; but the opposition ought to be discriminating—not a mere blind grasping at every appearance of privilege in cases both when it was a source of strength, and when, as in this case, he believed it to be a source of weakness.

Amendment, by leave, *withdrawn*.

Main Question put, and *agreed to*.

Bill *considered* in Committee.

(In the Committee.)

Clause 1.

SIR WILLIAM HEATHCOTE rose to move the Amendment of which he had given notice, namely—in page 1, line 13, after "Oxford," leave out to "thereof" inclusive, in line 16.

In page 2, line 7, after "for," leave out to the end of the Clause, and insert—

"Admission to or tenure of any headship, fellowship or office of or in any college, house, or hall, other than a private hall, within the said University, or any other office, whether within the said University or elsewhere, which is now tenable only by a member of the United Church of England and Ireland, and for which such degree has heretofore constituted one of the necessary qualifications, the person or persons appointing or electing to such headship, fellowship, or office shall require the person so tendering such degree as aforesaid to subscribe so much of the declaration of assent contained in the Clerical Subscription Act, 1865, as is set forth in the Schedule appended to this Act, and provided also, that no such degree shall qualify the person obtaining the same to be, or to become, a member of the convocation of the said University until such person shall have taken and subscribed the said declaration of assent as set forth in the Schedule of this Act as aforesaid."

He said, this Amendment related to two points. On one of these points he did not differ from the intention of his hon. and learned Friend the Member for Exeter; but it appeared to him that the Bill of the hon. and learned Gentleman failed to carry out in one respect what it professed to do—namely, the protection of the College fellowships. The clause, as it stood in the Bill, excepted the College fellowships from being affected by the Bill, but indirectly it would affect them. There was nothing

contained in the Bill that would apply to those fellowships directly, but still they would not be saved from its operation in the way his hon. and learned Friend contemplated, by leaving them in the same position as they occupied at present. The mere fact of altering the mode of taking the degree, and relieving it from the test from which his hon. and learned Friend desired to relieve it, would in itself materially affect the tenure of the fellowships. There were a good many things below the surface that did not appear to have attracted attention. Under recent ordinances of the Commissioners the mode of preserving the fellowships to the Church of England had been effected in this way—namely, that they were required to proceed after a certain time to take a higher degree, which required a test. These tests in respect of fellowships of Colleges were applied only to fellows in taking their degree, and not in any way in respect of their fellowships, and this would show the Committee the reason why he had inserted certain words, which referred to the degrees of those who held fellowships and required that the degree which was to be excepted and exempted from the test should not be excepted or exempted when it was a condition of admission to a fellowship, which he believed was rare, although it was very common as a condition of the tenure of a fellowship beyond a certain time. This was one object that he had in view, but his other object was a more serious one, for he desired by the rest of the Amendment to assimilate the condition of the University of Oxford to the condition of the University of Cambridge. This would be done in the first place by permitting the degrees to be taken without those degrees conferring admission to convocation. At Cambridge the degree did not give admission to the Senate, and in like manner he proposed that the degree to be taken without the test should not admit the holder of it to convocation at Oxford. But he should have desired to accompany this with another Amendment which would assimilate the condition of the Oxford University with that of Cambridge—namely, an Amendment by which a gentleman seeking to open a private hall at Oxford should not, as now, be required to be a member of convocation, but should, as at Cambridge, be the holder of a certain degree. It would then follow that any Nonconformist who had attained the degree of Master of Arts, or some higher degree, which

at Cambridge would qualify him to open a private hall, would be entitled to do so at Oxford, although not being a member of convocation. There was one point in his Amendment in which there was a relaxation of the Cambridge system, although it was not very important. He proposed to enable the University of Oxford to dispense with the tests in the case of any professorship, *pro hac vice*; for example, if it was desired to elect a professor of Eastern languages who might, perhaps, not be a Christian, and therefore not able to take the test, it should in that case be dispensed with, but in other cases he should leave it as it was at Cambridge, where the professorship was subject to the test. Instead of the test that existed at Oxford, he desired to substitute that which was adopted after much consideration two years ago by the Clerical Subscription Commission. He did not desire to re-open the controversy which was raised on the second reading of the Bill; he desired to confine himself at present to that which was of importance—that they should put the Universities upon the same footing. He would not say whether he thought the suggestion of the hon. Member for the City of Oxford that the Universities should be enlarged was a wise one; but he thought the Government ought to take in hand a matter so serious as was contemplated in this Bill, and that this measure and that of the right hon. Gentleman the Member for Kilmarnock should be considered together, whether by a Commission or by the Government; his opinion was that it should be by the Government; and not only should these Bills be considered together, but all the Universities should be considered together, and that they should not be dealing first with one and then with another, keeping up a continual contest on matters which he thought his right hon. Friend opposite (the Chancellor of the Exchequer) would agree with him were of sufficient importance to be considered and recommended to the House on the authority of the Government. His first Amendment would raise incidentally the question of admission to convocation. The clause, as it stood, was to this effect—

“From and after the passing of this Act no person shall be required, upon taking or enabling him to take any degree (other than a degree in divinity) within the said University of Oxford, or as a condition of exercising or enjoying any of the privileges and rights which may heretofore have been and may hereafter be, exercised and enjoyed

Sir William Heathcote

by graduates thereof, to subscribe any article or formulary of faith, &c."

The hon. Baronet concluded by moving his first Amendment, for the omission of certain words from the first clause, the effect of which would be to prevent Members of the University of Oxford from entering convocation, until they had subscribed the tests.

Amendment proposed, in page 1, line 13, to leave out the words "or as a condition of exercising or enjoying any of the privileges and rights which may heretofore have been, or may hereafter be, exercised and enjoyed by graduates thereof."—(*Sir William Heathcote.*)

MR. COLERIDGE said, it seemed to him that if the Amendments of the hon. Baronet were carried, they would make the Bill, from his (Mr. Coleridge's) point of view, entirely worthless. They also appeared to him to be Amendments which applied to the principle of the Bill, and which it would have been far better to have discussed when the second reading of the Bill was opposed. His hon. Friend, however, had not thought it right to divide the House on the second reading, and therefore he had presumed that his hon. Friend assented to the principle of the Bill; and he thought the Amendments which were now brought forward were a little late in the day, and were somewhat inconsistent with the course which his hon. Friend thought it right and proper to take upon that occasion. He was aware that the House did divide upon the second reading; but the division, as he understood, was not intentionally brought about or promoted by the hon. Baronet. The principle of the Bill, so far as it might be described in a few words, was to separate the Universities from the Colleges, to throw the Universities thoroughly open to the nation, and to get rid of the connection between the Universities, considered apart from the Colleges, and the Church of England. That object might be right or wrong, and hon. Members might or might not think it desirable; but that was the object of the Bill, as clearly as he could state it, and the only object which made the Bill, in his opinion, worth a single farthing. Of course, consistently with his view, he could not accept the Amendments which were proposed by his hon. Friend. The latter portion of one of the right hon.

Baronet's Amendments was to insert the words—

"No such degree shall qualify the person obtaining the same to be, or to become, a member of the convocation of the said University, until such person shall have taken and subscribed the said declaration of assent as set forth in the schedule of this Act as aforesaid."

That declaration was a declaration of conformity with the Church of England. This portion of the Amendment went directly to the root of the principle of the Bill, and therefore he could not accept it without making the Bill, in his eyes at all events, perfectly worthless. With regard to the first part of the clause, he understood the hon. Baronet to say that as the Bill stood at present the connection of the fellowships and headships of Colleges in Universities was not secured by it, but that the necessity of their being members of the Church of England was secured at present, because the holders of certain fellowships must proceed to certain degrees, but because the securities were taken away from those degrees the saving clause was put in at the end for the purpose of connecting the fellowships with the Church of England. But the words of the Bill were quite sufficient of themselves, and if the Bill of the right hon. Member for Kilmarnock (Mr. Bouverie), which he had always kept separate from his own, were not carried, the fellowships and headships of Colleges were protected by the Act of Uniformity. Unless the Act of Uniformity were repealed those fellowships could not possibly be held by any person other than members of the Church of England; because with every admission to a fellowship there must be a declaration of conformity with the Liturgy of the Church of England, which was a sufficient test in the mouth of any conscientious man. He objected to the first part of the Amendment on the ground that it was unnecessary, and to the last part on the ground that it went to the root of the principle of his Bill, which, whether right or wrong, was the only thing which made the Bill worth having. He avowed that it was his desire to bring Dissenters into the Universities, and to bring them in largely; but his Bill would not have the effect of bringing them into the Colleges so as to interfere, if it were thought that they would interfere, with any religious teaching there carried on.

MR. BERESFORD HOPE thought his hon. and learned Friend had carried

his argument rather further than was consistent with the judicial impartiality of his character when he maintained that there was anything inconsistent with ordinary Parliamentary procedure in the course which the hon. Baronet had taken in not forcing a division on the second reading of the Bill, and in afterwards proposing the Amendments in Committee, which were the subject of present discussion. He contended that this proceeding was not only a legitimate exercise of the forms of the House, but even a very moderate and subordinate use of those forms. Bills were continually referred upstairs to Select Committees and came down perfectly altered in their shape. The fact was that the second reading of any Bill, so far from prejudging the adoption of the principles laid down in that Bill in all their amplitude, committed the House to very little except the confession that something ought to be done in that particular matter somewhat in the direction of the proposed measure. But in the present instance the criticism was peculiarly inopportune. The hon. and learned Gentleman said these Amendments went to the root of the principle of the Bill. Of course a man ought to know his own child, but he thought his learned Friend had been a somewhat careless parent, and had not described the Bill with that accuracy which he (Mr. Beresford Hope) should have expected from his logical mind. He (Mr. Beresford Hope) gathered the principle of the Bill from the *litera scripta* of its own preamble, and from that he found there were two grievances which his hon. and learned Friend thought ought to be redressed. The words of the preamble are—

“It is expedient that Provision should be made for enabling Her Majesty’s Subjects to take Degrees other than Degrees in Divinity in the University of Oxford, and to hold Public Professorships, Readerships, and other Academical Offices which are or may be tenable by Laymen therein, without requiring from them Religious Tests.”

It was only at this word “and” that there was any difference between the hon Baronet and his hon. and learned Friend, and even after the “and” the difference was only one of degree. The scope of the hon. Baronet’s Amendments was to accept the full remedy of the first of those grievances, and also to accept a certain remedy for the second grievance where he found it really pinching. The first grievance was the non-admission of Dissenters to degrees,

Mr. Beresford Hope

and that was met as fully and as fairly in the Amendments as in the Bill itself, while the second one of the non-admissibility of Dissenters to posts of public teaching in which doctrine was not involved, would, by the Amendment, be capable of solution in each individual instance when a real necessity offered itself. He did not think it was worthy of the logical power and fairness of his hon. and learned Friend to make anything like a grievance of the form which the opposition to the Bill had taken. His hon. and learned Friend wished to admit Dissenters in large numbers to the Universities, and that was precisely what the hon. Baronet wished to do, though he did not wish to do it without providing proper safeguards as to the power which the Dissenters should thereby acquire in the governing body of the University, so that their admission in large numbers should not be fatal to the existing constitution and form of the University. Of the two propositions before the House the proposition of the hon. Baronet appeared to him to be the more liberal. The hon. Baronet simply wished to prevent the Dissenters from acquiring the dominant power in the governing body of the University, but he would give them leave and licence to build, create, and endow their own Colleges. He would even give them facilities for propagandizing the Universities, for they might have their own chapels, where everything necessary for their own worship which appealed to the eye and the imagination could be introduced. It should be borne in mind that the Dissenters claiming to be admitted were not merely Protestant Dissenters, votaries of plain and unadorned worship, but Roman Catholics, members of Oriental churches, Irvingites, &c. So all these bodies might have in their own chapels in which the services would be performed according to the ritual of their respective churches, fraught as it would be with all those appeals to the senses to which young men were so susceptible, and of which a less liberal man than the hon. Baronet would have feared the effects. Was not that giving them a great deal, and acting very liberally towards them? The hon. and learned Gentleman omitted to notice one very strong and cogent argument in favour of the hon. Baronet’s Amendments, that if it were carried it would have the effect of raising Oxford to the same level as Cambridge. The Bill as it stood would have pushed Oxford much beyond Cam-

bridge in the race of Liberalism. Was it not doing a great deal to put both Universities upon the same level, and to give them both the same system? If that was not sufficient, let the hon. and learned Gentleman, some three or four years hence, if in that time he did not occupy a more exalted place, let him come forward with his Bill in its present shape and make the best of it. In the meantime if there was to be a kind of perpetual competition, with Parliament as the stakeholder, between the two Universities, there could be no fixity of system, and no rational administration of either. Each in turn would be made the stalking-horse of the man who wanted to reform the other. First one would be screwed down a little, and then the other; and in the next Session the same policy would be repeated with the one which might happen to be uppermost. He thought the House had better agree to say that if Oxford were put on the level of Cambridge, that in itself was a great good, and quite enough to carry out in one Session.

THE CHANCELLOR OF THE EXCHEQUER: If there be any charge to be brought against my hon. Friend the Member for the University, on the ground that his Amendment is now out of place, and ought rather to have been introduced by way of opposition to the second reading, I, at all events, cannot join in that charge; because, though he does not adopt exactly the course indicated by Lord Palmerston's Government three years ago as one by which a reasonable compromise might be effected, he seems to contemplate the same end. My hon. and learned Friend the Member for Exeter (Mr. Coleridge) is now persuaded that the degree would be of no advantage whatever, and would not justify legislation if the restriction proposed by the hon. Baronet, with respect to membership of the Convocation, were introduced into the Bill. The same persons often take different views at different times. In 1856, when my right hon. Friend the Member for Kilmarnock (Mr. Bouverie) succeeded in relieving persons taking the degree at the University of Cambridge from the obligation of subscribing to the test, a similar restriction with regard to admission to the Senate to that which my hon. Friend now proposes in reference to Convocation was introduced; and yet the Bill was looked upon as a very great advance. That being so, I think it is rather hard my hon. Friend should be told that the effect

of his proposition would be to make the Bill an unsubstantial one. My hon. Friend expressed his opinion that this is a question which should be taken up by the Government. I was not authorized, nor was any one authorized, to say anything on behalf of the Government with respect to this Bill. But I do not think it would be desirable that the Government should make themselves responsible for any proposition which had not a fair prospect of success, or for any proposition which did not seem to deal with the subject in a satisfactory manner. I fully admit, however, with the hon. Gentleman, that whenever the time arrives—if it ever does arrive—when the Government, or the Administration of the day, can see its way to the proposal of some measure that shall really effect what the hon. Baronet termed a settlement of this question, the magnitude of the question and its enormous importance in a social, domestic, religious, and moral point of view would give it of necessity a primary claim upon the attention of any Government. But I think that much is required in order to effect a settlement of the question. I do not think that it can be done by any small propositions or small concessions, and if it is to be done by considerable concessions, it then becomes only the more important that whatever Parliament takes in hand and whatever this House passes should be complete in itself in this double sense—that the country should clearly understand what is the religious system on which the Universities are to be conducted, and the grounds on which it is based, and likewise that there should be a prospect that it would last. And, Sir, I am bound to say that I do not see how my hon. Friend can gain much by endeavouring to press on this House a proposition which undoubtedly shows a liberal disposition on his part, but which it is quite obvious will not be acceptable to such a majority as would carry the Bill through Committee. I am endeavouring to look at this matter on its merits, and it appears to me that the distinction which my hon. and learned Friend the Member for Exeter draws between the University and the Colleges is, I will not say a fanciful, but an untenable distinction. Of all the questions with which I am conversant, this is one upon which it is most desirable that we should, if possible, deal with by one united measure which shall be complete and conclusive both for the Universities and for the Colleges. It is impossible to

draw a distinction between the Universities and the Colleges. It may be very easy to do so in theory, and in the abstract a system may be conceived of a University perfectly open including in itself a number or multitude of Colleges perfectly closed, in which religious instruction may be given on principles as exclusive as the founders or frequenters of the Colleges may desire. But the state of things which we have to deal with is altogether different. There never has been in this country a distinction between the religious character of the Universities and the religious character of the Colleges, and I want to know how a distinction can now be drawn. The University at the present moment consists of the Colleges, and practically it consists of nothing else. We passed in 1854 and 1856 legislative measures intended to facilitate the growth of independent Halls; but we must not conceal from ourselves that those measures have been little more than abortions—not, it is fair to say, on account of those who possessed the dominant influences in the University having set themselves, by covert means, to defeat the measure, for I believe, on the contrary, that the authorities entered heartily into the spirit of the Act of Parliament and did everything they could in order to make it practicable and easy to found private Halls. Practically, however, such halls have not been founded, the exceptions being so insignificant that it is needless for me to advert to them. I am sorry that the Acts have not led to any practical result, for I think it would be an immense good to the Universities and Colleges if private Halls had sprung up in considerable numbers; but they had failed, and the House must recognize the fact. Well, then, the Colleges and the Universities are composed of the same persons, and are on the same system. The hon. Member for Exeter says he wishes to preserve the religious education which is given in the Colleges, and he does not propose to admit Dissenters to the Colleges, lest their admission should interfere with the religious instruction pursued in the Colleges. But that religious education is the very same as that which is given in the University. It is quite true that the system in the University, so far as the examinations are concerned, has been adapted so as to allow those who are not members of the Church of England to receive their education there and pass their examination; but the system of religious instruction is just as

much incorporated in the University as it is in the Colleges. That is a matter of fact. I speak with special reference to the University of Oxford, but I apprehend that the same considerations must, to a great degree, be applicable to Cambridge also. I know not in what manner, except in an abstract and speculative argument, it would be possible to make out that you can hope to settle this question by drawing broad distinctions in principle between the University and the Colleges. My hon. Friend thinks, or, at any rate, he implies, that if Dissenters were admitted into the Colleges, some guarantees and special regulations would be necessary for maintaining the religious system of the Colleges. But if he makes that admission, how can he show that similar guarantees are not required for maintaining the religious system of the Universities? My hon. Friend says it is morally certain that the majority of the University will always consist of members of the Church of England. But if that holds good with regard to the University it will also hold good with regard to the Colleges. Now, I must venture to point out with reference to what I have said as to the necessity of dealing with this question as a whole that, over and above the interests of learning, which are most important, and over and above the desire to conciliate all persons irrespective of their religious profession—and for that, I think, considerable sacrifice ought to be made—there are a body of persons who ought to be specially considered in this matter—namely, the parents of England. Now, the parents of England who hold a certain rank in society are systematically sending their children to the Universities in full confidence, and with a perfect knowledge of the religious system to which they will be subjected, and I hold that it is not fair that Parliament should be nibbling a little, sometimes here and sometimes there, dealing to-day with Cambridge and thrusting it a little before Oxford, and dealing to-morrow with Oxford and thrusting it a little before Cambridge, as has been remarked by my hon. Friend the Member for Stoke (Mr. Beresford Hope), or doing that which my hon. and learned Friend asks us to do—namely, to draw an apparently broad distinction between the University and the Colleges—a distinction which may be broad enough in theory, but which can never be drawn in any other sense. It is but fair and right that those to whom it is of vital im-

portance to know what kind of a place they are about to send their sons to for education should be made aware that we are not dealing with one portion of the subject on one Wednesday and with another in the following week, but that, if we move at all, we contemplate moving to a point from which a perfectly clear view of the system may be obtained by the country at large. I do not now wish to discuss another measure bearing on this subject; but the remarks I should have to make upon it would confirm me in the opinions I now express as to the advisability of dealing with this question by means of comprehensive provisions. Precedent is entirely in favour of that course. It is in favour of dealing with the subject altogether, and of dealing rarely with matters of this kind. The constant interference of Parliament would in itself be a very great evil. Well, if that be so, we ought to legislate at once as far as we can and dare, and then discourage, if possible, all further change for a length of time. For many generations the Universities remained with a perfect interval of Parliamentary legislation, and the intention of the Acts of 1854 and 1856 was to place them on such a footing—though that relating to Oxford did not include this matter of religious differences—as to obviate the necessity of their again applying to Parliament for a new construction. They may be fairly called great precedents in regard to a subject of this kind, both on account of the immense importance of their provisions and on account of the extraordinary attention which was bestowed upon them by the House of Commons, for I believe the Oxford University Act occupied more of the time of this House than any single measure except the Reform Bill and the Act for the Repeal of the Corn Duty. Adverting to these precedents, I cannot help feeling that there is a great authority against this separation of the subject. The Universities and the Colleges were then dealt with together, and why should they not be dealt with together now? It is felt on all hands that it is exceedingly invidious to exclude Dissenters from degrees, and in consequence of its being so invidious all parties are ready to give them a degree; but my hon. and learned Friend feels that having given the Dissenter a degree it is invidious to exclude him from Convocation. Now, is there nothing else that is invidious at Cambridge, and still more so at Oxford? Is not a fellowship, particularly with

regard to its emoluments, the recognized consummation and crown of an academical degree? Now, I do not hesitate to say that if there be hardship and anything likely to engender an individual sense of grievance and suffering it is that exclusion of Dissenters from the emoluments of fellowships. I believe that that obtains at Cambridge, and in the great College of Trinity, if I am not mistaken, a person who becomes a high wrangler or a medalist is supposed to take his fellowship as a matter of course. But my hon. and learned Friend the Member for Exeter proposes to stop that, and says to the Dissenters, "You shall neither have any emoluments nor a share in the government of the College." This Bill, therefore, does not settle the question. It does not give to the Dissenters that which would satisfy them, but merely makes a little invasion into the existing system. Now, I must say that I cannot undertake to be a party to that mode of dealing with the subject. I am very desirous that it should be dealt with comprehensively and liberally, and that no matter of mere prejudice or pre-possession should stand in the way of a comprehensive settlement, and I think there is undoubtedly much which might be done if a spirit of conciliation prevailed, but a spirit of conciliation must prevail on both sides of the House if a way is to be made through this question. I do not think it will be possible, if I may use the phrase, to ride roughshod over the question by the mere assertion of abstract principles. I think our object should be to give to the Dissenters everything, whether in the way of honours, of emoluments, or of governing power which can be given to them, subject to the one vital and indispensable condition which lies at the root of the whole matter. It seems to me that equity, justice, and policy demand that nothing should be done that will not leave an effectual security for the maintenance in all its vigour of the religious system which pervades both the Universities. That is the ground-work, as it appears to me, upon which any satisfactory measure must be based. I am afraid the moment has not yet come for the introduction of such a measure, but when it does come it will be the duty of all Members of Parliament to endeavour, by every means in their power, to promote it; but I must say that I, for one, object to unsettling by this piecemeal legislation the minds of those who have a right to determine what the system of the Universities and Colleges

shall be. I object to proposals which would unsettle the minds of these men without giving full satisfaction to the reasonable claims of those who are asking for a change. Such proposals only hold out a probability of further attempts being made from year to year without a definite prospect of a resting-place; they would be hazardous, and ineffectual to attain the end proposed, and therefore I am not prepared to accede to them.

MR. GRANT DUFF said, as one of the supporters of this Bill I could have wished, Sir, to hear the speech to which we have just listened from any lips rather than those of the Leader of the Liberal party. During the present Session the Liberal party has not been in the happiest and most united condition. I think, Sir, that it might be in a happier and more united condition if many of its Members did not feel it to be more than probable that just as the forlorn hope was storming the breach, the general of the force might turn round and fire his revolver in their faces. That, Sir, is neither a creditable nor an agreeable state of things. The right hon. Gentleman lately told us that since he entered public life he had forgotten much and recanted a great many opinions. I venture to hope that before he is carried to the Abbey he will recant and forget some of the opinions which he has just expressed. I turn now to a different type of opponent, the hon. Member for Stoke, who spoke from the opposite Benches. Nothing could be more intelligible than the view of the hon. Member for Stoke. The hon. Member is a distinguished Cambridge man, and very naturally loves the noble University to which he belongs. The hon. Member for Stoke could not then be surprised that Oxford men should have the same feeling towards their university. A person so accomplished as the hon. Member will not fail to recollect that all through last century Cambridge, so to speak, led the Liberal thought of England, while Oxford was given up to influences of an opposite description; nor will he forget that Oxford became, some thirty years ago, the centre of that reaction which carried so many members of the Church of England over to the Church of Rome. When things had got to such a pass as that, no wonder that the best Oxford men became alarmed, and began to fear that their University would altogether lose its place amongst the centres of intelligence in Europe. So then a reaction took place

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against the reaction of which I have spoken, and it is of this reaction that we are the mouthpieces. We are in no way leaders of a movement; we are the exponents in this House of the views of the best Oxford residents. It was you, Sir, that first gave expression to their views in this House by presenting a petition from a large number of them. When these gentlemen originated that petition, they were actuated by a desire at once to benefit their dissenting fellow-countrymen, to give somewhat wider limits to subscription within the Church, and to improve the teaching of the University. That was what they really wanted, and this Bill, and not the Amendment supported by hon. Members opposite, was what they desire. And who, Sir, are they? You, Sir, know well that they are the most active-minded of the Oxford residents, the persons most responsible for the tuition of the University, in so far as that tuition is good. Let us do what they desire. It will make the education of the University better. Then we shall see what is the real value of the "Parents of England argument" of the Chancellor of the Exchequer, or, as I should prefer to call it, "The Maiden Aunts of England argument." Only look how things stand now. There is Balliol, a College more identified than any other with the Liberal opinions which have led to this Bill. Do not the parents of England do their utmost to get their sons entered there? Look again at Rugby, a school more identified than any other with those same Liberal opinions. Why, Rugby is not only overflowing, but, if you want to send a boy there, you must put down his name years before. Depend upon it, if we make the teaching of the University better, the parents of England will have no scruples about sending their children thither. The right hon. Gentleman may moderate his anxiety, and be comforted about a class of persons who can take uncommonly good care of themselves.

SIR STAFFORD NORTHCOTE said, that the hon. and learned Member for Exeter had contrived, in cautious language and with many assurances that he meant to insinuate nothing, to insinuate that hon. Gentlemen on that side of the House, though they had appeared to dispute the Bill upon two principles, were really anxious to destroy its principles. Now, in point of fact, two different lines were taken by the supporters of this measure. They, on that (the Opposition) side of the House would prefer to leave matters as they were,

because they did not agree with either of the two lines adopted by the friends of the Bill; but they admitted, at the same time, that one of those lines was worthy of attention, for it was not to be denied that there were distinctions between Oxford and Cambridge which acted unfavourably upon the position of Dissenters at Oxford, and which were the result of accident, and not of design. They had therefore agreed to the second reading of the Bill, in order that these points of the case might be met in Committee. But he could not at all agree with the other line adopted by some of the supporters of the Bill, of which the hon. Member for the Elgin boroughs was more decidedly an exponent than even the hon. and learned Member for Exeter. He denied that there was anything indirect or unfair in these Amendments, but was prepared to admit that it was desirable to put the constitution of the two Universities on the same footing with respect to Dissenters. When the reform in the constitution of Oxford University took place the clause relating to Dissenters was passed rather in a hurry, but in the following years the matter was more deliberately discussed. If the matter with respect to Oxford had been discussed at the time in the same manner as it was discussed with regard to Cambridge, probably the same arrangement would have been come to, and his hon. Friend said he was prepared to assent to that arrangement now. Those who proposed these Amendments were prepared to meet a substantial grievance on the part both of Dissenters and of those who objected to complicated subscription tests, and it was proposed to place Oxford on the same footing as Cambridge. But they were asked to go farther, and to that they objected. It was perfectly regular to take the sense of the Committee on the clear issue raised, and that issue was whether they were to maintain the religious teaching as part of the University teaching, for they maintained that if they admitted persons of all religious denominations, or of no religious denomination, into the governing body, such a change with respect to the framing of examinations and an infinity of matters by which the religious teaching of the University was affected, would destroy confidence on the part of the parents of England in the character of the University and the connection between the University and the clergy of the country. The position of the opponents of this Bill had always been that the Universities were

places for the education of the clergy of the country, and that if that clergy were to be trained in the principles of the Church of England, care must be taken that the teaching in these seminaries should be in accordance with the principles of the Church of England. It would be cruel if the clergy in their younger days at the University were led to think lightly on matters which were held to be of great importance. If the clergy of the Church of England were not trained in its principles from their earliest years it would be impossible for them to discharge their duties as ministers in after life. To destroy the guarantee for the character of that education was so injurious a step, both to the cause of religion and free thought, that the opponents of the Bill set their faces against it. They maintained that whatever the arrangements made might be, it should be consistent with the maintenance of the distinctive religious teaching in the Universities. They were ready to consider the removal of grievances which had been generally put in the foreground by promoters of Bills like these, and accept an arrangement, but then to meet such promoters on the broader question, whether religious teaching was or was not secured by the Universities.

MR. CHICHESTER FORTESCUE was surprised to hear that the hon. Baronet considered the religious teaching of Oxford to depend on the University, and that that system of religious teaching would be impaired, if not destroyed, by the admission of a certain number of those who were not members of the Church of England into the governing body. He, and he doubted not others, knew that the religious teaching practically depended in no degree on the University or the governing body, but upon the Colleges and their domestic system. Without wishing to express any opinion with respect to another important Bill before the House in charge of his hon. Friend the Member for Kilmarnock (Mr. Bouverie), he must say that he entirely endorsed the distinction which had been drawn by the hon. and learned Member for Exeter (Mr. Coleridge) between the University and the Colleges. It was on this distinction this Bill rested, for it threw the doors of the Universities open to all subjects of the Queen, irrespective of religious tests, and without dealing with the question whether these domestic bodies in the Colleges should be subjected to the same change. He protested against the House being supposed to be proceeding to a divi-

sion on the idea that this change would interfere with the religious institutions of Oxford, and that religious instruction depended not on the University, but upon the several Colleges.

VISCOUNT CRANBOURNE said, he could not assent to the position of the right hon. Gentleman who had just sat down, that religious teaching was in no way dependent on the University. The right hon. Gentleman forgot the dominant influence of examinations, and of the choice of text books by the Convocation. Whether they dealt with the purely religious instruction required by their examinations, or with moral philosophy, the studies of these Colleges would be determined by the requirements which the University made with respect to examinations. On that ground it seemed to him that practically, if such a thing should ever happen that a very large party of Dissenters or of persons hostile to the Church of England should find their way into Convocation—the studies would be found so hostile to the Church that no efforts on the part of the Colleges themselves could resist the dominant influence of the teaching. His hon. and learned Friend said his object was to attract a large number of Dissenters to the University. That was one of his (Viscount Cranbourne's) reasons for voting against this Bill. He laid stress on a "large" number, because he admitted that a small number might not have a great effect. But what would be the effect of a large number of Dissenters being attracted to the University? They might not make Dissenters of the rest of the University, because he did not anticipate there was any such extreme attraction in the religion of Wesleyans, Independents, or Unitarians that they should lure persons from the Church of England. But experience in educational science gave the same results as in others—namely, that a mixture of acid and alkali made a neutral salt. If they brought up a number of young persons together in diametrically opposite doctrines, his belief was that they would end in believing nothing at all. Proof was at hand in this respect with regard to Oxford. Twenty or thirty years ago there was a controversy there on points, no doubt of importance, but which did not go to the foundations of religious belief. The result was that there were two sets of religious opinions strongly developed for a time in the University of Oxford. But the present race of Oxford men did not believe any-

Mr. Chichester Fortescue

thing at all with respect to these points in dispute. This Bill would introduce a large number of persons differing on the most vital points of religious belief. If the anticipations of the hon. and learned Member for Exeter were realized, and if Dissenters flowed largely into the University, they would see the same causes producing the same results. There would be the same excitement, controversies on a larger scale as to Christian belief, and that period would be succeeded by one of absolute disbelief in the points in controversy. If the anticipations of the hon. and learned Member for Exeter were realized they would drive not only religious teaching but religious belief out of the University of Oxford.

MR. EVANS, as a Cambridge man, would not have risen to address the House but for what fell from the Chancellor of the Exchequer. He did not mean to say he was altogether surprised at the speech of the right hon. Gentleman, but he was surprised at his opposition to what was a very moderate measure and which tended to advance religious freedom. The right hon. Gentleman said the Bill would give admission to Dissenters at Cambridge, not only to degrees, but to the Senate, and that it would have some effect upon the religious teaching of the University. But he (Mr. Evans) thought that any person acquainted with the University of Cambridge could not come to any such conclusion. As far as the theological part of the examination at Cambridge went, it was confined to Paley's *Evidences of Christianity* and Paley's *Moral Philosophy*, and how the admission of Dissenters could affect the theological teaching of the Universities which embraced these books passed his comprehension. He rose for the purpose of saying that, because some gentlemen who did not belong to the University of Cambridge might be led into error by the speech of the Chancellor of the Exchequer. He would give his hearty support to the Bill of the hon. and learned Gentleman, because he believed it to be a fair, just, and moderate measure, and one which was calculated to promote religious liberty, and because he had come to the conclusion that it would be of great advantage to the Universities that men of talent and genius belonging to different denominations should be attached to them.

MR. NEWDEGATE said, he felt in a difficult position by the Amendments now proposed. The Amendments reserved the

Colleges strictly to the religious teaching of the Church of England, but that very reservation would create a line of demarcation by which the effect of the Bill would virtually be to separate the University from such teaching. The position of Cambridge was not in these respects so secure as Oxford. The information which he had received from Cambridge convinced him that the position of Oxford was safer than that of Cambridge. The real change effected by this Bill would apply to the University, and not merely to fellowships. The separation of the conduct of the University from the Colleges would much weaken the former. He recognized the full force of the arguments of the Chancellor of the Exchequer, when he stated that our institutions were in greater danger from these gradual approaches by sap and mine than from any overt assault; and he (Mr. Newdegate) distinctly asserted that if changes like these were made they should be embodied in measures of such magnitude that they should distinctly attract the attention of the whole nation, if they did not, that afforded sufficient reason for rejecting them. He rejoiced that such was the principle upon which the Conservative party had acted in relation to the Reform Bill. No man held more strictly to the representative character of the House of Commons, and unless measures on great subjects were so brought forward as to attract public attention, he did not think the House duly represented the opinion of the public. Holding the opinions he had expressed he should take no part in this division. He had risen to warn the House against the danger of those occult approaches in matters in which no principle seemed to be involved, but which would ultimately compromise the character of the University, if they did not stay them by an emphatic protest against this piecemeal legislation.

MR. MORRISON agreed with the Chancellor of the Exchequer that it was most desirable the whole question of University reform should be dealt with. Oxford men knew very little of Cambridge, and Cambridge men knew very little of Oxford; and private Members who attempted to deal with this question would find themselves involved in all kinds of pitfalls. The Chancellor of the Exchequer had said that this was a subject worthy of the consideration of the Government if they saw a reasonable chance of passing a satisfactory measure upon it; but he (Mr.

Morrison) would ask the House if there was any question which could be taken up by the Liberal party more likely to unite all Gentlemen who sat on that side of the House—the Gentlemen who sat below the gangway, and those who had taken up their abode in the Cave of Adullam. He was sorry to say very few Dissenters came out of Oxford. It was true it was not a very large question, the privilege of having a vote in Convocation in addition to the barren honour of a Master of Arts; but he apprehended the practical position of the question was this:—If the Bill were to pass, and so large a number of Dissenters were to come out of Oxford and obtain votes in Convocation as to entitle them to any serious weight in it, the House should then deal with the whole question of the Established Church.

MR. JOHN HARDY was not surprised that hon. Gentlemen opposite had been disappointed with the speech of the Chancellor of the Exchequer. It was not often he agreed with the right hon. Gentleman as to constitutional or social questions, but he certainly fully concurred with him in the belief that this matter ought not to be dealt with in a piecemeal manner. He was bound to ask whether they were to have those political Ash-Wednesdays through the whole Session. An hon. Member (Mr. Locke) had, on a former occasion, stated that it was a very pleasant way of spending the day, but he did not at all agree with the hon. Gentleman. He trusted there would be some limit put to the bringing in of Bills time after time which never could get out of that House by hon. Gentlemen whom he might call "bill stickers." He would suggest the framing of a rule which would in effect say, "Bill stickers, beware," by which hon. Members would be prohibited bringing in the same Bill more than twice during the same Parliament. The present House might have a very short life, and it was not desirable that their time should be unnecessarily wasted.

MR. LOCKE said, the hon. Gentleman stated that he declared these discussions on Ash-Wednesdays were extremely agreeable. Now, he had never said anything of the kind. The question to which he had referred was an entirely different one; it related to the representation of the people, and not to University reform. The present was one of those subjects which they always had on Wednesdays. Whether they were agreeable or not he

did not know, but certainly a great many Members attended the discussions and seemed to take a deep interest in them. He did not know that he had ever but once entered upon a question of this description. But now he was up—and, as his hon. Friend said, he was a Cambridge man, and as one he would bear his testimony to this fact—that questions of this description had been extremely novel to him until he came into that House. Cambridge had never troubled itself much about a question of this kind. [“Oh, oh!”] Certainly not, because in the ordinary course at Cambridge there was no divinity at all. None whatever, and he could add his testimony to what had fallen from the hon. Member for Derbyshire—that there were no books of doctrine—the Scriptures, of course, excepted—which it was necessary for an ordinary man at the University of Cambridge to read for the purposes of his degrees. It was considered the great merit of Cambridge that the religious books which it was necessary to read to obtain a degree were such as might be read by Dissenters just as well as by members of the Church of England. That was the great merit which he understood was attached to the education given at Cambridge—namely, that religious instruction was confined to Paley’s *Evidences of Christianity*, and Paley’s *Moral Philosophy*. He had passed his examination with, he believed, very great credit to himself—in those two books—inasmuch as he had the high honour of being in the first class of the “Little Go.” That portion of his education ceased, and he then went on in the ordinary course, and took his degrees. He did not know whether Paley came on again, but, certainly, those two books were the only ones connected with religious subjects with which students had to make themselves acquainted. He could not understand how any member of the University of Cambridge, unless he had got into bad company since he left, and submitted himself to bigoted opinions, could do otherwise than support the Bill of the hon. Member for Exeter. He did not mean to say he would not go further than his hon. Friend; but, as far as he had gone, he would be happy to support him. He called on Cambridge men to rouse themselves a little, and remember what they were in the University, and not allow themselves to retrograde, and let it be supposed that they were so mixed up with the priesthood—[“Oh, oh!”]—as to resemble, in any

Mr. Locke

way, the members of the University of Oxford.

LORD JOHN MANNERS said, he had the honour of being a Cambridge man, but he did not intend to take the advice of the hon. and learned Gentleman who had just sat down. He had listened with great attention, as he was bound to do in the case of the Leader of the House, to the important speech of the Chancellor of the Exchequer, and that speech pointed out clearly that the right hon. Gentleman was opposed to the objects of this Bill; but he was left to gather that the Government had no opinion whatever as a Government upon this question, and that, when the division came, they would find the Chancellor of the Exchequer, after that important speech, voting neither one way nor the other. He regarded this course as involving an important Parliamentary and constitutional question. He thought that the proceedings of the Government with reference to these Wednesday discussions was not at all satisfactory. Even the late Sir George Lewis, who succeeded in every other public Department, could scarcely be said to have been successful in this; and, with all respect to the present Home Secretary, he did not think it was right that the House should hear speeches delivered in one sense to be followed by votes in another. It seemed as if the Home Secretary had been for the occasion deposed from his office, and the command taken by the Chancellor of the Exchequer as Leader of the House, who had delivered a most conclusive and weighty argument against the whole scope and principle of this and similar measures. The Chancellor of the Exchequer expressed the opinion that this subject was so important that no private Member ought to presume to take it up, and that if dealt with at all it should be taken up by Her Majesty’s Government; and he also warned the House in emphatic terms against having anything to do with this Bill. What, then, was the practical course which the House ought to take? He did not know that the Chancellor of the Exchequer had thought proper to record his vote on the second reading, and he supposed they should have no vote from the Chancellor of the Exchequer on the present occasion. They had no promise from him that the Government would consider the subject. All the right hon. Gentleman did was to warn the House in the most emphatic manner against dealing with the subject,

and then, instead of moving "that the Chairman should leave the Chair"—the natural sequence of his speech—he took up his hat, and moved that he himself do leave the House. That was not a becoming mode in which to deal with the House on such an occasion, and he (Lord John Manners) emphatically complained of it. If the Government had no opinion upon this Bill they should have said so openly upon the second reading; but if the Chancellor of the Exchequer was correct in his view, that the House was asked to enter upon a most dangerous and unjustifiable course of legislation, it was the bounden duty of the Leader of the Government, entertaining that opinion, to support it by his vote, and to show himself, not in word only, but in action, to be the Leader of the House of Commons. He would ask Members who valued the dignity of the House if they believed with the right hon. Gentleman that this Bill did strike a great blow at the religious teaching of the two great Universities; if they believed that this was a Bill which affected all the parents in England who were in a position to send their sons to the University; if they believed that this was a question of so much importance that it ought not to be left in the hands of a private Member, but which, if taken up at all, ought to be dealt with comprehensively by Her Majesty's Government; he asked such hon. Gentlemen not to follow the example of the Chancellor of the Exchequer, but to be true to the principles he had enunciated, and to give their votes in accordance with the opinions the right hon. Gentleman had expressed.

SIR GEORGE GREY did not know where the noble Lord had found the theory that the Secretary for the Home Department was the Leader of the House of Commons on Wednesdays, and that it was not competent for the actual Leader of the House on those days to express, if he were authorized so to do, the opinions of the Government, as a Government, or his own individual opinion upon any question on which the Government, of which he was the organ, were not prepared to vote collectively. As to the ecclesiastical questions which were discussed on Wednesdays, there were, he believed, no subjects upon which it was so difficult for any body of men acting together upon ordinary matters to come to an absolute agreement as these, and there were no questions upon which greater liberty of opinion ought to be

allowed. When the noble Lord reproached the Government for not being of one mind on the question now before the House, he must remind the noble Lord that such diversity of opinion was not peculiar to the present Government. A prominent Member of Lord Derby's Government, and of the present opposition, a noble Lord who was opposed on other matters to the advanced Liberals, supported them in ecclesiastical matters, and he should be surprised if the noble Lord the Member for King's Lynn (Lord Stanley) voted with the noble Lord the Member for Leicestershire on this occasion. He (Sir George Grey) claimed the right to express his own opinions, and also claimed the same right for the Chancellor of the Exchequer, who never shrunk from the open avowal of his opinions. For himself, he did not believe that the religious teaching of the University was necessarily connected with the question now presented for decision. The Amendment, while assenting to the adoption of the Cambridge system, proposed that the M.A. degree should be barren of any other results except that distinction, and should admit no persons to Convocation unless they submitted to the test of Church membership. Now, he did not understand that the Bill would open the headship of Colleges or fellowships without some such test; but it did open Convocation to those who held the degree of M.A. without applying any test, and to this length he was prepared to go. He believed that the number of Dissenters thus admitted to the governing body of the University would be very small, while the number of Churchmen would be overwhelmingly great; and feeling that this concession might be made with perfect safety, the House not thereby pledging itself in any way with regard to the Bill of the right hon. Gentleman (Mr. Bouverie), he should vote against the Amendment.

SIR WILLIAM HEATHCOTE, in reply, expressed some surprise that the Chancellor of the Exchequer should disclaim the duty of the Government to make up their minds on this question; but he was glad that the right hon. Gentleman had expressed the opinion, that this was a question of much greater gravity than some hon. Members supposed, and that if dealt with at all, it should not be taken up piecemeal, but be considered comprehensively. He did not know why the right hon. Gentleman did not go further and say that he and his Colleagues were prepared to deal with

the question ; but he could not agree with the right hon. Baronet (Sir George Grey) that it was not of gravity enough to demand practically the attention of the Government. The consideration of this subject involved a great many matters not known by the Members of that House in general. The matter would never be properly dealt with until it was considered as the Chancellor of the Exchequer proposed. What chance was there of that ? He would not stop to inquire then whether the Chancellor of the Exchequer or the hon. and learned Member for Exeter (Mr. Coleridge) was right as to the degree in which the University might be dealt with without interfering with the Colleges, but by partial legislation they would have many of these questions raised again and again. He thought that the question of the Universities should be dealt with as a whole by the Government, after serious inquiry, instead of their being allowed to go on with this step-by-step legislation, and in a way which, instead of settling the whole matter, would rather tend to provoke other questions to be raised one after the other. He thought that they had a right to complain of the course taken by the Government, leaving them thus to deal with the question ; for it was patent to all that there was great looseness and laxity in the proceedings. They might, he thought, depend upon it that if they passed the Bill without Amendment it would be found to be only the beginning of a great many other changes.

MR. COLERIDGE, in reply, wished to say a few words in reference to observations which had been made by the hon. Baronet (Sir Stafford Northcote) and by the Chancellor of the Exchequer. He could assure the hon. Baronet that nothing was further from his intention than to impute anything, directly or indirectly, to the hon. Baronet who had proposed the Amendment ; but he simply meant to say that as the Amendment did not tend to improve or modify the Bill, but was inconsistent with its principle, he therefore could not accept it. If he had said more than this he should much regret it and desire it unsaid. With regard to the speech of the Chancellor of the Exchequer it is, of course, incumbent on me, as intrusted with the conduct of the Bill, to say a word. As I understand the speech of the right hon. Gentleman, it comes to this, that this Bill ought not to be passed, because it is only part of a great question which ought to be dealt with in a large and comprehensive way—that the two Univer-

sities should be dealt with in a comprehensive manner, and that the question of the Colleges and of the Universities should also be taken in hand together. If the Committee were able to extract from the eloquent speech of the Chancellor of the Exchequer how he himself would have proposed to deal with these questions, all I have to say is, they were more fortunate than I was. Though he said he did not think the question should be dealt with in this way, and used rather vague expressions as to the danger of so dealing with it, he did not suggest to my apprehension anything definite or certain as to the mode in which the Government would treat them if they dealt with them at all, and for the best possible reason, because we have had from Members of the Government, and even of the Cabinet, declarations of total differences of opinion as to this very measure. Therefore it would be impossible to say in what way a Government evidently disunited on this question could deal with a large and comprehensive, or even a small and insignificant Bill. Now, if I am asked why I did not attempt something comprehensive, I will say—to adopt an expression what has been somewhat unfairly remarked upon—it was because I wished to frame a measure that would pass. This measure was made to pass, and I think it would be exceedingly absurd if I brought forward a Bill which could not pass. I cannot help thinking, notwithstanding the great ability of the Chancellor of the Exchequer, that he must be by this time convinced himself that it is better to stick to one thing, and try to do one thing which can be done, than to attempt to do two things which are pretty sure to fail. My object in introducing the Bill was this:—It seemed to me to be positively a good thing—a step in advance, in a direction in which steps ought to be taken, and because I thought it a step which this and the other House of Parliament might possibly be induced to take. But, notwithstanding all that we have heard from the right hon. Gentleman, I am in hopes that we may still have his vote in spite of his speech. One word more. A great deal has been said about this Bill filling Convocation with Dissenters, and interfering with the religious teaching of the University. I myself entirely differ from these views. No one expects that any large number of University men will be Dissenters, and therefore there will be no large proportion of Dissenters in Convocation within any reasonable time.

Sir William Heathcote

On the other hand, if the majority of the country were to become Dissenters, it would be utterly impossible to keep them out of Convocation. And as for disturbing the religious education at the Universities, I regard that as an idle dream. Indeed, the measure would rather have the effect of relieving the University from the stigma which is now cast upon it by some, that its tests are unable to prevent its members from denying the very foundations of Christianity itself. As for the remark of my noble Friend (Viscount Cranbourne) about alkalis and acids, I have only to say that I know nothing about alkalis, and the whole House is aware that he knows nothing about acids. But I should be glad to know from him, because it is an important matter which he did not explain, whether he means to say that the Universities should not be touched because the Colleges would be affected, or that the Colleges should not be meddled with because the Universities might be affected. For these reasons, I hope the Committee will reject the Amendment as being inconsistent with the Bill.

Question put, "That the words proposed to be left out stand part of the Clause."

The Committee divided:—Ayes 245; Noes 172: Majority 73.

AYES.

Adair, H. E.
Adam, W. P.
Agar-Ellis, hon. L. G. F.
Allen, W. S.
Amberley, Viscount
Anstruther, Sir R.
Armstrong, R.
Ayrton, A. S.
Aytoun, R. S.
Bagwell, J.
Barclay, A. C.
Barnes, T.
Barry, C. R.
Barry, G. R.
Bass, M. T.
Baxter, W. E.
Bazley, T.
Biddulph, Col. R. M.
Biddulph, M.
Blake, J. A.
Brady, J.
Brand, hon. H.
Brecknock, Earl of
Bright, J.
Browne, Lord J. T.
Bruce, Lord C.
Bruce, rt. hon. H. A.
Buller, Sir A. W.
Buller, Sir E. M.
Butler, C. S.
Buxton, C.
Calcraft, J. H. M.
Candlish, J.
Cardwell, rt. hon. E.
Carrington, hon. C. R.
Carnegie, hon. C.
Cave, T.
Cavendish, Lord E.
Cavendish, Lord F. C.
Cavendish, Lord G.
Cheetham, J.
Childers, H. C. E.
Cholmeley, Sir M. J.
Clay, J.
Clement, W. J.
Clinton, Lord A. P.
Clinton, Lord E. P.
Clive, G.
Cogan, W. H. F.
Colebrooke, Sir T. E.
Colville, C. R.
Cowen, J.
Cowper, hon. H. F.
Craufurd, E. H. J.
Crawford, R. W.
Dalglish, R.
Davie, Sir H. R. F.
Dawson, hon. Capt. V.
Dent, J. D.
Dilke, Sir W.
Doulton, F.
Duff, R. W.
Dundas, F.
Dundas, rt. hon. Sir D.

Dunlop, A. M.
Edwards, C.
Eliot, Lord
Ellice, E.
Enfield, Viscount
Erskine, Vice-Adm. J. E.
Esmonde, J.
Evans, T. W.
Ewart, W.
Ewing, H. E. Crum-
Fawcett, H.
Fildes, J.
Finlay, A. S.
FitzGerald, Lord O. A.
Foley, H. W.
Foljambe, F. J. S.
Fordyce, W. D.
Forster, W. E.
Foster, W. O.
Fort, R.
Fortescue, rt. hon. C. P.
Fortescue, hon. D. F.
Gaskell, J. M.
Gavin, Major
Gilpin, C.
Glyn, G. C.
Goldsmid, Sir F. II.
Goldsmid, J.
Gower, hon. F. L.
Goschen, rt. hon. G. J.
Graham, W.
Gregory, W. H.
Greville, A. W. F.
Grey, rt. hon. Sir G.
Gridley, Captain H. G.
Grosvenor, Lord R.
Grosvenor, Capt. R. W.
Grove, T. F.
Gurney, S.
Haddfield, G.
Hamilton, E. W. T.
Hanbury, R. C.
Hankey, T.
Hardcastle, J. A.
Harris, J. D.
Hay, Lord J.
Hay, Lord W. M.
Hayter, Captain A. D.
Headlam, rt. hon. T. E.
Henderson, J.
Heneage, E.
Henley, Lord
Herbert, H. A.
Hodgkinson, G.
Holden, I.
Howard, hon. C. W. G.
Hughes, W. B.
Ingham, R.
Jackson, W.
Jervoise, Sir J. C.
Johnstone, Sir J.
Kearsley, Captain R.
King, hon. P. J. L.
Kinglake, A. W.
Kinglake, J. A.
Kingscote, Colonel
Kinnaird, hon. A. F.
Knatchbull-Hugessen, E.
Lacon, Sir E.
Laing, S.
Layard, A. H.
Lamont, J.
Lawrence, W.
Lawson, rt. hon. J. A.
Leatham, W. H.
Leeman, G.
Lefevre, G. J. S.
Lewis, H.
Locke, J.
Lowe, rt. hon. R.
Lusk, A.
MacEvoy, E.
Mackie, J.
Mackinnon, Capt. L. B.
Mackinnon, W. A.
McLagan, P.
McLaren, D.
Maguire, J. F.
Marjoribanks, D. C.
Marsh, M. H.
Marshall, W.
Martin, C. W.
Martin, P. W.
Matheson, A.
Milbank, F. A.
Mill, J. S.
Miller, W.
Mills, J. R.
Mitchell, A.
Moffatt, G.
Monk, C. J.
Monsell, rt. hon. W.
Moore, C.
More, R. J.
Morris, W.
Morrison, W.
Neate, C.
Nicol, J. D.
Norwood, C. M.
O'Beirne, J. L.
O'Connor Don, The
Olipphant, L.
O'Loughlin, Sir C. M.
Onslow, G.
Osborne, R. B.
Otway, A. J.
Owen, Sir H. O.
Padmore, R.
Pease, J. W.
Peel, A. W.
Pelham, Lord
Philips, R. N.
Pim, J.
Platt, J.
Portman, hon. W. II. B.
Potter, E.
Potter, T. B.
Power, Sir J.
Price, R. G.
Price, W. P.
Pryse, E. L.
Rawlinson, Sir H.
Rebow, J. G.
Robertson, D.
Rothschild, Baron M. de
Rothschild, N. M. de
Russell, A.
Russell, H.
St. Aubyn, J.
Samuda, J. D' A.
Samuelson, B.
Saunderson, E.
Seely, C.
Seymour, A.
Sheridan, H. B.
Sheridan, R. B.

Sherriff, A. C.
Simeon, Sir J.
Smith, J. A.
Smith, J. B.
Smollett, P. B.
Speirs, A. A.
Staepoole, W.
Staniland, M.
Stansfeld, J.
Steel, J.
Stone, W. H.
Stuart, Col. Crichton-
Sturt, Lt.-Colonel N.
Sullivan, E.
Sykes, Colonel W. H.
Talbot, C. R. M.
Tracy, hon. C. R. D. H.
Trevelyan, G. O.
Villiers, rt. hon. C. P.
Vivian, Capt. hn. J. C. W.

Waldegrave-Leslie, hn G
Waring, C.
Warner, E.
Watkin, E. W.
Western, Sir T. B.
Whatman, J.
White, J.
Whitworth, B.
Winnington, Sir T. E.
Woods, H.
Wyndham, hon. P.
Wynne, W. R. M.
Wyvill, M.
Young, G.
Young, R.

TELLERS.

Coleridge, J. D.
Duff, G.

NOES.

Adderley, rt. hon. C. B.
Akroyd, E.
Archdall, Captain M.
Arkwright, R.
Bagge, W.
Bailey, Sir J. R.
Baillie, H. J.
Barnett, H.
Barrow, W. H.
Barttelot, Colonel
Bateson, Sir T.
Beach, Sir M. Hicks-
Beecroft, G. S.
Bentinck, G. C.
Benyon, R.
Beresford, Capt. D. W. P.
Booth, Sir R. G.
Bridges, Sir B. W.
Briscoe, J. I.
Brooks, R.
Bruce, Mr. C.
Bruce, Sir H. H.
Buckley, E.
Burrell, Sir P.
Cairns, Sir H. M'C.
Cartwright, Colonel
Cave, S.
Cecil, Lord E. H. B. G.
Clive, Capt. hon. G. W.
Cochrane, A. D. R. W. B.
Cole, hon. H.
Conolly, T.
Corry, rt. hon. H. L.
Cooper, E. H.
Cranbourne, Viscount
Cubitt, G.
Dalkeith, Earl of
Dickson, Major A. G.
Disraeli, rt. hon. B.
Dowdeswell, W. E.
Du Cane, C.
Duncombe, hon. A.
Duncombe, hon. W. E.
Dunne, General
Du Pre, C. G.
Dutton, hon. R. H.
Dyott, Colonel R.
Eckersley, N.
Edwards, Colonel
Egerton, Sir P. G.
Egerton, E. C.

Egerton, hon. W.
Fane, Colonel J. W.
Feilden, J.
Fellowes, E.
Fergusson, Sir J.
Floyer, J.
Forde, Colonel
Forester, rt. hon. Gen.
Gallwey, Sir W. P.
George, J.
Gladstone, W. H.
Goddard, A. L.
Goldney, G.
Gooch, D.
Gore, J. R. O.
Gore, W. R. O.
Gorst, J. E.
Graves, S. R.
Greenall, G.
Greene, E.
Gray, Lieut.-Colonel
Grey, hon. T. de
Guinness, B. L.
Hamilton, Lord C.
Hamilton, Lord C. J.
Hamilton, Viscount
Hardy, J.
Hartopp, E. B.
Hay, Sir J. C. D.
Hervey, Lord A. H. C.
Henley, rt. hon. J. W.
Herbert, hon. P. E.
Heygate, Sir F. W.
Hogg, Lt.-Colonel J. M.
Hood, Sir A. A.
Hope, A. J. B. B.
Hornby, W. H.
Horsfall, T. B.
Hotham, Lord
Howes, E.
Hunt, G. W.
Jervis, Captain
Jolliffe, rt. hn. Sir W. G. H.
Jolliffe, H. H.
Kekewich, S. T.
Kendall, N.
Kennard, R. W.
King, J. K.
Knight, F. W.
Lascelles, hon. E. W.
Liddell, hon. H. G.

Lindsay, hn. Colonel C.
Lindsay, Colonel R. L.
Lloyd, Sir T. D.
Long, R. P.
Lopes, Sir M.
Lowther, J.
Mainwaring, T.
Manners, rt. hn. Lord J.
Meller, Captain
Miller, S. B.
Miller, T. J.
Mitford, W. T.
Montgomery, Sir G.
Mordaunt, Sir C.
Morgan, O.
Morgan, hon. Major
Mowbray, rt. hon. J. R.
Naas, Lord
Neeld, Sir J.
North, Colonel
O'Neill, E.
Packe, C. W.
Pakington, rt. hn. Sir J.
Palk, Sir L.
Parker, Major W.
Patten, Colonel W.
Patton, G.
Peel, J.
Pennant, hon. Colonel
Percy, Maj.-Gen. Lord H.
Phillips, G. L.
Powell, F. S.
Read, C. S.
Ridley, Sir M. W.
Russell, Sir C.
Schreiber, C.
Selator-Booth, G.

Scott, Lord H.
Selwyn, C. J.
Severne, J. E.
Seymour, G. H.
Simonds, W. B.
Smith, S. G.
Stanley, hon. F.
Stronge, Sir J. M.
Stuart, Lt.-Colonel W.
Surtees, F.
Surtees, H. E.
Taylor, Colonel
Thorold, Sir J. H.
Treeby, J. W.
Trevor, Lord A. E. H.
Trollope, rt. hon. Sir J.
Turner, C.
Tyron, Earl of
Vandeuleur, Colonel
Verner, Sir W.
Walcott, Admiral
Walker, Major G. G.
Walpole, rt. hon. S. H.
Walrond, J. W.
Walsh, Sir J.
Waterhouse, S.
Whiteside, rt. hon. J.
Whitmore, H.
Williams, F. M.
Wise, H. C.
Woodd, B. T.
Wynn, C. W. W.
Yorke, J. R.

TELLERS.

Heathcote, Sir W.
Northcote, Sir S.

Clause agreed to.

SIR WILLIAM HEATHCOTE said, that after so large a majority had affirmed certain words in the clause which would be inconsistent with his proposed Amendments, it would be vexatious to go on and put the House to the trouble of dividing on the other clauses. He should, therefore, withdraw from any further opposition to the measure.

*Remaining clauses agreed to.**House resumed.*

Bill *reported*, without Amendment; to be read the third time upon *Friday*.

POOR RELIEF (IRELAND) LAW AMEND-
MENT BILL—[BILL 153.]

(*Mr. Charles Barry, Mr. Gavin.*)

SECOND READING.

Order for Second Reading read.

MR. C. R. BARRY, in moving the second reading of this Bill, said, that it proposed to effect an alteration of the Poor Law system in Ireland by substituting a union rating for the present mode of assessment by electoral divisions. This was no

new principle, for the advisability and wisdom of the principle of a union rating for Ireland had already been affirmed by the House, and in the present Bill he was only endeavouring to restore to the Poor Law code the shape and form which it originally received in that House, but which it lost in another place by an Amendment introduced to effect an object which it had failed to accomplish. In the last Session of Parliament the Legislature had adopted the principle of union rating for England under circumstances and for reasons identical with those which led him to ask that the system should be extended to Ireland. It would be found that all the arguments used to-day against a union rating for Ireland would be the same that were urged last year against the Government Bill. From the reign of Elizabeth to the year 1834 the Poor Law system of England was exclusively parochial. With the parish as the area of Poor Law administration was associated the law of removal and settlement. The authors of the Poor Law Act of 1834 were in favour of union rating, but they were obliged to be content with the old system of parochial chargeability and taxation. In 1836 it was resolved that there should be a Poor Law for Ireland, and that the system adopted should be a workhouse system. Sir George Nicholls, an experienced English Poor Law Inspector, who was sent to Ireland, suggested unions on the model of those of England, and recommended that they should be the areas for all the purposes of administration, chargeability, and taxation. He also recommended that if the principle of settlement was adopted it should be as large as the limits of the union. In his Report he expressed a strong opinion that a parochial settlement in England had been productive of great mischief, and that it was not desirable to adopt it in Ireland. The Government of the day introduced the first Irish Poor Law Bill in 1838. In the shape in which it was introduced and passed the union was made the area for all purposes of rating. The Bill then went to another place, where it encountered the most determined opposition. It was discovered that unless an Amendment made by the other House of Parliament were adopted by the House of Commons the Bill would not pass. That House was thereupon obliged to retract its solemn decision, and to accept the principle of electoral subdivisions, the substitution of which as the area of taxation led to the utmost mischief.

The electoral divisions were originally introduced into the Bill for the mere purpose of electing guardians for administering the affairs of the entire union. The avowed object of the alteration made in the Bill was to induce the local proprietors to support their own poor by employing them. In stating the objects of that alteration, the late Duke of Wellington deduced an argument in its favour from the working of the parochial system in England, under which each parish paid its own expenses; and it was clear from the way in which his Grace then used the word "parish," that no distinction was drawn between an electoral division and a parish. The law of removal, however, which formed part of the English system, was altogether omitted from the Irish Bill, and the local proprietors in Ireland having the unrestrained power of sending away the poor from their own electoral divisions, the only effectual safeguard for the good working of the electoral division system in the sense contemplated by its authors did not exist. It was said there was a difference between Ireland and England, in consequence of the larger size of the Irish electoral divisions and unions as compared with the English parishes and unions. Now, it might be that the unions and electoral divisions of Ireland, including as they often did many acres of waste lands, exceeded in mere superficial area the corresponding divisions in England; but in using the word "area" in that discussion they must take into account population and valuation as well as mere space. The average population of a union was in Ireland 35,000, and in England 30,000; while the average valuation of an English union was about £145,000, and that of an Irish union was £70,000 or £75,000. But even assuming that there was a disparity between the two, that did not constitute a difference of principle but only a difference of degree; and what he now contended for was that the area of taxation and the area of administration should be commensurate. The hon. Gentleman then proceeded to quote the opinion of Sir George Nicholls that the system of electoral divisions had not worked smoothly, that the principle of separate chargeability had produced struggles in Boards of Guardians, each division endeavouring to relieve itself from the burden of a registered pauper by shifting it to some other division, or to the union at large; while the labouring classes were removed from their natural and legitimate dwelling places. He also cited pas-

sages from speeches delivered by the late President of the Poor Law Board (Mr. Baines), and by his successor, describing the operation of the English system before the adoption of union rating, remarking that every word of them applied with equal force to the electoral divisions of Ireland. Speaking of the state of things in England in 1865, the present President of the Poor Law Board said it had always been a great object in particular parishes, in order to keep down the poor rates, to prevent the poor from residing in those parishes; and for that purpose their dwellings were pulled down, and no new cottages were built; that that was one way of what was called "managing a parish;" that the labourers were obliged to live in wretched dwellings, sometimes far from their work, and often more fit for brutes than for human beings; while the struggles of the different parishes to get rid of their poor gave rise to loud and long continued complaints of the capricious and unjust distribution of the burden of their maintenance. All those evils, engendered by the same causes, existed in Ireland. In 1838, when the Irish Poor Law Bill was about to pass, Mr. Lucas, afterwards Chief Secretary for Ireland, predicted that the Act would lead to what was called the clearing of estates from a superabundant population, which population would take refuge where it had the best chance of support. That prediction had been fully verified. No man had so thorough a knowledge of the condition of Ireland—particularly of the lower classes—than the late Sir Matthew Barrington had in 1844—himself a large landed proprietor, and a confidential adviser and manager of several of the most extensive landed proprietors of Ireland—and who wrote to Sir Robert Peel that the Irish landlords were rapidly clearing their estates in apprehension of the effects of the Poor Law. Such was the mischief and intolerable injustice inflicted on Ireland by reason of the law of 1838, giving the landowners in electoral divisions the power at their own caprice to get rid of their chargeability for paupers by sending them away into other electoral divisions, that in 1843 the Legislature had to pass an Act to correct those evils, and that new Act required that before a pauper could become chargeable to another electoral division than the one which had sent him away he should have resided in that other electoral division for a particular time. Subsequently attempts were made to amend the law, but

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they proved wholly ineffectual. He next came to the period of the potatoe blight of 1846, which had reduced the population of Ireland by one-third, changed the course of agriculture, altered the food of the people, and transferred the ownership of the soil in a great degree to a new class of proprietors. But that visitation and its consequences accelerated that process of clearing estates which Sir Matthew Barrington had previously described. In 1849, Lord Derby (then Lord Stanley), complained that a neighbouring proprietor in another electoral division had evicted 375 persons and had thrown them upon his property. Mr. James O'Connell, a large landed proprietor, in the South of Ireland, stated that the system of electoral divisions gave a premium and an encouragement, even before the days of the famine, to the depopulation of estates, and showed that it produced various other grave evils. That was the testimony of a gentleman who in a pecuniary point of view was largely interested in the maintenance of the present system, but who yet did not allow personal considerations to interfere with the view which he deemed it to be right to take with respect to its operation. To remedy the evils arising from the contraction of the area of taxation, it was contracted still further, the subdivisions of 1838 being made still smaller in 1850. And now he should like to ask, if the labouring population were retained in employment in the electoral divisions, where were they to be found? The fact was that one might travel for miles throughout the country without meeting with the residence of an agricultural labourer. Many of them, no doubt, had emigrated, and many had died, but he confidently asserted that they had also in large numbers, as was stated by Mr. O'Connell, flocked into the towns. In Limerick, for example, the assessment, which in 1851 was only 3s. 3d., amounted in 1865 to 3s. 9d.; and in the case of the electoral division of Dungarvan, which was separated by a stream from the rural division, numbers of persons crossed the stream, and were to the present hour a burden on the electoral division. The hon. Gentleman cited several other cases in illustration of his argument, and contended that much discontent would be excited among the labouring classes in Ireland if the advantages of the English system were not extended to that country. The effect of the existing system upon the labouring population in Ireland was, he added, in more

respects than one, most injurious. The labourer was subjected to the hardship of having to go a long distance to his work, and instead of having his little cabin, miserable and devoid of cleanliness as it but too generally was, surrounded by the fresh country air, he was obliged to take up his abode amid all the abominations of a wretched lodginghouse in some towns. The consequences might be traced in the contrast which everybody familiar with Ireland must have observed between the healthy urchins whom he must have seen running out of the dirty hovels in the rural districts, and the wretched, sickly-looking children by whom the dismal alleys of the towns were crowded. In a moral and sanitary point of view, it was needless to say that the present system was open to the gravest objection, and he trusted, therefore, the House would not refuse to accede to the proposal which he deemed it to be his duty to make. He had been told that proposal was in contravention of a Resolution which had been passed by the Select Committee which sat in 1861, but he believed the subject of union rating had formed merely incidentally one of the questions which had come under the consideration of the Committee, while it would be found that it had been admitted by several of the witnesses before it, some of whom were in favour of and some against union rating, that the result of the present system was an undue pressure on the towns. The Committee agreed to a Resolution to the effect that union rating was not desirable, inasmuch as they were of opinion that the Act of Parliament extending the period of residence would result in the removal of that pressure. The fact was, however, that that Act had been in that respect totally inoperative, and, under all these circumstances, he trusted the House would assent to the second reading of the Bill, which he in conclusion begged leave to move.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. C. R. Barry.*)

MR. GREGORY gave the hon. and learned Gentleman full credit for very humane motives in bringing forward this Motion, but he did not think his views tended towards the regeneration of the country. In fact, judging from his speech the hon. and learned Member seemed to regret the old times in Ireland when the surface of the country was covered with a

squalid, wretched population, dwelling not in houses but in huts, badly fed, badly clothed, badly paid, in a chronic state of misery and famine. These are the class of persons whom he compares with the English labourer, and whose disappearance he laments. He seems to think union rating would reproduce these blessings. The hon. Gentleman had given a long sketch of the origin of the Poor Law. He appealed to authority—to the authority of Sir George Nicholls, whose plan was union rating, and as the learned Gentleman had laid so much stress on authority, he (Mr. Gregory) would, by a few extracts, convince the House that from the commencement of the Poor Law up to the present time, all authority, all experience, all disinterested testimony, was in favour of the narrow area as being the cardinal point on which the efficient working of the system turned. When the Poor Law Bill was brought into the Lords, the Duke of Wellington, with that practical good sense which always distinguished him, laid it down as a *sine quâ non*—

"That with the view to control expenses, to induce proprietors to give employment, to exercise constant supervision, it was necessary that the strict area of the English parish should be the area of the new Irish Poor Law."

The same views were entertained by Sir James Graham, who, in a debate on the Irish Poor Law in 1847, quoted the words of Mr. Gulson, the senior Poor Law Inspector of England. Sir James Graham, although an advocate for union rating in England, strongly opposed the same system in Ireland. Mr. Gulson, writing from Drogheda in 1843, says—

"There are incalculable advantages at work with reference to the care exercised on electoral divisions, both by guardians, ratepayers, and landlords, which would cease when their interest no longer prompted them to exertion. I see work offered even by the agent and by the ratepayers interested in a particular electoral division, solely because the man and his family would otherwise be applicants at the workhouse. It not unfrequently happens at the Boards in my district, on a man applying, that the warden says he will find the applicant work in the electoral district at fair wages; and I often find the guardians exerting themselves legitimately to find employment for those who would otherwise be destitute, because, if taken into the workhouse, the persons would be charged upon the ratepayers of the division. Throughout my district the large farmers, and the guardians, and the agents, are very active in keeping down the expenses of their several divisions, and I constantly in private hear them consulting as to the best mode of employing the people rather than let them go into

the workhouse. If the electoral divisions were done away with all this stimulus would cease."

This is the opinion of one Poor Law Inspector, shortly after the introduction of the Poor Law. We shall find it corroborated by Mr. Senior, the Poor Law Commissioner, and Mr. Briscoe, a gentleman, also Inspector, of the Poor Law, who had, at the time of his evidence, as much experience as any living man. At the first starting of the system the unions were of immense extent, and the electoral districts no less unwieldy; but the system was new, and the inconveniences of the large area were not felt. But when the famine came on, at once arose a demand for the small area. Throughout the whole of Ireland, from Radical and Conservative, from Catholic and Protestant, from parson and from priest, went forth the cry that property should be responsible for the poverty found on it; that the improving landlord should have his reward, and the unimproving, neglectful landlord should receive his penalty. Taxation and responsibility were to be co-extensive; the smallest area possible, the unit of territorial division—namely, the townland—was demanded as the area of taxation; and so strong was the feeling, and so irresistible the argument, that in 1848 Sir George Grey appointed the Boundary Commission to reduce the size of unions and of electoral divisions. In their first Report the Boundary Commissioners state that the unions in the North and East of Ireland were much smaller, and consequently better managed, than those formed in the South and West. They proposed to reduce the unions and to found fifty new unions; and, speaking of the electoral divisions of the day, and of extending the area of rating, they say—

"The expenditure would be divested of the necessary supervision and control, precisely in proportion as the district was larger."

Two years after this, in the 8th Report of the Poor Law Commissioners of 1850, we find the opinions of the Boundary Commissioners confirmed. The Poor Law Commissioners speak of the moderation of the rate where the area is small. They say—

"In fact, the very magnitude of the rateable district has been represented to us, and with very great reason, as one of the causes which has led to the pressure on the rates from the laxity which has been introduced by it."

In the same Report the Poor Law Commissioners say—

"On the other hand, it is stated that the towns have but little control over the increasing num-

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bers chargeable upon them, from the facility with which settlements are obtained by paupers evicted from the country and received into small lodgings and tenements of persons who make a profit by the lodgings they let. It cannot be denied that the influx of these persons is a hardship on the more wealthy householders, but it would be a yet greater hardship on the farmers residing at a considerable distance from the town if they were to be taxed for their support, as there can be no doubt that however poor these persons may be, their admittance arises from the immediate profit derived from them, rather than from motives of benevolence."

We thus bring the universal testimony of all official, and consequently disinterested, authority up to 1850, against enlarging the area. The controversy as to union rating in England rested on a totally different basis. The hon. and learned Gentleman said that the circumstances and the principles of union rating in Ireland was identical with those in England; and he read long passages from the speeches of the President of the Poor Law Board condemning the system of close parishes in England, and the hardships resulting from them. He spoke of landlords combining to prevent erection of labourers' cottages—of driving labourers from their legitimate dwellings, and bringing them from long distances to their work. These were the English grievances; and so strong did he (Mr. Gregory) feel them that he voted for union rating in England. But in Ireland things were totally different. Who ever heard of close parishes in Ireland? Who ever heard of combinations to prevent erection of labourers' cottages? Why, a totally different procedure was going on. Landlords, instead of getting rid of labourers, were attracting them by building good substantial dwellings, and obtaining Government loans for that purpose. If labourers go to their work from distances, it chiefly arises from the fact that labour has to be sought for from far and near in many parts of Ireland, and the labourer comes from a distance—not because he has been expelled, but because he has always lived at a distance. He (Mr. Gregory) could not, with the time of closing so rapidly advancing, go into the reasons why the law of settlement and irremovability rendered union rating necessary in England, but they were providentially untrammelled by those laws in Ireland. But, said the hon. and learned Gentleman, in trying to get over the decision of the Committee of 1861, which stood in his way, the union rating question was only touched on incidentally in that Committee. He (Mr. Gregory) was a member of the

Committee, and the question was considered with quite as much attention and prominence as it deserved. Many most intelligent and experienced witnesses were examined, and so strong was the bulk of testimony in favour of the electoral division system that Mr. Cardwell, then Secretary for Ireland—a gentleman of great authority, and one who would weigh questions of this kind gravely and fully—proposed this Resolution to the Committee—

“That several witnesses have recommended the substitution of union for divisional rating; but that it is not desirable to alter the present law.”

The hon. Member for Cork moved, as an Amendment,

“That, as divisional rating has operated prejudicially, it was just and expedient that the area of rating should be extended to unions.”

This was rejected by ten to three. The three were—Sir John Arnott, Mr. Maguire, and Mr. Waldron; on the other side were three Irish Secretaries—Mr. Cardwell, Lord Naas, and the late Mr. Herbert, whose loss every Irishman had reason to deplore. There were the representatives of the counties of Limerick, Kerry, Mayo, Wexford, Galway, Tyrone, Kildare, Dublin City, and Newry. He (Mr. Gregory) would pair off Dublin and Newry with Kinsale and Dungarvan, and there were seven representatives of counties against one. Now he came to the specific allegations of the learned Member. He alleged the unfairness of making towns support rural pauperism; he hinted that landlords got rid of tenants knowing that the burden of their support would fall on others and not on them. Now about the unfairness. Who pays the rates? The landlord. He (Mr. Gregory) did not refer to the mode in which they were collected; but on whom did they ultimately fall? Of course on the landlord. But who gained by the increase of the town population? The owners of the town. The houses were set at increased rents. The land adjoining the town was let in small plots at exorbitant rents to these labourers, who must have a portion of land to raise potatoes for their existence. It is these labourers which do the work of the town, and without them the town could not get on, and their expenditure supports the small tradesmen. But he denied *in toto* that rural pauperism was at present flocking into the towns. No doubt they might find plenty of beggars in the town, but they have been born and raised there. He

agreed that in the famine year the towns had a grievance, but that was nearly twenty years ago, and the population uprooted by the famine had long since been absorbed in various manners. No one could contend that they have ever since remained upon the rates. The two strong cases always alleged in favour of union rating have been Cork and Limerick. At the Committee of 1861 the hon. Member for Cork summoned witnesses to prove the hardships of these towns, but other witnesses came also; and what did it turn out? Why, that the pauperism which swelled the electoral districts of Cork and Limerick cities was not rural pauperism at all. Mr. Sarsfield, who had been vice-chairman of Cork Union for eight or nine years, showed that the pauper population of the City of Cork are persons going to England, coming from England, persons connected with the army, and so on; but he gave a little further insight into the nature of the grievance. Mr. Sarsfield was asked this question—

“There has been a good deal of evidence given with respect to establishing union rating instead of electoral division rating. What is your opinion of such a change?—I am decidedly in favour of electoral division rating. The large town of Cork is the cause of a great deal more destitution than the rural districts. I find there are charged to the Cork electoral division 1,058 persons. I find there are charged to the rural districts 207. I find in the general union charge there are 1,338 persons. Now, it is well known that the valuation of the City of Cork is very much under the real valuation, and decidedly not in proportion to the valuation of the rural districts. In this kind of way, though a rate of 2s. in the pound appears a heavy rate on the city, if the valuation were, as it ought to be, in proportion to the valuation of the rural districts, that would appear to be but 1s. 6d.”

Mr. Sarsfield goes on to say—

“I brought this subject two or three times before the guardians. I spoke of the injustice of it, and one of the gentlemen, who certainly understands the question very well, said he was always saying to the advocates of change—‘You had better hold your tongue on this point; it is the same thing to us. Although we nominally pay what appears to be a high rate, it is not in reality so,’ and he added—‘We save it in the income tax.’”

Mr. Sarsfield showed that 600 persons on the union at large came from other unions; and out of the 2,603 paupers only 207 were from the rural electoral divisions. He also showed that from the heavy union charges the county electoral divisions were nearly as heavily taxed as the city. In short, a county rate or a national rate could alone reach the case. It was the city which

affected the county districts, and not the county the city. Then came the case of Limerick—complaints of immense numbers of paupers coming in from rural districts on the city electoral division. Mr. O'Halloran, a man of great experience as guardian and vice-guardian of Bantry and Gort Unions, did not resort to assertion and declaration but went thoroughly into the cases. Great complaints had been urged before the Committee by a city guardian as to the immense number of pupers thrown on the electoral division of Limerick; but Mr. O'Halloran, who was also a guardian, and who had been a vice-guardian over the Bantry and Gort Union, and who consequently had a head on his shoulders, previous to appearing before the Committee examined all these paupers, and it appeared that on the 13th April, 1860, there were 996 paupers charged to the electoral division of the city of Limerick. Of these 996 there were only eighteen who had held land in any part of the union or anywhere else within the last twenty years. In fact, there were only eighteen who came from the country at all. So much for the allegations of the learned Member that the country throws off its pauperism on the towns. It was said, moreover, that this electoral policy is the cause of evictions—that it makes landlords to evade the responsibility of the support of small occupiers when invalidated or impoverished. Now, nothing but the most invincible ignorance could dictate such an observation. Do away with electoral rating and then, indeed, landlords will have the inducement of saddling the results of their own mismanagement and neglect on the backs of others. Now, the Committee of 1861 took this circumstance into consideration. They were desirous of making property still more responsible for its pauperism than it was before. They acted on the advice of Mr. Senior, and passed a resolution—

“That an extension from three to five years (with a minimum residence of two years in some one division) of the time which suffice to make the pauper chargeable to the electoral division, instead of to the union at large, would tend to remove undue pressure imposed on town electoral divisions from any sudden increase occasioned by the gravitation of pauperism towards the more populous districts.”

This resolution became embodied in the Poor Law Act of 1862, and it is perfectly clear to every one who can read and use his reasoning faculties that with union rating there can be no penalty on eviction; with divisional rating there is a lasting

Mr. Gregory

penalty—the obligation to pay for the evicted. The eviction part of the story is clearly disposed of, for nothing can be more manifest, that if you resort to union rating, whatever inducement the landlord may now have to give employment, in order to avoid supporting the poor on his own division, would instantly cease, and a premium and advantage would be given to eviction. Then as to the hardship of the disproportion of rates that one electoral division should only pay 6*d.* or 7*d.* and another 2*s.* 6*d.* As regards the towns, as had been already shown, if they pay in meal they are repaid in malt; and as to the disproportions of the other electoral divisions, they arise simply from this, that in those which are taxed heavily, landlords and agents have neglected their duty, and encouraged a miserable pauper population; in those which are taxed lightly, they have done their duty, and are meeting with their reward. So much for the arguments against electoral rating. Now let him (Mr. Gregory) urge a few which were to his mind irresistible in its favour. First of all, it is the means of a close and efficient management of the union. Every guardian elected for a division considers it his duty closely to scrutinize and investigate all that concerns the division. Remove that incentive, extend the area to the union, and you remove with it that responsibility without which an Irish union cannot be worked. What would be the result? The farmers would absent themselves, the board would fall into the hands of a town clique, and when we reflect on the length, depth, and breadth of the inveterate propensity of Irish boards and bodies to jobbing, unless restrained by the strongest checks, he could only foresee the worst results from the removal of those checks; and the effect of the Bill would be not to lower the rates on towns, but to raise the rating on the rural districts to the level of the towns, and so do away with one of the main inducements to improve the condition of the poor and of the county by giving employment. Now, to his astonishment, he had heard it denied that the effect of electoral rating was to give employment to the poverty of the division. But read the evidence of Mr. O'Halloran. What is his experience?

“Mr. Monsell: Will you state your objections to union rating?—One of the first objections is, that it would tend to destroy the individual exertions of each guardian by taking away the incentive to attending to the interests and affairs of each electoral district. There is now an anxiety on the part of the guardians to attend to the

affairs of each electoral division, because they feel it will keep down the rates."

"What is your opinion with regard to the effect of electoral division rating in encouraging owners of land and farmers in the different divisions to give employment, and keep people in that way from the workhouse?—I know that in the electoral divisions there is always an anxiety both on the part of proprietors, and on the part of landowners to give employment to keep down the rates. I know of many cases of the kind."

Mr. Stewart, Chairman of Letterkenny Union for fifteen years, was asked his views on union rating.

"I think the individualizing of the responsibility in small electoral divisions is the great and beneficial principle of the Poor Law now, because I as a landlord have to pay for my poor; I would, therefore, much sooner employ them on my farm than pay for them in the workhouse."

"The present system of electoral division rating is an incentive to give employment to the poor?—No doubt of it; I know it does do it; a farmer when he has a pauper on his electoral division inquires if the man is able to do work, and if able-bodied he will employ him himself. That occurs before our board almost weekly; if we have able-bodied paupers, the moment it is known a pauper is able to work he is taken out of the workhouse."

Mr. Briscoe, who had been chairman of the Carrick Board, vice-guardian of two or three unions, Poor Law Inspector till 1852, and latterly general superintendent of poor in Scotland, stated that from his experience, both of Ireland and Scotland a small area is better for supervision, and the better the care taken of the poor. This fact should not be lost sight of by Liberal Members. This was entirely corroborated by his own experience. He (Mr. Gregory) had been a Poor Law Guardian for nearly eighteen years, he had been chairman of his own union, and he could state from his own personal experience, and from his own action, that continually his tenants and himself had combined to relieve the electoral divisions in which they were interested of every pauper that could work. In other cases he had known farmers and landlords to combine to take every pauper off the rates, and to confine the division to establishment and union charges, but he scarcely ever could recollect the slightest anxiety to employ union paupers. The taxation created by them was relatively small, and consequently the interest taken in them was relatively small also. Now, this reference to the united action of landlord and farmer brought up what appeared to him a weighty consideration in connection with this question. It was acknowledged by all persons, that if union rating

be established, the elected guardians of the rural districts will cease to attend. They would have no strong incentive to attend, and would naturally be unwilling to give up a day to business in which they had comparatively speaking so little interest. The union work would, therefore, fall into the hands of the town guardians and the magistrates. Indeed, he (Mr. Gregory) had heard some persons strongly urge union rating because it would place the union in the hands of the landlords. Now he deeply deprecated such a contingency. He objected strongly to any course leading to such an end. There was great good in the present system. It gave a training in public business to the farmer classes in Ireland which is invaluable. The landlord and tenant met on terms of perfect equality at the same board. Measures of common interest are thoroughly discussed—both classes get to understand each other better than before, and not merely is union business discussed, but after the work is done questions of general interest, local and political, are continually discussed in a most friendly spirit. This unreserved communication does good to both the landlord and the farmer. Prejudices, if they are not removed, are understood, and he, speaking from his own experience, had seen the greatest benefit from these weekly meetings. It would be a very untoward day when the frieze-coated farmer ceased to ride into the workhouse to do battle for his division. Well, then, believing as he did that union rating would diminish responsibility, would equalize the bad and the good landlord, by taking the reward from the one and the penalty from the other; that it would be an incentive to jobbing, would be an encouragement to eviction, would promote extravagance by lessening individual interest, and would raise the rates throughout the country; and feeling convinced that the general voice of Ireland was opposed to this endeavour to relieve the town at the expense of the country population, he would move that the Bill be read a second time this day six months.

LORD CLAUD HAMILTON, in seconding the Amendment, remarked that the whole argument of the hon. and learned Gentleman who introduced the Bill was based on the idea that the law of settlement and removal existed in Ireland, whereas such had never been the case, and he hoped never would be. It was all very well to talk of assimilating the laws of the two countries, but surely the worse should

be assimilated to the better, and he maintained that the Irish law was vastly superior to the English, for the excellent system of medical charities which existed across the Channel, contrasted most favourably with the disgraceful way in which the sick poor were treated in this country, of which there had recently been such horrible revelations.

Debate adjourned till To-morrow.

LOCAL GOVERNMENT SUPPLEMENTAL (NO. 3)
BILL.

On Motion of Mr. KNATCHBULL-HUGESSEN, Bill to confirm certain Provisional Orders, under "The Local Government Act, 1858," relating to the Districts of West Hartlepool, Tormoham, Harrogate, St. Leonard, Wednesfield, Aberdare, Bristol, Derby, Shrewsbury, Netherthong, Hove, New Windsor, Hanley, Burnley, and Accrington; and for other purposes relative to certain Districts under the said Act, *ordered* to be brought in by Mr. KNATCHBULL-HUGESSEN and Sir GEORGE GREY. Bill presented, and read the first time. [Bill 191.]

House adjourned at ten minutes
before Six o'clock.

HOUSE OF LORDS,

Thursday, June 14, 1866.

MINUTES.]—PUBLIC BILLS—*First Reading*—Transubstantiation, &c., Declaration Abolition* (157); Princess Mary of Cambridge's Annuity* (158); Carriage and Deposit of Dangerous Goods* (159).

Second Reading—Rights of Dramatizing Works of Fiction (142), *negatived*; Grand Juries Presentment (Ireland)* (115).

Committee—Ecclesiastical Commission (52 & 149); Labouring Classes' Dwellings (Ireland)* (128); Fishery Piers and Harbours (Ireland)* (130); Belfast Constabulary* (133); Indian Prize Money* (140).

Report—Public Schools* (143); Prosecution Expenses* (155); Labouring Classes' Dwellings (Ireland)* (128); Fishery Piers and Harbours (Ireland)* (130); Belfast Constabulary* (133); Indian Prize Money* (140); Charitable Trusts Deeds Enrolment* (156).

Third Reading—Drainage Maintenance (Ireland)* (151), and *passed*.

TOTNES ELECTION—GREAT YARMOUTH ELECTION — REIGATE ELECTION — LANCASTER ELECTION.

The QUEEN'S Answers to Addresses of both Houses *reported* by The LORD CHAMBERLAIN.

Lord Claud Hamilton

RIGHTS OF DRAMATIZING WORKS OF FICTION BILL—(*The Lord Lyttelton*.)

(NO. 142.) SECOND READING.

Order of the Day for the Second Reading read.

LORD LYTTELTON, in moving the second reading of the Bill, said, he need not trouble their Lordships at any length, because he was sure that the object was one which would have the general approval of their Lordships; and moreover the subject was one on which he did not pretend to any special information. It had, however, been presented to his notice in a manner he could not disregard. He was requested to give his attention to the subject by an authoress of great distinction connected with his own county, with whose works no doubt many of their Lordships were familiar—he referred to Mrs. Henry Wood, the authoress of *East Lynne*. Before, however, alluding to the case of Mrs. Wood he would make a few remarks on the general subject. He would remind the House that the law of copyright was one wholly founded upon statute, dating from the time of Queen Anne. The first Act gave to authors of books and their heirs the sole right of publication for fourteen years, and if the author outlived the expiration of that term the right was extended to another fourteen years. That was the general state of the law up to the present day with two alterations and extensions. By the 54 Geo. III. the period was extended from fourteen to twenty-eight years, and in the event of the author being alive at the expiration of that time the copyright was extended over the remainder of his life. And lastly, within the memory of many noble Lords, the Act received its present extension after a long contest, by the energetic perseverance of Mr. Justice Talfourd. There had also been some special legislation, not immaterial to the subject of the present Bill, with reference to particular points. Dramatic productions were the subject of a special law passed in the 3 & 4 Will. IV., a long time previous to Serjeant Talfourd's Act. This Act conferred the same privileges upon the authors of plays not printed and published as had previously been conferred upon authors by the 54 Geo. III., and by Serjeant Talfourd's Act the same privileges were extended to musical compositions. By several Acts passed in the reigns of George II. George III., George

IV., and Queen Victoria, similar privileges were bestowed upon engravings, drawings, and photographs. These statutes being of a restrictive and penal character, had always been strictly construed by the Courts of Law. Serjeant Talfourd's Act applied distinctly to dramatic pieces, but not to the adaptation of books of fiction, and their alteration into another form. It would have been no very unreasonable interpretation of that Act to hold that it had that application; but by various decisions of the Courts of Law it had been held that the production and acting of novels was not prohibited, and that persons had a right to dramatize works of fiction. What he now asked for was, he believed, but a fair and reasonable extension of the principle which had been acknowledged in other directions. As to the particular case to which he had referred, he had a statement from Mrs. Henry Wood, in which she complained that she heard a short time ago that *East Lynne* was being brought out at one of the theatres, and she applied for remedy. The person who dramatized the work referred her to the lessee of the theatre where it was to be performed; and he, averring that he had a perfect right to produce the piece, declined to withdraw it, or even give her a share of the gains it might bring. Mrs. Wood felt it was a great injustice that the products of her time and brains should be taken in this way; but, as was the case with other authors, her chief grievance was, not the pecuniary wrong, but the fact that the piece was put upon the stage in an offensive, vulgar, and inaccurate manner. His Bill simply proposed that when the copyright of any work of fiction had not been sold or disposed of the exclusive right of dramatizing such work and causing it to be performed should be lodged in the author.

Moved, "That the Bill be now read 2*."
—(*The Lord Lyttelton*.)

LORD TAUNTON said, he thought the protection to authors went far enough already. He thought the term "Dramatizing" was very vague, and that the proposal would give rise to a great deal of litigation. This was a sort of petty legislation to which he thought they ought not to have recourse. He did not think that authors should protect themselves in this way. He moved that the Bill be read a second time that day six months.

Amendment *moved* to leave out ("now") and insert ("this Day Six Months.")—(*The Lord Taunton*.)

EARL STANHOPE said, he hoped to be able to persuade their Lordships to give a second reading to this Bill. He considered it a necessary complement of the Bill of 1842 which he had himself been instrumental in carrying through the House of Commons, although it had been attributed to Mr. Serjeant Talfourd, who was not in the House at the time. Practical hardships arose under the present state of the law for which he thought a remedy ought to be provided. Authors now suffered in purse and in fame. Authors suffered in purse because when a work of fiction was profitable, a drama founded on it was frequently profitable also, and that profit ought to belong to the author; and they suffered in fame by their works being badly dramatized. If their Lordships were prepared to stand by the principle of the Act of 1842, he defied them to state any tangible ground why they should not agree to this measure. He did not see why they should give protection in one shape and refuse it in another. He need not remind their Lordships that several conventions had been entered into with foreign countries, based on the Copyright Act, and if this Bill passed, he trusted Her Majesty's Government would endeavour to include dramatized works in those conventions.

EARL GRANVILLE said, he did not rise on behalf of the Government, but to express his individual opinion that the Bill was unnecessary. The noble Earl who had just sat down regarded the measure as a necessary complement of the Act of 1842; and that those who were in favour of the one must necessarily be in favour of the other. But in his (Earl Granville's) view that was not the case. The Bill appeared to him to be likely to injure every person whom it was intended to benefit. With regard to authors, in nine cases out of ten they would be benefited, for by dramatizing a work a desire was created among the public to read it; and with regard to the public, it would be a great hardship upon the playgoing public if play writers were to be precluded from founding dramas upon successful works of fiction. Very few of the plots of dramas were original; undoubtedly the plots of Shakspeare's plays were not invented by himself. Much had been said lately on the subject of patents. Now, there was this great difference between patents and books, that

while in the former case there might be a monopoly, in the latter there could be none, for as soon as a book was published the world in general was at liberty to use in every sort of literary production the ideas which it contained. The only part of the existing law to which he objected was the right of translation, which he thought had operated injuriously. He could not, however, support a proposal to prevent any person dramatizing any part of a work. For these reasons he would advise his noble Friend to withdraw the Bill.

THE LORD CHANCELLOR said, that having examined the Bill that morning, he was of opinion that it would open a most fruitful source of interminable litigation. It proposed to give to authors during their lifetime and seven years after the sole and exclusive right of dramatizing, or causing to be represented at any theatre, any novel, romance, poem, or other work of fiction of which they were the authors. The argument in support of the existing law had always been that, though it gave an author a copyright in his work, it did not prohibit anything founded upon that work which was new and original in its character. Now, nothing could be more different from a novel than a drama founded upon that novel, or, as generally happened, upon some particular portion of it; and, as his noble Friend had remarked, there were very few plays the plots of which were original. It was alleged that it was unfair that an author should not get the benefit of such a drama. But he might disapprove dramas altogether, and was he to prevent anybody from doing that which he would not do himself? Moreover, the interpretation of the Bill would cause endless litigation. A "poem," he supposed, every one might understand; but what was a "novel" or a "romance," and what was a "work of fiction?" Why, it had been said of M. Thiers' histories that they were works of fiction. He hoped his noble Friend would not press the Bill to the second reading, for he was quite certain that its provisions would be as impossible to carry into effect as they were contrary to all reason.

On Question, that ("now") stand Part of the Motion? their Lordships divided:—Contents 11; Not-Contents 89: Majority 78.

Resolved in the Negative; and Bill to be read 2^a on this Day Six Months.

Earl Granville

CONTENTS.

Beauchamp, E.	Dartrey, L. (<i>L. Cre-</i>
Carnarvon, E.	<i>morne.</i>)
Stanhope, E. [<i>Teller.</i>]	Denman, L.
Verulam, E.	Granard, I. (<i>E. Gra-</i>
	<i>nard.</i>)
Lifford, V.	Lytelton, L. [<i>Teller.</i>]
	Talbot de Malahide, L.

Oxford, Bp.

NOT-CONTENTS.

Cranworth, L. (<i>L. Chan-</i>	Stratford de Redcliffe, V.
<i>cellor.</i>)	Sydney, V.

Devonshire, D.	Bangor, Bp.
Marlborough, D.	Peterborough, Bp.
Richmond, D.	Ripon, Bp.
Rutland, D.	Rochester, Bp.
Saint Albans, D.	Winchester, Bp.
Somerset, D.	

Lansdowne, M.	Abinger, L.
Normanby, M.	Belper, L.
Salisbury, M.	Blantyre, L.
Townshend, M.	Boston, L.
	Boyle, L. (<i>E. Cork and</i>
	<i>Orrery.</i>) [<i>Teller.</i>]

Airlie, E.	Brodrick, L. (<i>V. Middle-</i>
Amherst, E.	<i>ton.</i>)
Bandon, E.	Brougham and Vaux, L.
Bantry, E.	Carew, L.

Belmore, E.	Chelmsford, L.
Bradford, E.	Clandeboyne, L. (<i>L.</i>
Brooke and Warwick, E.	<i>Dufferin and Clane-</i>
Cadogan, E.	<i>boye.</i>)
Caithness, E.	Clonbrock, L.

Camperdown, E.	Colville of Culross, L.
Chichester, E.	Crofton, L.
Clarendon, E.	Feversham, L.
De Grey, E.	Foley, L.
Derby, E.	Grinstead, L. (<i>E. En-</i>
Devon, E.	<i>niskillen.</i>)
Ellenborough, E.	Heytesbury, L.

Fortescue, E.	Kilmaine, L.
Granville, E.	Moore, L. (<i>M. Drogh-</i>
Hardwicke, E.	<i>eda.</i>)
Harrowby, E.	Mostyn, L.

Huntingdon, E.	Northbrook, L.
Malmesbury, E.	Overstone, L.
Minto, E.	Oxenford, L. (<i>E. Stair.</i>)

Morley, E.	Panmure, L. (<i>E. Dal-</i>
Nelson, E.	<i>housie.</i>)
Orkney, E.	Ponsonby, L. (<i>E. Bess-</i>
Romney, E.	<i>borough.</i>)

Rosse, E.	Ravensworth, L.
Russell, E.	Saye and Sele, L.

Selkirk, E.	Silchester, L. (<i>E. Long-</i>
Shrewsbury, E.	<i>ford.</i>)
Wilton, E.	Somerhill, L. (<i>M. Clan-</i>

Zetland, E.	<i>ricarde.</i>)
	Stanley of Alderley, L.

Clancarty, V. (<i>E. Clan-</i>	Sundridge, L. (<i>D. Ar-</i>
<i>carty.</i>)	<i>gyll.</i>)

Halifax, V.	Taunton, L. [<i>Teller.</i>]
Hardinge, V.	Walsingham, L.

Sidmouth, V.	Wentworth, L.
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ECCLESIASTICAL COMMISSION BILL.

(The Earl Russell.)

(NOS. 52, 149.) COMMITTEE.

Order of the Day for the House to be put into Committee read.

LORD REDESDALE called the attention of their Lordships to the second clause, which proposed to appoint a second Church Estates Commissioner with a salary of £1,000 a year. He saw no reason for any such appointment—it could only have been done with the view of creating a nice place for somebody. Why should the funds in the hands of the Ecclesiastical Commissioners be diminished to pay a second Commissioner?

House in Committee.

Clause 1 (Meaning of the word “Commissioners”).

THE ARCHBISHOP OF YORK, in answer to the remark of the Chairman of Committees, said, that it became necessary to have the attention of another paid Commissioner, inasmuch as the funds to be administered by the Ecclesiastical Commission had grown enormously. They originally amounted to only £130,000 a year, but they had increased beyond all expectation till they now reached £500,000.

THE EARL OF ELLENBOROUGH remarked that if either Italy or Austria had possessed half the wealth of the Ecclesiastical Commission they would have been at war six weeks ago.

THE DUKE OF RUTLAND said, he thought it a strange proceeding to appoint another Commissioner with a large salary at the moment that a Select Committee of the House of Commons had reported that the constitution of the whole Commission was objectionable. No one of the recommendations of the Select Committee had as yet been carried into effect. He hoped their Lordships would not pass the clause.

THE EARL OF POWIS said, he was not aware that anything had been stated to show that the business of the Commission required an additional paid Commissioner. There was an analogous case of management of property by a Commission—the Commission of Woods and Forests—the Crown revenue had increased considerably in the course of the last half century, and yet no one had ever proposed to add another paid Commissioner to that body.

THE DUKE OF MARLBOROUGH stated that the reason why it was proposed to give a salary to the additional Commissioner

was that the Bill proposed to effect certain changes in the mode of conducting the business of the Ecclesiastical Commission. These changes, although they appeared to be desirable, were in his opinion, on some grounds open to serious objections, more particularly as regarded the provisions in the 4th clause, which proposed to vest almost all the most important functions now exercised by the Ecclesiastical Commissioners in the Estates Committee; in which case the Commission would have nothing to do, and would be little better than a *caput mortuum*. He thought that it would be better to leave these questions to be disposed of by the general body of the Commissioners, and then the appointment of another paid Commissioner would be wholly unnecessary. Even if this suggestion were not agreed to he trusted that their Lordships would not agree to give a salary to the second Estates Commissioner.

THE EARL OF ELLENBOROUGH suggested the postponement of Clause 2 until Clause 4 had been disposed of.

THE EARL OF HARROWBY defended the Ecclesiastical Commission from the attacks which, he said, had been made upon it, observing that it had in the administration of the Common Fund in its hands effected a great deal of good throughout the country. The result of the wise economy which it had practised in the management of the estates under its control was that instead of having, as the original Commission expected to have, £130,000 a year, he believed it had £400,000, which enabled it to make the most liberal response to local claims, and to contribute largely to Ecclesiastical charities. So long as the Commissioners had these enormous revenues to manage, he trusted they would not shrink from giving them the assistance necessary to administer them properly; and in this view he was of opinion that the additional paid Commissioner was necessary.

THE DUKE OF MARLBOROUGH explained that at present the general body of the Commissioners referred to the Estates Commissioners many duties which it was optional with them to perform or not; but there would no longer be an option if this Bill passed, and therefore it would be necessary to appoint a second Estates Commissioner with a salary.

THE ARCHBISHOP OF CANTERBURY believed that there would be great difficulty in finding a person to discharge the duties in question efficiently unless a sufficient

salary was attached to his office. A Member of the other House of Parliament, Mr. Bouverie, declined, he understood, to undertake the performance of those duties because the weight of the business was too great.

THE BISHOP OF OXFORD regretted that he had been unable to attend the Select Committee when the Bill was under its consideration. He believed that the real difficulty in the matter arose not from the amount of work to be done so much as from the fact that under the existing law it was necessary that three Commissioners should be present to constitute a *quorum*. If that provision were repealed, and two were declared to be a sufficient number to form a *quorum*, then the business might very well be transacted by two paid Commissioners. The right hon. Gentleman to whom the most rev. Prelate referred (Mr. Bouverie) was one of the unpaid Commissioners, and he very naturally objected merely to go to the Office and take his seat with the view of making a *quorum* when there was no further need of his services. There was not too much work for two paid Commissioners to do, and no necessary accession of weight or character would be gained by the appointment of another paid Commissioner. He believed that there was no necessity for paying a third Estates Commissioner, and that the case might be met by reducing the *quorum* of the Estates Committee. The abstraction of another £1,000 a year from the fund for the augmentation of poor livings would be very severely felt, and it should not be done unless it was absolutely necessary. He believed that the business of the Commissioners was likely to decrease rather than to increase, because their business had now been got into good train. Parliament had placed upon the Estates Commissioners the duty of managing the estates only; but the 4th clause of this Bill would impose upon them as a duty the consideration of various questions arising under the Church Building Act. He thought them very objectionable and he trusted their Lordships would reject the clause; and then the new paid Commissioner would be objectionable.

THE EARL OF HARDWICKE said, he thought the duties had become too great to be performed by two paid Commissioners.

EARL RUSSELL was understood to support the appointment of a third Commissioner as being necessary under the circumstances.

The Archbishop of Canterbury

After further discussion, which was imperfectly heard,

Clause postponed.

Clause 3 postponed.

Clause 4 (13 & 14 Vict. c. 94 ss. 8 and 12, to extend to proceedings of Ecclesiastical Commissioners in certain cases).

THE ARCHBISHOP OF YORK thought that the Bishop of the diocese was naturally a most competent person to pronounce an opinion on the question as to what parishes needed subdivision and what new district churches were required in his diocese; and the Bishop had the assistance of his right rev. Brethren as a kind of council. But it was now proposed to take away from the Bishops that which so essentially belonged to their duties, and reduce them to a mere nonentity, and to say that a body of laymen sitting in the next room should have these functions handed over to them. The Members of the Episcopal Bench could not be expected to give their assent to a measure so absurd and so extremely injurious. He could conceive of no reason for proposing the change except that a good deal had been said in the House of Commons against so many Bishops being on the Board. But, if the matters dealt with under the Bill did not concern the Bishops, nothing did.

Moved to omit Clause 4.—(The Archbishop of York.)

THE EARL OF CHICHESTER spoke in favour of retaining the clause, which he declared had been approved by the Bishops.

THE ARCHBISHOP OF YORK said, that could not have been so. He had never been consulted upon the matter.

THE BISHOP OF LONDON said, he had consented to the introduction of the clause on the ground that it would save much time. It was merely a question whether things should be done once or twice—first, in Committee and afterwards by the general Board.

THE BISHOP OF OXFORD said, there ought to be some communication between the Estates Committee and the diocesan, and thought the Committee should come to a conclusion under the consciousness that what they decided would be reconsidered by the Board.

THE EARL OF DERBY stated, that he should vote for the rejection of the clause.

On Question, "That the said Clause stand Part of the Bill?" their Lordships divided:—Contents 34; Not-Contents 76: Majority 42.

Clause struck out.

CONTENTS.

Canterbury, Archp.	Boyle, L. (<i>E. Cork and Orrery.</i>)
Cranworth, L. (<i>L. Chancellor.</i>)	Brougham and Vaux, L. Clandeboyne, L. (<i>L. Dufferin and Clandeboyne.</i>)
Devonshire, D.	Dartrey, L. (<i>L. Cremona.</i>)
Somerset, D.	Foley, L. [<i>Teller.</i>]
Normanby, M.	Granard, L. (<i>E. Granard.</i>)
Airlie, E.	Mostyn, L.
Chichester, E. [<i>Teller.</i>]	Oxenfoord, L. (<i>E. Stair.</i>)
Clarendon, E.	Ponsonby, L. (<i>E. Bessborough.</i>)
Fortescue, E.	Sandys, L.
Granville, E.	Saye and Sele, L.
Harrowby, E.	Somerhill, L. (<i>M. Clanricarde.</i>)
Minto, E.	Stanley of Alderley, L.
Morley, E.	Sundridge, L. (<i>D. Argyll.</i>)
Russell, E.	Talbot de Malahide, L.
Eversley, V.	Taunton, L.
Halifax, V.	
Sydney, V.	
London, Bp.	

NOT-CONTENTS.

York, Archp.	Sidmouth, V.
Marlborough, D.	Bangor, Bp.
Richmond, D.	Carlisle, Bp.
Rutland, D.	Gloucester and Bristol, Bp.
Bath, M. [<i>Teller.</i>]	Oxford, Bp.
Bristol, M.	Peterborough, Bp.
Salisbury, M.	Ripon, Bp.
Amherst, E.	Winchester, Bp.
Bandon, E.	Abinger, L.
Bantry, E.	Bateman, L.
Beauchamp, E.	Bolton, L.
Belmore, E.	Brodrick, L. (<i>V. Middleton.</i>)
Brooke and Warwick, E.	Castlemaine, L.
Cadogan, E.	Chelmsford, L.
Cardigan, E.	Clifton, L. (<i>E. Darraley.</i>)
Carnarvon, E.	Colchester, L.
Derby, E.	Denman, L.
Devon, E.	Feversham, L.
Doncaster, E. (<i>D. Bucleuch and Queensberry.</i>)	Grinstead, L. (<i>E. Enniskillen.</i>)
Ellenborough, E.	Hastings, L.
Hardwicke, E.	Hatherton, L.
Huntingdon, E.	Heytesbury, L.
Malmesbury, E.	Houghton, L.
Nelson, E.	Kilmaine, L.
Orkney, E.	Kingsdown, L.
Pomfret, E.	Lyttelton, L.
Powis, E.	Lyveden, L.
Romney, E.	Overstone, L.
Selkirk, E.	Polwarth, L.
Shrewsbury, E.	Ravensworth, L.
Stanhope, E.	Redesdale, L.
Verulam, E.	Saltoun, L.
Wilton, E.	Silchester, L. (<i>E. Longford.</i>)
Clancarty, V. (<i>E. Clancarty.</i>)	Southampton, L.
De Vesci, V.	Stewart of Garlies, L. (<i>E. Galloway.</i>)
Hardinge, V.	Walsingham, L.
Hawarden, V. [<i>Teller.</i>]	Wentworth, L.
Lifford, V.	Wynford, L.

Clause 5 (Compensation to Ecclesiastical Corporations for Loss from the restriction of the power of Leasing).

On Motion of The Earl of ELLENBOROUGH, the words—

“And in case any difference or dispute shall arise as to the amount of such compensation the same shall be referred to arbitration in the usual way,”

added to the clause.

Clause, as amended, *agreed to.*

Clauses 6 to 13, inclusive, *agreed to.*

Clause 14 (Certain Payments and Conveyances and Assignments to be made by Instruments of Commissioners instead of Orders in Council).

THE EARL OF ELLENBOROUGH observed, that when this system was first established every act of the Commission was submitted for the approval of the Queen in Council. It was very seldom that that assent was refused, but there was one such occasion, because the thing recommended was illegal. It was now proposed to alter this regulation; but the mere knowledge that these subjects were to be submitted to a second tribunal acted as a check upon irresponsibility. He protested against making the power of the Commissioners absolute in the disposition of this mass of property.

THE ARCHBISHOP OF YORK said, the object of the clause was to save expense. An Order in Council cost £25.

THE EARL OF ELLENBOROUGH said, that the matter should not be looked at as a question of money, but as one of security to the public. He questioned whether such a clause would ever pass the House of Commons.

LORD LYTTTELTON, while agreeing with the noble Earl (the Earl of Ellenborough) as to the advantage of the check afforded by the Privy Council, thought that the question should depend upon whether or not the power referred to was of a Ministerial or of an Executive character.

THE EARL OF CHICHESTER said, he quite agreed with the opinion that the supervision of the Queen in Council was of great importance as a check upon the Commissioners, but it was hardly fair to put the Commission to the expense of £25 each time the intervention of the Council was required.

Clause *agreed to.*

Clauses 15 to 25, inclusive, *agreed to.*

Clause 26 (Commissions may assign certain Stipends to be payable out of the Estates of Cathedral Churches, &c).

THE EARL OF CHICHESTER *moved* the omission of Clause 26, which he had opposed in the Select Committee which inserted it. He objected to the unlimited power it gave to the Commissioners to augment the incomes of the deans and minor canons of the different chapters.

Moved to omit Clause 26.—(*The Earl of Chichester.*)

THE ARCHBISHOP OF YORK said, he thought the clause was one of the chief objects of the Bill, as it would enable the Commissioners to do justice where justice was necessary. The Ecclesiastical Commission was founded for two purposes—one of which was to provide for the spiritual wants of the country, by which was understood the proper payment of ministers wherever they were needed. So long as minor canons did their duty they ought to be properly remunerated.

On Question, “That the said Clause stand Part of the Bill?” their Lordships *divided*:—Contents 42; Not-Contents 18: Majority 24.

Clause *agreed to*.

CONTENTS.

Canterbury, Archp.	Verulam, E.
Cranworth, L. (<i>L. Chancellor.</i>)	Hawarden, V. Lifford, V. Sidmouth, V.
York, Archp.	Bangor, Bp.
Rutland, D.	Oxford, Bp. Ripon, Bp.
Bath, M. [<i>Teller.</i>]	Winchester, Bp.
Salisbury, M.	Boyle, L. (<i>E. Cork and Orrery.</i>)
Amherst, E.	Brodrick, L. (<i>V. Middleton.</i>)
Beauchamp, E.	Brougham and Vaux, L.
Belmore, E. [<i>Teller.</i>]	Denman, L.
Carnarvon, E.	Kilmaine, L.
Derby, E.	Lytelton, L.
Devon, E.	Ravensworth, L.
Doncaster, E. (<i>D. Buccleuch and Queensberry.</i>)	Redesdale, L.
Ellenborough, E.	Saltoun, L.
Hardwicke, E.	Silchester, L. (<i>E. Longford.</i>)
Nelson, E.	Southampton, L.
Orkney, E.	Stewart of Garlies, L. (<i>E. Galloway.</i>)
Powis, E.	Wentworth, L.
Romney, E.	
Russell, E.	
Selkirk, E.	

NOT-CONTENTS.

Devonshire, D.	Dufferin and Claneboye.)
Somerset, D.	Dartrey, L. (<i>L. Cre- morne.</i>)
Chichester, E. [<i>Teller.</i>]	Foley, L.
Fortescue, E.	Granard, L. (<i>E. Gra- nard.</i>)
Granville, E.	Overstone, L.
Harrowby, E.	Ponsonby, L. (<i>E. Bess- borough.</i>)
Halifax, V.	Saye and Sele, L.
Sydney, V. [<i>Teller.</i>]	Stanley of Alderley, L.
Carlisle, Bp.	Talbot de Malahide, L.
Clandeboye, L. (L.	

Clause 27 *agreed to*.

Clause 28 (Cathedral and Collegiate Chapters may prepare new Codes of Statutes).

THE BISHOP OF CARLISLE opposed the clause on the ground that the subject it dealt with was so important that it ought not to be introduced into a Bill of this kind. It would be pregnant with the most serious consequences to the cathedrals themselves, as it would tend to introduce diversity of practice in different cathedrals.

THE BISHOP OF OXFORD hoped the Committee would not take the advice of his right rev. Brother. The evils pointed out were what the clause specially guarded against, and there was every conceivable check put in their way. The statutes were to have no effect until the approval of the Visitor, the Archbishop of the Province, the Ecclesiastical Commissioners, and of Her Majesty in Council had been given. It was desirable that there should be a power given to these bodies to meet difficulties as they arose. Such statutes ought to vary, and unless they varied they would not meet the requirements of the people.

THE BISHOP OF LONDON said, he trusted the clause would pass, because it was very desirable the cathedrals should rid themselves of old statutes, many of which were quite unsuited to modern times, and were more honoured in the breach than the observance.

THE ARCHBISHOP OF YORK pointed out an old cathedral statute which allowed the Dean to give days of recreation, and this statute was so interpreted as to set at nought the Act of Parliament which required residence.

Clause *agreed to*.

Clause 29 *agreed to*.

Clause 30 (The Annual Incomes of Deans and Canons of Cathedral Churches in Wales).

THE BISHOP OF LONDON said, he was glad the Welsh Deans were to receive an addition to their incomes. There were other persons, however, who had grievances besides the Welsh Deans, and he should like the consideration which had been shown extended to others.

Clause agreed to.

Remaining clauses agreed to.

Clause 2 (Salary to be paid to the Second Church Estates Commissioners. Church Estates Commissioner may sit in the House of Commons).

THE BISHOP OF OXFORD moved to omit the clause, with the view to substitute a provision making two instead of three Commissioners a *quorum*, and thus avoiding the necessity for a third and salaried Commissioner. The only objection that could be urged to this was that when only two Members were present they might not agree, but any question on which this happened would stand over till a larger number were present.

Moved to omit Clause 2.—(*The Lord Bishop of Oxford.*)

THE ARCHBISHOP OF YORK thought that, considering the large number of estates now under the control of the Commissioners, the annual produce having increased since 1850 from £100,000 to £400,000, it was only right that an additional person should be appointed, with a sufficient salary, to do what could not be properly done by volunteers.

On Question, That the said clause stand Part of the Bill? their Lordships divided:—Contents 21; Not-Contents 26; Majority 5.

Clause struck out.

CONTENTS.

Canterbury, Archp.	London, Bp.
Cranworth, L. (<i>L. Chancellor.</i>)	Boyle, L. (<i>E. Cork and Orrery.</i>)
York, Archp.	Brodrick, L. (<i>V. Middleton.</i>)
Somerset, D.	Brougham and Vaux, L.
Chichester, E. [<i>Teller.</i>]	Clandebye, L. (<i>L. Dufferin and Claneboye.</i>)
Granville, E.	Foley, L. [<i>Teller.</i>]
Russell, E.	Granard, L. (<i>E. Granard.</i>)
Halifax, V.	Lyttelton, L.
Sydney, V.	Saye and Sele, E.
Bangor, Bp.	Stanley of Alderley, L.
	Wentworth, L.

NOT-CONTENTS.

Rutland, D.	Hawarden, V.
Bath, M. [<i>Teller.</i>]	Lifford, V.
Salisbury, M.	Sidmouth, V.
Beauchamp, E.	Carlisle, Bp.
Belmore, E. [<i>Teller.</i>]	Oxford, Bp.
Carnarvon, E.	Ripon, Bp.
Derby, E.	Winchester, Bp.
Nelson, E.	Colchester, L.
Orkney, E.	Denman, L.
Powis, E.	Redesdale, L.
Romney, E.	Saltoun, L.
Selkirk, E.	Silchester, L. (<i>E. Longford.</i>)
Verulam, E.	Wynford, L.

The Report of the Amendments to be received on *Monday* next; and Bill to be printed as amended (No. 160.)

House adjourned at Eight o'clock,
till To-morrow, half past
Ten o'clock.

HOUSE OF COMMONS,

Thursday, June 14, 1866.

MINUTES.]—SELECT COMMITTEE—On Public Health nominated.

PUBLIC BILLS.—Ordered—Land Drainage Supplemental.*

First Reading—Land Drainage Supplemental* [192].

Second Reading—Local Government Supplemental (No. 3)* [191].

Referred to Select Committee—Pier and Harbour Orders Confirmation (No. 2)* [170]; Tramways (Ireland) Acts Amendment* [149].

Committee—Representation of the People [68], and Re-distribution of Seats* [138] [R.P.]; Pier and Harbour Orders Confirmation (*re-comm.*)* [188] [R.P.]; Dogs* [181].

Report—Dogs* [181].

IRISH RECORDS.—QUESTION.

SIR HENRY WINSTON BARRON said, he wished to ask the Chief Secretary for Ireland, Whether any and what steps are proposed in order to publish the many valuable historical and legal documents now partially prepared for publication, or now in manuscript in the Rolls Office and in the Record Tower at Dublin; and, whether it is intended to publish the valuable manuscripts prepared for publication by the Brehon Law Commission?

MR. CHILDERS, in reply to the first question of the hon. Baronet, had to state that there were many documents in the Birmingham Tower and other public

offices in Dublin of great public interest. These were to be removed to the new Record Buildings, weeded, and classified, and it would remain to be considered whether they should be calendared. About £7,000 a year was now being paid for publishing and calendaring records in the three Kingdoms, and when next year's Estimates were being prepared, this question would be considered. In answer to the second question, he would refer the hon. Baronet to the Paper laid on the table on the 23rd of April. The first volume of the Brehon Law, the "Senchus Mor," Papers had been published, the second was in a forward state, and it was expected that the rest would be ready for press within two months.

ARMY—MILITARY PARDONS.

QUESTION.

COLONEL NORTH said, he wished to ask the Judge Advocate General, What is the legal effect of a Free Pardon granted by Her Majesty to an Officer who has been tried and convicted by a Court Martial; and whether, in the case of Captain Stack, formerly of the 65th Regiment, to whom a Free Pardon was granted in 1864, such Free Pardon has been carried out in its integrity?

MR. HEADLAM, in reply, said, he apprehended, with regard to the general question, that the legal effect of a free pardon granted after conviction by a court martial would be precisely the same as in the case of a free pardon granted after conviction by any other tribunal. There could be no doubt, however, that the pardon, though operating as a remission of the sentence, did not carry with it anything like compensation. In the case of Captain Stack there could be no doubt whatever as to the terms on which the pardon was granted, for these were stated in the letter addressed to Captain Stack, which he himself had published, and which was as follows—

"War Office, July 6, 1864.

"Sir,—With reference to the correspondence which has taken place relative to your trial by General Court Martial in New Zealand, in December, 1860, I have the honour by direction of his Royal Highness the Field Marshal Command-in-Chief to acquaint you that Her Majesty the Queen has been pleased to extend her most gracious clemency towards you, and to grant you a Free Pardon, and to approve of your being placed on temporary half-pay from the 30th ult., but without any claim to arrears of full or half-pay, upon condition that you repay the money which you received for your Commission as Captain."

Mr. Childers

The pecuniary portion of the arrangement was a matter not within his province.

COLONEL NORTH said, he wished to know if those were the terms on which the pardon had been recommended?

MR. HEADLAM said, the pardon, of course, had not been granted by him. He gave his recommendation to the authorities, who used their discretion upon the subject.

JAMAICA—LEGISLATIVE ASSEMBLY:

QUESTION.

MAJOR JERVIS said, he would beg to ask the Secretary of State for the Colonies, Whether the officials of the late Legislative Assemblies of Jamaica will receive either pensions or compensations for loss of their offices?

MR. CARDWELL: Sir, the case of these officers has been a subject of correspondence between Sir Henry Storks and myself, and those of them who will not be employed under the new arrangements will have their claims for compensation considered by myself in connection with the Lords Commissioners of the Treasury.

METROPOLITAN WORKHOUSES.

QUESTION.

COLONEL HOGG said, he wished to ask the President of the Poor Law Board, Whether he will lay the Report of Mr. Farnall and Dr. Smith on the state of the Metropolitan Workhouses, when complete, upon the table of the House?

VISCOUNT ENFIELD said, in reply, that one of the Reports, that of Mr. Farnall, was already completed; as soon as the other was completed they should both be laid on the table of the House.

ARMY AND NAVY MEDICAL OFFICERS.

QUESTION.

COLONEL NORTH said, he rose to ask the Secretary to the Treasury, Whether the recommendations of the Committee presided over by Admiral Sir Alexander Milne, relative to the Medical Officers of the Navy and Army, and upon which the authorities both of the Navy and Army have been for some time in communication with the Treasury, are likely to be decided upon shortly. He would beg to remind the House that the Committee reported early in February?

Mr. CHILDERS : Sir, in reply to my hon. and gallant Friend, I have to state that the circumstances are these :—In July last the College of Physicians wrote to the War Office complaining that the status of army surgeons was unsatisfactory, and to the Admiralty that navy surgeons were both, as to pay and rank, not on a par with army surgeons. In consequence, the War Office and the Admiralty appointed a Departmental Committee, consisting of military and naval officers, and of medical men recommended by the Colleges of Physicians and Surgeons to inquire into the rank, pay, and position of the surgeons of the two services. The Treasury were not parties to the inquiry, and they have as yet only been officially in communication with the Admiralty on the subject. When we are in possession of the definite views of both the departments we shall be in a condition to deal with the cases of both the army and navy surgeons at the same time. The question is a very important one, involving a large amount of money, and requires careful consideration.

COLONEL NORTH said, he wished to know, whether no communication had been received from the War Office?

MR. CHILDERS : The War Department has not yet made their recommendations upon the Report of the Committee ; but I have been in personal communication with my noble Friend (the Marquess of Hartington) on the subject.

IMPRISONMENT FOR LIFE.

QUESTION.

MR. EWART said, he would beg to ask the Secretary of State for the Home Department, Whether it will be practicable to produce or procure any evidence of the effects of imprisonment for life in American and Continental Prisons?

SIR GEORGE GREY, in reply, said, it would doubtless be easy for the Foreign Office to procure the information ; but it would be found, he thought, that the number of cases was very small.

ARMY—INDIAN RELIEFS.

QUESTION.

LORD BURGHLEY said, he would beg to ask the Secretary of State for War, Why, when all other regiments serving in India have been relieved at the end of ten years, the 27th Inniskillings and the 35th Royal Sussex are still in India unrelieved, after nearly twelve years' service, the for-

mer having landed in India on the the 12th of October, 1854, and the latter on the 14th of November in the same year?

THE MARQUESS OF HARTINGTON, in reply, said, the 27th and 35th regiments were to come home from India in 1867-8. The reason why they stood on the roster below regiments which had been in India a shorter time was because their last foreign service was less than that of those regiments, while their last home service was twice as long.

BOARD OF TRADE RETURNS.

QUESTION.

SIR JAMES FERGUSSON said, he rose to ask the President of the Board of Trade, Whether his attention has been called to the publication of the Board of Trade Returns of Exports from January to April last inclusive, without those of the Imports for the same period ; whether he can explain the occurrence, and whether there is any reason why the monthly Returns of Imports should not be published simultaneously with the Exports of the same period?

MR. MILNER GIBSON said, he thought some misapprehension must exist upon the point. The Returns were exactly in the usual form.

REGISTRATION OF DOGS.

QUESTION.

MR. BUTLER said, he would beg to ask the Secretary of State for the Home Department, Whether it is the intention of Her Majesty's Government to introduce during the present Session any measure for the Registration of Dogs, with a view to the prevention of hydrophobia and of other injuries to persons and property for which the owners of dogs are not now practically responsible?

SIR GEORGE GREY, in reply, said, his hon. Friend the Under Secretary for the Home Department would give notice very shortly of a Bill for regulating dogs in the streets of London, and he hoped its clauses would be found useful in abating the nuisances now complained of.

ARMY—VOLUNTEERING FROM THE MILITIA.—QUESTION.

COLONEL H. H. FANE said, he would beg to ask the Secretary of State for War, with reference to the Circular of May 29, 1866, requiring Colonels of Militia "to

allow volunteering to the Line," Whether the Army is still so much below its strength as to require the "reserve" to be drawn upon; and, if it be so, whether it is the intention of Her Majesty's Government to propose any alteration in the Limited Enlistment Act?

THE MARQUESS OF HARTINGTON replied, that the army was not below its strength; but at the time when the circular referred to by the hon. and gallant Gentleman was issued, recruiting was proceeding extremely slow, and it appeared desirable to the Commander-in-Chief and to himself that advantage should be taken of the training of the Militia, in order to invite the co-operation of the Officers. It had, however, been carefully provided that nothing should be done without the concurrence of the officers. All that was intended by the circular was to remove certain restrictions to the volunteering of the men and to the encouragement by the officers of such volunteering.

SIR JAMES FERGUSSON said, he would beg to ask the noble Marquess, whether it is not a fact that the officers of the militia have given every facility in their power as regarded volunteering into the army?

THE MARQUESS OF HARTINGTON said, he was happy to say that the Commander-in-Chief had assured him that the great majority of the officers commanding militia regiments had shown every anxiety to promote the object in question.

LANCASTER BOROUGH ELECTION.

LORD PROBY (COMPTROLLER OF THE HOUSEHOLD) reported Her Majesty's Answer to Address [June 8], as follows:—

"I have received the joint Address of the two Houses of Parliament in reference to the Report made by the Select Committee of the House of Commons appointed to try a Petition complaining of an undue Election and Return for the Borough of Lancaster:—And I have given directions accordingly for the appointment of the Gentlemen named in the Address to be Commissioners for the purpose of making the Inquiry prayed for."

Then HER MAJESTY'S ANSWER TO ADDRESSES on Great Yarmouth Election, Reigate Election, Totnes Election, reported.

Colonel H. H. Fane

ARMY—BREECH-LOADERS—QUESTION.

COLONEL ANNESLEY said, he would beg to ask the Secretary of State for War, What is our present position with reference to the supply of breech-loading Rifles to Her Majesty's land and sea forces; and if he can state how soon any will be issued?

THE MARQUESS OF HARTINGTON said, in reply, that the conversion of Enfield Rifles into breech-loaders was proceeding. Orders had already been given for the conversion of about 20,000; and it was expected that between 40,000 and 50,000 would be converted this year. The issue of the converted arms was expected to begin in about two months.

MR. HENRY BAILLIE said, he wished to know what was the cost of the conversion?

THE MARQUESS OF HARTINGTON said, he did not know exactly, but he thought about 15s. for each rifle.

THE FENIANS—INVASION OF CANADA. QUESTION.

MR. J. LOWTHER said, he would beg to ask the Secretary of State for the Colonies, Whether Her Majesty's Government have received any information respecting the rumoured invasion of a portion of British America by an armed force, which is reported to have entered from the United States?

MR. CARDWELL: I have received, Sir, a despatch from Lord Monck, dated the 1st instant, in which he says—

"A body of 600 Fenians entered this Province this morning. They crossed the Niagara River at Black Rock, near Buffalo, in the State of New York, and established themselves in the village of Fort Erie, in Canada. I am now occupied in taking measures for meeting the emergency."

In a private note Lord Monck mentions that by the next mail he expects to send a satisfactory account of the reception given to the Fenians.

MR. DARBY GRIFFITH said, he would beg to ask the right hon. Gentleman, whether any account has been received showing a desire on the part of the American Government to carry out in a fair spirit their international obligations in respect of this raid of the Fenians?

MR. CARDWELL: I have communicated to the House all the official information on the subject in my possession. I have no reason to doubt that all the accounts which have been familiar to everyone are perfectly true.

INDUSTRIAL SCHOOLS AND
REFORMATORY CONSOLIDATION BILLS.

QUESTION.

MR. ADDERLEY said, he would beg to ask the Secretary of State for the Home Department, Whether there are material alterations introduced into the Industrial Schools and Reformatory Consolidation Bills in their committal *pro formâ*?

MR. KNATCHBULL - HUGESSEN said, he could not say that any of the alterations introduced into Committee *pro formâ* were material. He might take this opportunity of mentioning that a number of managers of reformatory schools would meet in London on Tuesday next, and he thought it would be advantageous to know what was their opinion on one or two points before proceeding with the Bills. After that he should ask those in whom the conduct of the business of the House rested to afford him the privilege of a morning sitting. The Bill, with the Amendments, will be reprinted.

FRANCE—THE EMPEROR'S LETTER.

QUESTION.

SIR WILLIAM HUTT: I wish, Sir, to ask my hon. Friend the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government have received from Lord Cowley a copy of the very significant letter said to have been addressed by the Emperor of the French to M. Drouyn De Lhuys, and to have been read by M. Rouher in the French Legislative Chamber; and whether, if a Copy of that document has been received, Her Majesty's Government will lay it on the table of the House?

MR. LAYARD: Sir, the letter to which my right hon. Friend alludes was a letter addressed by the Emperor to his Minister, to be communicated to the French Chambers. It has since been published in the *Moniteur*, which is the official organ of the French Government. A copy of that letter so published has been, as a matter of course, forwarded to the Foreign Office by Her Majesty's Embassy at Paris; but it would not, I think, be proper or consistent with practice to lay that letter before Parliament.

SIR WILLIAM HUTT: I now ask my hon. Friend, Whether Her Majesty's Government have received official information that the Emperor of Austria has declared war against Prussia?

MR. LAYARD: Up to the time of my leaving the Foreign Office this afternoon no such information had been received.

ARMY—LAW OF COURTS MARTIAL.

QUESTION.

MR. HENRY BAILLIE said, he would beg to ask the Secretary of State for War, Whether it is the intention of the Government to bring in a Bill to alter the Law of Courts Martial?

THE MARQUESS OF HARTINGTON said, in reply, that at present it was not the intention of the Government to bring in any Bill to alter the law relating to courts martial.

IRELAND—GALWAY ELECTION.

QUESTION.

MR. YORKE said, he would beg to ask the Secretary of State for the Home Department, Whether it is his intention to propose an Address for a Commission in the case of the borough of Galway?

SIR GEORGE GREY said, in reply, that the Chairman of the Galway Committee (Mr. Hussey Vivian) had intimated his intention of moving for a Commission; but as the proposition laid before the House by that hon. Gentleman with regard to corrupt practices at elections generally had not been adopted, he presumed he (Mr. Hussey Vivian) was of opinion that a Commission in the Galway case would not be attended with any good result. If, however, the other members of the Committee did not share in that opinion, the Motion for a Committee ought to come from some one of them, and if it was made he had no doubt that it would be agreed to.

REPRESENTATION OF THE PEOPLE
BILL [BILL 68], AND RE-DISTRIBUTION
OF SEATS BILL—[BILL 138.]

(*Mr. Chancellor of the Exchequer, Sir George Grey, Mr. Villiers.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed,
"That Mr Speaker do now leave the Chair."

Bill considered in Committee.

(In the Committee.)

Amendment again proposed, in page 2,
line 40, at the end of the second paragraph,

[Committee—Clause 4.]

to add the words "such clear yearly value being the rateable value of the premises as ascertained for the purposes of the Poor Rate."—(*Mr. Hunt.*)

COLONEL LOYD LINDSAY said, that of all the many Amendments which had been proposed in the Government plan of Reform the one now under the consideration of the Committee was, in his opinion, the most desirable. It had been said that the Conservative party had never committed themselves to a distinct proposal, but the Amendment now under consideration involved a most important principle, and what the Committee had to consider was the interpretation of that particular clause which enacted that a person should be allowed to vote on the clear yearly value of £14. Those who had framed the Bill appeared to have been in some doubt, in framing that clause, as to whether it was not open to a great deal of conjecture and dispute. They had therefore added to it an interpretation clause, much longer than the original clause itself, and which unfortunately seemed to be open to quite as many doubts and disputes. If the clause was ambiguous, the interpretation seemed equally ambiguous. The interpretation clause declared that the clear yearly value of premises should mean the sum which a tenant might reasonably be expected to pay by the year for them if they were let to him, he undertaking to pay the usual rates and taxes, and the tithe commutation rentcharge, if any, but there being no deduction made for cost of repairs or for any purposes of that kind; and it further declared that the gross estimated rental of premises as ascertained for the purposes of the poor rate should, until the contrary was proved, be believed to be the clear yearly value of the premises. That interpretation seemed to him to require another clause to interpret it. Now, the clause which the hon. Member for Northamptonshire (*Mr. Hunt*) desired to substitute for that only contained a line and a half, and declared that such clear annual value should be the rateable value of the premises as ascertained for the purposes of the poor rate. That declaration was perfectly clear, and could not be mistaken. It should be borne in mind that the whole property of the country during the last few years had been re-valued, and it would be rather extraordinary if a fair valuation had not been reached. Assessment committees had been sitting in different parts

of the country, and it had devolved upon them to assess the proportion in which every person should bear the taxation of the country. It was most probable that such committees would be able to arrive at a fair and proper calculation. The rateable value of property, he maintained, was its real value. If that were not so, he would like to know why rent was not placed at the figure at which the rate was placed. In that case the result would be equal to everybody, because only a certain amount of taxation could be raised. But the reason why that was not adopted was obvious; rent was fixed capriciously, not by an assessment committee, but by the landlord of the property, who might for various reasons place his rent either higher or lower than the real value. The rates, however, were arrived at in a different way by a jury of persons who examined into the value of the property, and then fixed the amount. It was said to be unfair that in some cases the rate was placed at 20 per cent or, perhaps, in some cases at 30 per cent below the rent. But that circumstance was not so unfair as it appeared to be at first sight. Supposing a man lived in a £14 house, which might be a frail tenement in a town. Of course he paid his landlord £14 a year for it, but the landlord returned to him a portion, perhaps 20 or 30 per cent, for repairs, and in reality, perhaps, the rent amounted to no more than £12 a year. On the other hand, they might take the case of a person occupying a grass field in the country. He paid £14 a year rent for it, and the assessment was nearly coincident with the rent, there being no repairs, or anything of that nature required. The rent, again, was not continually re-adjusted, as the rate was. If any person had reason to complain of his assessment, he went to the assessment committee, and represented the case to them, and they were bound to look into it and to re-adjust the assessment; but rent, on the other hand, being a fixed amount, was not liable to this continual fluctuation. A great advantage in adopting the assessment as the real value, would be that the rate book would also form the register. Nothing could then be easier than to give instructions to those whose duty it was to make up the register, to transfer the names of the rate-payers from the rate book to the register, and by that means a great deal of needless trouble would be saved. If a man were to have the privilege of voting, it surely was

not necessary that he should be put to all the trouble and anxiety of placing his name upon the register. The House knew what insurmountable barriers were these forms to persons of limited acquirements and education, and they had had an instance of that given them the other day by the Chancellor of the Exchequer, who had told them of persons who had paid more income tax than they were legally bound to pay, and who had failed to recover the overplus to which they were entitled, because they did not know how to get at the necessary forms. In those cases people's pockets were attacked, and they were always much more alive to an attack there than anywhere else. In claiming a vote, however, they knew very well that there were few men who would give the value of half a day's labour to obtain it. At present the registration expenses were borne by the candidate, and every Member knew very well that one of the most unfailing calls upon him was for the payment of the registration fee. If he did not attend to it, he would find that some of his best friends would be knocked off the register and their places filled by persons whom he knew nothing about, and the candidate who failed to pay attention to the registration of voters would soon find that the candidate who did pay the attention would beat him out of the field. The late Sir Robert Peel once said that the political battles of this country were fought in the registration courts, and the House knew that to fight in any court required that a man should have a long purse, or he would be beaten. If the House really desired to diminish the expenses of elections, and reduce the legitimate costs, they would do much to secure that end by adopting the Amendment of the hon. Member for Northamptonshire. There were many questions which it would be extremely difficult to determine in the registration courts. Let them take the case, for instance, of a man who was part owner and part occupier of certain premises. How was the Revising Barrister to arrive at the clear yearly value in a case of that kind? Such cases would be difficult to determine, and would give rise to a great deal of litigation. He thought the plan of the hon. Member for Northamptonshire would be a proper and reasonable one to adopt. As it was they might have fictitious occupiers of premises placed upon the register, but if they adopted the hon. Member's Amendment that would be im-

possible, for the barrister would have instructions not to place on the register any person who did not bear his fair proportion of the taxes of the country. It seemed to him to be only fair that the man who bore those taxes should be the man to acquire the privilege of the vote. He would not lay much stress on the question of the proposal of raising the franchise; but he could not help expressing his opinion that the estimate of the Chancellor of the Exchequer on this subject was rather an exaggerated one. At all events, any raising of the franchise was merely incidental to the principle which they advocated. To his own constituency in Berkshire there would be added 1,200 persons, drawn in a great measure from the towns. He did not believe that those 1,200 persons would be amenable to the influences of bribery, as they were highly respectable persons of the middle classes; but, at the same time, they might require a good deal of attention of a different description. Perhaps they would require that their funds should be subscribed to; and they would want various other attentions paid to them which, although they might be quite legitimate, would add considerably to the expenses which Members of that House honestly wished to abridge. And furthermore the new voters so added would be in no way amenable to the influence of the landlords, which to a certain extent seemed to him to be by no means a desirable provision. Landlord influence, generally speaking, was not a bad one, because it could be acquired only by a man living in his county and endeavouring to discharge the duties which his position entailed upon him. Influence so obtained was legitimate influence, and it would be a pity to see it displaced. It was absurd to say that a landlord now could in any way force his tenants. They could not be forced; they could only be controlled and influenced, and that by legitimate means. The landlord supported his tenant, and the tenant supported his landlord, and he thought it was most important that that state of things should continue. Suppose a large urban element were introduced into the counties, the tenants would have comparatively less influence than they possessed now. It was a misfortune that in some cases landlords selfishly preserved an unreasonable amount of game; but in many instances the just influence of the tenants had been brought to bear upon the landlords, and had prevented extravagant

preservation; and it was just and beneficial that such an influence should be maintained and exercised. The hon. Member for Northamptonshire took a great deal of pains to ascertain the number of persons who would be added by this £14 clause to the county register, and he established the fact that, as nearly as possible, one-third of the newly-enfranchised class would be added from the urban element. If that were the case he thought the landed influence would be very much swamped. The Chancellor of the Exchequer did not see the matter in that light, and he spoke of his endeavours to add proprietary votes, and these he seemed to join in some way with the votes of the landed interest. He rightly added that the Opposition regarded this as monstrous, and they did so because the proprietary voters were persons who lived in the towns, and had no sort of connection with the landed interest. The Chancellor of the Exchequer also said that the Constitution did not recognize distinctions between the town and country element. That might be so, but it seemed to him (Colonel Loyd Lindsay) that it was reasonable for the Constitution to take into consideration the two interests upon which the greatness of this country depended—he referred to our agricultural and to our commercial systems. The hon. Member for Birmingham (Mr. Bright) said that the lines of the Constitution in no way recognized this; but nobody knew how and when the lines of the Constitution were formed. He believed, however, they were made to adapt themselves to the requirements of society as it then existed. It was possible that at that time there was not the element which now existed to such a great extent, and that matter, therefore, could not then be taken into consideration. He thought there was some amount of cant in this fine phrase of the “lines of the Constitution,” for it seemed to him that the term was only used in order to annihilate the Constitutional party. The repetition of this phrase by hon. Gentlemen opposite suggested to him the case of a person quoting Scripture in order to fortify himself in doing wrong. When the Chancellor of the Exchequer replied to what had been said about the urban and the rural elements, he said—

“It is really difficult to deal with the hon. Gentleman, because he has propounded doctrines which are really new and are entirely without foundation in our constitutional history. You cannot lay hold of these distinctions between urban and rural districts and the conflicting classes of owners and occupiers. Whence does

the hon. Gentleman draw them? They do not come from the old Constitution of England; they are some manufacture of his own and of his ingenious friends.”

Whether the Constitution recognized these distinctions or not he would not say, but he might be allowed to quote the late Leader of this House upon the very question. The late Lord Palmerston took a different view of it, for, speaking upon the £10 Franchise Bill of the hon. Member for East Surrey (Mr. Locke King), he said—

“It appears to me that the object we ought to have in view is to form a legislative machine in which all interests in this country shall be fairly represented. The two leading interests of this country are, on the one hand, the trading and the commercial interests, and, on the other, the agricultural interest; and any alteration of our system which tends to introduce too largely the trading and commercial, or the town, element into the agricultural or country element would, I think, injuriously disturb the balance which it is essential to the interests of the country we should maintain.”—[3 *Hansard*, clxxiii, 963.]

That was the opinion of Lord Palmerston, of whom the Chancellor of the Exchequer, in his eloquent eulogy of him, said that he was peculiarly able to express his exact meaning; and there could be no doubt that the few words quoted did express his opinion exactly. Let hon. Members opposite ponder this opinion before they voted on this question, and remember how large an urban element it was proposed to introduce into the county constituency. He believed that it would to a great extent swamp the country influence that ought to be maintained as a counterbalance to the large number of borough voters that were to be enfranchised, for it was the country influence which through the counties returned the Conservative Members to Parliament. What was desiderated was a good constituency, not amenable to any improper influences, but returning the right Members, politically; and he believed that, to a great extent, the county constituencies answered this description. It was a notorious fact that so far as money went the tenant farmers were quite incorruptible, and it was a remarkable thing that since the passing of the Reform Act of 1832 there had been no case of an English county Member having been disqualified from sitting in Parliament for bribery. It was true that there had been twenty-three county Members disqualified from that cause in Ireland. It must not, however, be inferred from this that the Irish county voters were more corruptible than the English as the circumstance is to be accounted for by the fact

Colonel Loyd Lindsay

that the county franchise was lower in Ireland than it was in this country. By going lower in the franchise they came to an element which was to be controlled by the power of money. The Chancellor of the Exchequer had been accused of consulting the hon. Member for Birmingham in the preparation of this Bill, but the right hon. Gentleman had denied the charge, though he said at the same time that the Government would have done nothing so very wrong if they had done so, as the hon. Member for Birmingham was the person who knew most about the wants of the people who were going to be enfranchised. If that were the case he (Colonel Loyd Lindsay) thought that when they were about to deal with the county constituencies the Government might, on the same principle, have consulted the county Members. That was a fair argument. An hon. Member opposite had said that 2,300 were to be added to his constituency, and he wished that the Bill could be carried without discussion; but while the hon. Member was nominally a county Member, he was really a Member for grouped boroughs just as much as many of the county Members for Scotland were. The large towns must influence to a great extent the return of Members for the counties. That was eminently the case in Scotland where as many persons asserted there was no representation for the agricultural classes. It was remarkable how few Members on the Conservative side of the House were returned from Scotland, although it was well known that the agricultural classes in Scotland were very Conservative. He could state from his own knowledge that in the county of Fife there was no more chance for the return of a Conservative Member than there was in one of the metropolitan boroughs. He had heard it stated that if on Thursday last the House had divided on the Amendment of the right hon. Gentleman the Member for the University of Cambridge, before the proposal of the noble Lord the Member for King's Lynn had been brought forward, many Members on the Ministerial side of the House would have voted for that Amendment. But such conduct as that would be wholly unjustifiable on the part of hon. Gentlemen opposite, who ought not to allow themselves to be biassed by any little feeling of that sort in a matter which so vitally concerned the interests of this country. He frankly acknowledged that he liked the Amendment now before

the Committee less than that which had been moved by the right hon. Gentleman the Member for the University of Cambridge; but still he believed that it was an improvement on the proposal of the Government, and he earnestly hoped that it would receive the support of a majority of the House. It appeared to him to be most desirable that they should establish the principle embodied in that Amendment, and introduce it into both counties and boroughs. The hon. and learned Gentleman the Attorney General told them the other evening that they should one day come to household suffrage; and if they were ever to adopt that measure they would at least have some protection against the dangers which it would involve under an arrangement which would provide that the house which was to confer the right to the suffrage should not be a mere hovel on which no rates were paid. He had heard it stated on the preceding evening that a certain Whig nobleman was observed to be in a state of great anxiety and dismay, and had exclaimed to his friends, "Why the Tory party are going to carry this Reform Bill." He (Colonel Loyd Lindsay) believed the "Tory party" were endeavouring to do their duty; and he hoped that the whole of this important subject would be fully and fairly discussed by the Committee. He perceived that a notice of a Motion had been given by an hon. Member on the other side for reducing the county franchise below £14 in the event of the present Amendment being carried. He did not think that was a very material point. The object which he was then anxious to attain was the adoption of the principle of a rating and not a rental franchise, and he hoped that the proposal would receive the support of many Gentlemen sitting on the Ministerial side of the House.

Mr. DU CANE said, that as he represented a county constituency which would be very seriously affected by the clause now under consideration, he hoped he might be allowed to offer a few observations to the Committee before they proceeded to a division. It appeared to him that two distinct issues were raised by the Amendment of his hon. Friend the Member for Northamptonshire, first, the abstract question whether rating or rental was henceforth to be the basis of the electoral franchise; secondly, whether in the special case of the county franchise, by the adoption of a rating instead of a rental test, this House

would take a step, though a very short step, in the right direction, towards reversing the decision to which it came somewhat hastily and unadvisedly last Thursday. As to the first of these points, it had been already so ably argued by his hon. Friend the Member for Northamptonshire and the hon. and gallant Member who had just resumed his seat, that he would not trespass at any length upon the time of the Committee in reference to the subject. He gave his preference to a rating as against a rental basis for the electoral franchise for four main reasons. In the first place, the hon. Member for Birmingham (Mr. Bright) and other Gentlemen below the gangway had specially invited the House to enter upon the question of Reform in the spirit and according to the principles of our old Constitution, and this rating basis was nothing more or less, under a modern guise, than an adaptation of the old Constitutional scot and lot test of admission to the franchise. In the next place, he supported a rating basis because he believed that the payment of rates by the individual occupier, instead of by the owner, afforded no slight guarantee for the position and respectability of the person who claimed the franchise. His third reason was because the payment of rates by the tenant was a guarantee that the tenant was the *bonâ fide* payer of rent to the amount at which he was assessed, and thus the principle of rating operated in no slight degree as a check against collusion and fraud in determining the question of value. His last reason for supporting rating instead of rental was that if you once succeeded in establishing an intimate connecting link between the rate book and the county register, you would make a considerable advance towards that which was a great requisite—namely, a self-acting registration, and would diminish the present somewhat unjust expenses of registration. The only ground upon which a rating basis might have been resisted a few years ago was on account of the inequality of rating which existed in different parishes and unions. But by recent legislation that inequality had, in a great measure, disappeared, and he was persuaded that under the operation of the Act of last Session, it would, in the course of a few years, disappear altogether. Upon these grounds he gave his cordial support to the Amendment so far as rating against rental was concerned. But, combined with the statistics only just placed in the hands of Members, the Amendment went much fur-

ther, and virtually re-opened the whole question of the £14 franchise as proposed by Her Majesty's Government. Now, what were the reasons which, according to the Chancellor of the Exchequer, influenced the Government in adopting £14 as the level of the county franchise? The right hon. Gentleman told the Committee on Thursday that they were to adopt the £14 level, because, he said, the House had repeatedly affirmed a £10 level at the hands of the hon. Member for East Surrey, and he urged the House to accept the proposal of the Government as a fair compromise between a £10 level and the existing franchise. Now, he had sat in the House during the last eight years, and had carefully watched this question of the county franchise, and he ventured to affirm that the House had never sanctioned the principle of a £10 county occupation franchise either at the hands of the hon. Member (Mr. Locke King) or of anyone else. The only occasion on which the hon. Member had ever carried the second reading of his County Franchise Bill was in 1858. But that measure contained no mention of a £10 county franchise. It was a Bill simply to amend the county franchise, and blanks were left in its clauses so that the House might fill up the limit; and more than that, Lord Palmerston, Mr. Sidney Herbert, and others who voted for the second reading, explained expressly that they did so solely to affirm the principle that the county franchise should be reduced, and they further specified £20 as the limit which in their opinion ought to be adopted. Lord Derby's Bill in 1859 certainly did contain a £10 county franchise; but that franchise was of a very different kind from the £14 county franchise proposed by this Bill. It was a £10 franchise based solely upon the occupation of land; it was unaccompanied by the £6 building restriction contained in the present measure, which he looked upon as framed exclusively in the interest of the towns; and it was accompanied and mitigated by other franchises and conditions of which the present measure was entirely destitute. Lord Derby's Bill, however, never got even to a second reading, and then, coming next to the year 1860, they all remembered that in that year Lord John Russell was only allowed to go into Committee on his Reform Bill on the express condition that every point of it—county franchise, borough franchise, re-distribution of seats, and all—should be thoroughly open to dis-

cussion and amendment. But, even supposing the House had in any way pledged itself by affirming the second reading of that Bill, he ventured to say that that pledge had been completely cancelled by the withdrawal of the measure a few weeks afterwards, and by the subsequent rejection by the same Parliament of the proposal of the hon. Member for East Surrey in two different Sessions. To these facts he might add the statement made by the hon. Member for East Surrey himself on the hustings at the last election, that he would take a £20 franchise as a fair compromise upon the question. Under these circumstances, he maintained, then, that when on Thursday last the House arrived at the discussion of the county franchise, it was totally unpledged by anything which had passed in previous Parliaments, and there was no question of any compromise whatever between present and former opinions. But, suppose the House was compromised, what sort of a compromise would this £14 franchise really effect? It struck him it was a compromise very much of the character of those in which the Chancellor of the Exchequer was so great an adept—a compromise very like his proposed compromise on the Church Rates question, which virtually gave to one side all that it asked, and took away from the other side everything it thought worth an effort to retain. It appeared to him that Her Majesty's Government, in casting about with all their ingenuity for a compromise, had hit upon a level which would compass all the bad effects of a £10 franchise without being a £10 franchise in name and in figure. By means of the electors of the unrepresented towns, a £14 franchise would swamp the rural constituencies quite as completely as a £10, and he did not hesitate to say that for all the difference it would make they might just as well have descended to a £10 franchise. But when they approached this question of swamping the counties by the towns, they were always met by the argument that they wanted to draw an arbitrary line between the interests of town and country. Now, he begged to say he wished to do nothing of the kind, unless he was literally compelled to do so by the exigencies of the case. On the contrary, he thought there was no better political school for a Member of Parliament than to be the representative of a variety of interests; and although he was himself the representative of a very important agricultural constituency, he did

not on that account hold that he was the exclusive representative of tenant farmers and labourers. But, while he was of opinion that it was a good thing that there should be a variety of interests represented by individual Members of that House, he believed it was equally essential that the varied interests of the nation should be represented in proportion to their relative importance. Now, he would venture to affirm that if they insisted on going down to this £14 level, they must withdraw the electors of the unrepresented towns, or else all that fair and just representation of different interests would be destroyed, and the representation of mere numbers substituted in its place. But, says the Chancellor of the Exchequer—

"I cannot imagine where hon. Members on the other side of the House have got all those ideas about urban and rural constituencies. It is something quite new to me; I never heard of it before in my life; it must be the creation of the brain of the hon. Member for Northamptonshire, and of those hon. Gentlemen around him."

But the idea of a diversity of interests, and of withdrawing unrepresented towns, was not so very new, and could not be said to have emanated exclusively from that side of the House. There was, perhaps, no mention of towns against county in the old charters of the Constitution. The measure of the hon. Member for East Surrey was not discussed at Runnymede, or guarded against by Lord Somers in 1688. But the author of the idea of a diversity of interests, and of the separation of unrepresented towns from the county constituencies, was a statesman who, a few years ago was supposed out of doors to carry the Constitution in his pocket, and to have made the Constitutional history of his country more exclusively his study than any other man living. The author of this idea was no less a man than Lord John Russell, who, in 1852, brought in a scheme for the re-distribution of seats, and for withdrawing unrepresented towns from the county constituencies far more extensive than any Bill ever since laid upon the table of this House. He proposed, by the grouping system, to give the franchise to 120 unrepresented towns, of which fourteen were in Yorkshire, eleven in Wiltshire, eight in Dorsetshire, and so on. And in some of the agricultural counties and divisions of counties, such as Hampshire, Dorsetshire, and the county he had the honour to represent, North Essex, his proposals would have eliminated the town element altogether,

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and would have virtually left the county representatives what they protested against being left, the representatives of the tenant farmers and farm labourers only. And what was the reason assigned for that process? Lord John Russell said—

"We propose with regard to a certain number of boroughs to diffuse the influence, as it were, and add some of the neighbouring towns in the same county. . . . It is obvious if we had disfranchised those boroughs, and if we had given the right of voting to towns in the North of England, there would have been a disturbance of that balance, and that the agricultural interest would have been depressed and the manufacturing raised in its stead. That might be a right thing to do, that might be what many gentlemen would wish; but I will frankly say it is not what we are prepared to do. We are prepared to extend the franchise; but, while we make large additions to the boroughs, we propose to leave general interests as we find them, and not to disturb them, feeling, if we did so, we should only raise a fierce struggle, which would inflame the minds of Members of this House, while it would cause our measure to be strongly opposed in the other House of Parliament."—[3 *Hansard*, cxix, 263.]

But 1852 was a long time to go back to, and the hon. and gallant Gentleman who had just sat down had brought them nearer the present epoch by quoting the words of Lord Palmerston just two years since. As Lord Palmerston, however, might not be considered a very ardent enthusiast in the cause of Reform, he would take the language of one whom he considered the most advanced Reformer in that House—he did not mean the hon. Member for Birmingham, because he had been recently evincing a desire to go back to the old lines of the Constitution. The person to whom he referred was the hon. Member for Westminster, and in quoting his opinion he did not do so in any way from a desire to charge him with inconsistency in his views, but because he wanted to strengthen his own argument by the authority of a man of the powers of thought and intellect of the hon. Gentleman. In his *Thoughts on Parliamentary Reform*, Mr. Stuart Mill said—

"If, indeed, every elector in the disfranchised boroughs, and every £10 householder in the unrepresented towns, obtains a vote for the county by the adoption in the new Reform Bill of Mr. Locke King, these objections will give place to a still more fatal one; for such a measure would be little less than the complete political extinction of the rural districts. Except in the few places where there is still a yeomanry, as in Cumberland, Westmoreland, and in some degree North Yorkshire and Kent, there exists in the agricultural population no class but the farmers intermediate between the landlords and the labourers. A £10 franchise will admit no agricultural labourer, and

the farmers and landlords would collectively be far outnumbered by the £10 householders of all the small towns in England. To enable the agricultural population to hold its fair share of the representation under any uniform and extensive suffrage short of universal it seems absolutely necessary that the town electors should as a rule be kept out of the county constituencies; and the sole alternative is to form them, or the great bulk of them, into constituencies by themselves."

Now, it was perfectly true that the hon. Member wrote these words with regard to the £10 franchise, but they were equally applicable to the £14 franchise, because £14 would have exactly the same sweeping effect. He hoped after the extracts he had quoted, they would not have again thrown in their teeth by the right hon. Gentleman the Chancellor of the Exchequer that there was a diversity of interest between town and country, or that the idea was the exclusive emanation of the brain of the hon. Member for Northamptonshire and his friends. But they were asked to accept this £14 level, because, as the right hon. Gentleman said, it would act as a barrier against any further immediate change. The £14 franchise was introduced on Thursday last by the right hon. Gentleman as a great measure of middle class enfranchisement, and as purposely framed to diminish the influence of the working men in the county constituencies. But did the right hon. Gentleman when he spoke those words remember a former very remarkable declaration of his on the same subject, that there were no working men in the county constituencies? The right hon. Gentleman shook his head. At all events, he could not deny that he told us he regarded the proportion of working men in the county constituencies as a fly in a pot of ointment. He should like to know whether the right hon. Gentleman still adhered to that opinion, or if he was ready to admit that he had made it in ignorance of the real facts of the case? If he held to his first opinion, then he (Mr. Du Cane) maintained that to pass a measure completely revolutionizing the county constituencies in order to keep one or two working men at bay was like setting a house on fire to keep a rat or two out of the larder. If, on the other hand, the right hon. Gentleman admitted that he spoke without information as to the real state of the case, and if it were true that working men were introducing themselves in large masses into the county constituencies through the medium of freehold land and building societies, then he would

Mr. Du Cane

say that inasmuch as these working men were among the most intelligent, industrious, and saving of their class, he, for one, did not wish to see the great middle class barrier raised against them. He must venture to dispute, however, the right hon. Gentleman's assertion that the lowering of the county franchise to £14 would act in any way as a barrier to the entrance of the working classes, or to a further direct lowering of the occupation franchise. On the contrary, it struck him that if the county franchise were lowered to £14 and the borough franchise to £7, and if they left a large mass of unrepresented towns without direct representation in county constituencies, they were only offering a premium to further agitation for change. In all these unrepresented towns they would have a large mass of unrepresented house occupiers between £14 and £7, and when the Reform Bill passed this large mass would most assuredly point to the £7 franchise in boroughs and to the working-class freeholders in counties, and would ask why the accident of living outside a borough boundary, or not choosing to invest their hard-earned savings in buying a 40s. freehold, ought to exclude them from having a direct voice in the representation. So far from erecting a barrier, they would find the £14 county franchise, once passed, would lead to a cry for a £7 franchise, and there would be no rest until the concession was made. The effects of such further downward progress he would not stop to dilate upon. Upon these grounds he should give his cordial support to the Amendment of his hon. Friend (Mr. Hunt). He supported the Amendment not merely because he entirely approved the abstract basis of rating instead of rental for the electoral franchise, but because it offered the House a golden opportunity, which, perhaps, they might not have again, of taking one step backwards towards undoing a great mischief and approaching once more the subject of the county franchise in a spirit of fairness and justice to the varied interests of the country. To pass this clause as it stood would be an act of mischief and injustice, because he earnestly believed it would be the deathblow to any fair representation of the landed interest in that House, and would imperil temporarily the very existence in that House of the Conservative party. He would not stop to consider the particular object which the Government had in view in framing this clause, but he certainly considered that the Amend-

ment of the hon. Member for Northamptonshire was worthy of the support of every man who in his heart was an honest and true friend to fair Reform. It was worthy, also, the support of all those who viewed in the great Constitutional question which they were now discussing not the mere restless desire for organic change and the fleeting triumph of party supremacy, but the strengthening and amending of that Constitution which, in the noble and expressive language of Mr. Fox—

“Combined the efficiency of a monarchy with the liberty of a democracy, avoiding alike the despotism of the one, and the licence of the other.”

MR. AYRTON said, he had entertained the hope when he saw the Amendments of hon. Gentlemen opposite that they had arrived at an appreciation of the fact that this Bill, unlike other Reform Bills which had been introduced during the last twenty years, was really brought in by the Government in order that it might pass, and that they would settle down to the task of amending it in Committee in the manner which they might think necessary for the protection of their own interests, or of the public welfare. He was afraid, however, judging from the speech to which he had just listened, that they were relapsing into their old error of moving endless discussions upon every question except that which was really before the Committee, in the hope of being able to thrust the Bill out of the House. He trusted that hon. Gentlemen on that (the Ministerial) side of the House would not be tempted by the example thus set them to wander from the points really under debate, or that the Government would not succumb under any length of speech from the other side, whether it was critical, historical, or sarcastic; but would proceed seriously, according to the established usages of Parliament, with the consideration of the Bill. Now, the proposition they had under notice was about as simple as a proposition could possibly be, yet he had failed to discover throughout the whole of the speech of the hon. Gentleman who had just sat down (Mr. Du Cane) even what the proposition was to which the remarks of the hon. Gentleman were ostensibly directed. He had not heard a single remark bearing upon the proposition before the Committee, or a single sufficient reason advanced why the Amendment of the hon. Member for Northamptonshire should be adopted. No doubt, as had been said by the hon. and gallant

[Committee—Clause 4,

Gentleman who had previously spoken, this question was one of very great importance; it was nothing more or less than the determination of the status of the persons claiming the electoral franchise. Now the franchise was not based, and never had been, upon the amount of taxation a person paid. In the consideration of the status to be required of any man claiming the franchise they had nothing whatever to do with the rates he paid ["Oh!"]—nothing whatever—and if hon. Gentlemen who cried out "Oh!" would give him their attention for a moment, he would explain the point. It had always been accepted as unquestionable that the best method of ascertaining the status of a person was by ascertaining the full annual value of the house or property that he occupied. This was not a proposition that had now been introduced for mere political purposes. It had been discussed over and over again in the House during the last 100 years, it was accepted as a correct and equitable basis of calculation before the passing of the Reform Bill, in 1832, and it was introduced into that Bill, not, as appeared to be supposed, as an arbitrary and capricious regulation, but as the definite conclusion that had been arrived at after repeated discussions in Parliament respecting the best mode of determining the status of the working man, who lived by the labour of his hands. He would add that this principle was originally arrived at in connection with questions applicable to the Poor Laws. In many other subsequent pieces of legislation the principle had been reaffirmed, and, indeed, this method of settling the status of a person by reference to the yearly value of the house or property he occupied, was, if they regarded it in a fair light, not only not unfavourable to the landed interest, but very much the contrary; if they were inclined to take up a hostile position towards the landed interest, there would be great cause of complaint, that in determining the position of a person, the land he rented was to be considered as well as the house he occupied. This was a great concession, and he could prove it. The man, for instance, who occupied a £14 house would have an average annual income at least of £100, but the man who rented £20 worth of land would not, as the rule, have an income of more than £20, according to the ordinary estimate; so that the occupier of land pure and simple would actually be entitled to vote upon the status of £20 a year, while

the occupier of a house must be the possessor of the annual income of £100. It was true that some modification had been introduced of what would otherwise have been an extraordinarily unjust arrangement, by making it necessary that upon the land there must be a house of the annual value of £6; but, after all, the occupier of this £6 house, and the owner of this £20 worth of land, might be said to have an income of from £30 to £40 per annum, and his position was little better than that of a peasant occupier. That person might occupy a very inferior position to the man who paid £14 per annum for his house in the country; one might be an ignorant workman, while the other was a man of education, and occupying a certain position. Thus, as he had said, so far from this definition being adverse to the landed interest, it was peculiarly in its favour; because it enabled every landed proprietor to raise every person on his estates to the condition of a voter if he chose to give three or four acres of land. There would be no such obstacle as presented itself in the qualification of a householder, where a fictitious rent could be objected to. Real value was undoubtedly the true test of the franchise, and it was the only known mode of defining the status of a person in this country. So much for this principle, to which so many objections had been taken by hon. Gentlemen opposite, though it was assented to with sufficient readiness at times when the House was not under the influence of strong political considerations. The opposite principle of a rating qualification was the most fallacious one that could be devised. It absolutely acted in an inverse ratio to that in which it properly ought to operate. The principle of rating was simply this—that all property must be rated as if it were pure and simple land, and if it did not happen to be land, deductions must be made, until it was reduced, for the purposes of rating, to the level of land. Those deductions ranged from 20 to 50 per cent according to the character of the premises erected. To give an illustration. If one man lived in a house built of wood, and another in one built of stone, it would be necessary to make a large reduction for rating purposes from the wooden house, because it would last for a short time and could only be kept in condition at considerable expense. But how did this affect the position of the tenant? Or how could calculations of this description be properly

Mr. Ayrton

introduced in determining the status of a voter? Now, he did not object to the original scheme involved in this clause, because he admitted that certain concessions might properly be made to the landed interest, but other hon. Gentlemen opposite were dissatisfied with the arrangement and condemned it. They showed an ignorance of the first principles on which it was right to proceed in the consideration of the question. The House was not now considering the proposition of the hon. Member for Cambridge, upon which it had already come to a decision, and he must protest against hon. Gentlemen endeavouring to use the proposition before the Committee as an indirect means for reversing the deliberate decision of the House a few nights ago. It was not an honourable method of attack. If they desired to have the franchise even at £20 or £25, it would be infinitely better that it should rest upon the real annual value and not upon the rating value. He hoped the House would adhere to the principle which had been adopted for years, and would refuse its assent to the fanciful substitute that was now offered. He did not think Her Majesty's Government had precipitately adopted the principle of the Bill; on the contrary, they must have arrived at the conclusion almost against their prepossessions on the subject, for the right hon. Gentleman the President of the Poor Law Board had on the occasion of introducing the Union Assessment Act shadowed out an opinion in favour of a rating qualification in regard to the franchise. The more, however, this question was examined the more it became obvious that this principle was an erroneous one; and Her Majesty's Government had arrived at a conviction that the adoption of annual value as a test for the franchise was the true one, being demanded alike by justice and propriety.

SIR RAINALD KNIGHTLEY said, that the hon. Gentleman who had just sat down had accused hon. Members on the Opposition side of the House of endeavouring to upset the decision of the Committee arrived at the other night on the Amendment of his right hon. Friend the Member for the University of Cambridge (Mr. Walpole). Now he, for one, confessed that he was anxious to upset that decision; for on that occasion the Committee took a leap in the dark. Since then most important Returns had been laid upon the table, which, had they been known before-

hand, would have greatly affected the decision on the Amendment of his right hon. Friend. He freely admitted that on abstract principles of justice, occupiers of premises of the value of £14 and upwards to £50 were fully qualified to have the franchise, but why did the Government stop at £14. No argument had been urged in favour of extending the franchise to £14 occupiers, which might not be applied with equal force to an extension of it to occupiers of £7 houses, and ultimately there would be no resting-place short of equal electoral districts. He had made the same objection in 1859 to the Bill of his right hon. Friend the Member for Buckinghamshire, and, therefore, he could not be said to be inconsistent. The present Bill could not settle the question. If it were passed it would be possible for three men to live in adjacent houses, the occupier of the one at £7 rental, within a borough, would have a vote; the occupier of the third, at a £14 rental, beyond the borough, would also have a vote; but the occupier of the second, at a £10 rental, beyond the borough boundaries, would be without one. On what principle of consistency could this be justified? One of his strongest objections to the Bill was that it would practically disfranchise all the smaller freeholders. Great misapprehension existed as to the proportion of the working classes in the county constituencies. The Chancellor of the Exchequer himself had compared them to flies in a pot of ointment; but if the right hon. Gentleman had taken care to inform himself with regard to the facts in his own constituency, he would have found that the flies made up a very large portion of the ointment. In the constituency for South Lancashire there were no fewer than 13,685 electors occupying houses of less than £8 yearly value, who might therefore be taken very fairly as belonging to the working classes. 13,685 flies in the Chancellor of the Exchequer's own pot of ointment was certainly a considerable number. He agreed with the right hon. Gentleman the Member for Huntingdonshire that in some county constituencies the proportion of working men among the electors was even greater than in the boroughs. At the last general election he had been engaged in a very close contest, and canvassed the county nearly from one end to the other, calling at the residence of almost every elector. Becoming acquainted in this way with the position of every elector, he arrived at the conclusion that his own

constituency included a very large number of working men. Of course it was very hard to determine whether the small village tailor, carpenter, and blacksmith earned their daily bread by the sweat of their own brow, but, to all intents and purposes, they were working men; and, independently of these, there were many who worked in factories, in mines, at quarries, or elsewhere. He knew of one case where, in a single mine, 170 electors were earning their daily bread by pickaxe and shovel, and of a village in which a very large proportion of its 900 electors were journeymen shoemakers. These journeymen shoemakers, he was sorry to say, voted steadily against him, for it was a curious fact in natural history that journeymen shoemakers were almost always Radicals. This had been accounted for by the fact that the men were in the habit of leaning over their work very much, and so of pressing the shoes into the pit of the stomach, thereby producing dyspepsia. Whenever, therefore, hon. Gentlemen opposite or the Chancellor of the Exchequer felt more than usually disposed to Radicalism, he recommended them to send for a doctor. This Bill of the Government blew hot and cold. It proposed virtually to disfranchise all the working classes in the counties, at the same time augmenting the power they possessed in the boroughs. The speech of the right hon. Gentleman was quite in keeping with these proposals. In the towns he spoke of the working classes as "flesh and blood;" in the counties they sank into mere "flies in a pot of ointment."

MR. GOSCHEN said, the hon. Member who moved the Amendment, and the hon. Baronet and others who supported it, had based their arguments on the supposition that the new statistics differed from the old, and that they showed that the number of £14 occupiers introduced to the franchise would be much larger than was originally contemplated. But the hon. Member for Northamptonshire and others who followed him committed a very grave and unaccountable error with regard to those statistics—an error to the extent of no less than 70,000 voters. Knowing what stress hon. Gentlemen opposite laid upon every additional 10,000 voters, he was anxious to relieve their minds from the grave apprehensions which must be caused by so serious a miscalculation. The fact was, the hon. Member had omitted to take out those occupiers who were also owners; that was to say, one-fourth of the entire number. From the

280,000 occupiers who would be introduced by the reduction from £50 to £14, it was thus necessary to deduct 70,000; and of the residue there would be many who would not register. The number of occupiers at present entitled to the franchise was 202,000, but of these only 116,000 were actually on the register, exclusive of those who were also owners; and, observing the same ratio of reduction in the case of the total of 488,000 occupiers who would be entitled to the franchise after the passing of the Bill under the new limits, that total would be reduced to 280,000, instead of 366,000, as stated by the hon. Gentleman. And these new statistics, worked upon the same principle as the old ones, showed that the new electors who would register, observing the same ratio as before, would be 165,000 or 170,000, the identical number stated by the Chancellor of the Exchequer when introducing his Bill. [The CHANCELLOR of the EXCHEQUER: Rather less.] He believed, also, that hon. Gentlemen opposite were not justified in dwelling so strongly as they had done upon the distinction between urban and agricultural voters. The right hon. Gentleman the Member for Buckinghamshire himself admitted that the smaller boroughs represented a mixed element in the Constitution, being neither wholly manufacturing, agricultural, nor commercial. And many unrepresented towns, of 5,000, 10,000 or 15,000 inhabitants, were surely identified more closely with county sentiments and with the views of the surrounding squires, farmers, and occupiers than with the inhabitants of great commercial towns and purely town politics. At all events, there was no such great difference between the two as that the one should be all Liberals and the other all Conservatives. Therefore he denied not merely that the number of voters to be introduced would be as large as hon. Members apprehended, but he denied also that they would be of such a distinctive character as had been stated. The hon. Member for the Tower Hamlets had so well explained the objections to the adoption of the rateable value as the basis of the franchise, that he need not revert to that part of the subject. The hon. Baronet and several other Members, in their arguments, had wandered from the question as between rental and rating, avowing honestly that they wished to reverse the vote of a former evening. But now that hon. Members found the new statistics were identical with the old, they

Sir Rainald Knightley

would, of course, be fair enough to retract the grounds on which they had latterly argued, and confine themselves to the question of rating. He hoped the Committee would reject the Amendment, because the estimated rental, which was as plainly stated in the rate book as was the rateable value, was the best means of ascertaining the capacity of the occupier, and there had been no error in the statistics of the Government presented to the House.

MR. HENLEY said, that in his very strong speech, the hon. and learned Member for the Tower Hamlets seemed to lay down the principle that it would be something very unconstitutional to refer to a man's rating for the value of his house; but that was at present the basis of the Irish franchise. And what was the advantage of it? Why, that you got the value fixed without any political squabbles. You had it ascertained by an officer who was not discharging a political duty without expense and without visitation. He might be told that, after all, the Government Bill proposed to do much the same thing, with the exception of taking one column instead of another; the Bill proposing the "gross estimated rental" column, and the Amendment the "rateable value" column. Well, if this were so, what became of the objection of the hon. and learned Member for the Tower Hamlets? He did not care so much about the question whether it would make a small difference of amount, but he preferred the rateable value for the reason which he had just stated to the Committee. It was a value very well understood. Persons were in the habit of referring to it when applying for beer licences; and if a man did not think his rating high enough, he could apply to have it increased. The principle of taking the rateable value had been acted on with the greatest benefit in Ireland, and much squabbling had in consequence been got rid of. More heart-burning and squabbling were exhibited in the registration courts than at a general election, and these disputes led not only to everlasting discord but to great expense.

Question put, "That those words be there added."

The Committee divided:—Ayes 273; Noes 280: Majority 7.

AYES.

Adderley, rt. hon. C. B. Baggallay, R.
Anson, hon. Major Bagge, W.
Archdall, Captain M. Bailey, C.
Arkwright, R. Bailey, Sir J. R.

Baillie, H. J.
Baring, hon. A. H.
Barnett, H.
Barrow, W. H.
Barttelot, Colonel
Bateson, Sir T.
Bathurst, A. A.
Beach, Sir M. H.
Beach, W. W. B.
Beaumont, W. B.
Bective, Earl of
Beecroft, G. S.
Bentinck, G. C.
Benyon, R.
Beresford, Capt. D. W. P.
Biddulph, Col. R. M.
Booth, Sir R. G.
Bourne, Colonel
Bovill, W.
Bridges, Sir B. W.
Brooks, R.
Bruce, Lord E.
Bruce, Major C.
Bruce, Sir H. H.
Buckley, E.
Bulkeley, Sir R.
Burghley, Lord
Burrell, Sir P.
Butler-Johnstone, H. A.
Cairns, Sir H. M'C.
Campbell, A. H.
Capper, C.
Cartwright, Colonel
Cave, S.
Cecil, Lord E. H. B. G.
Cholmeley, Sir M. J.
Clinton, Lord A. P.
Clinton, Lord E. P.
Clive, Capt. hon. G. W.
Cobbold, J. C.
Cochrane, A. D. R. W. B.
Cole, hon. H.
Cole, hon. J. L.
Conolly, T.
Corry, rt. hon. H. L.
Courtenay, Lord
Cooper, E. H.
Cranbourne, Viscount
Cubitt, G.
Cust, hon. C. H.
Dalkeith, Earl of
Dawson, R. P.
Dering, Sir E. C.
Diek, F.
Dickson, Major A. G.
Disraeli, rt. hon. B.
Dowdeswell, W. E.
Du Cane, C.
Duff, R. W.
Duncombe, hon. W. E.
Dunkellin, Lord
Dunne, General
Du Pre, C. G.
Dutton, hon. R. H.
Dyke, W. H.
Dyott, Colonel R.
Earle, R. A.
Eaton, H. W.
Eckersley, N.
Edwards, Colonel
Egerton, Sir P. G.
Egerton, hon. A. F.
Egerton, E. C.
Egerton, hon. W.
Elcho, Lord
Fane, Lieut.-Col. H. H.
Fane, Colonel J. W.
Feilden, J.
Fellowes, E.
Fergusson, Sir J.
Finlay, A. S.
Fitzwilliam, hn. C. W. W.
Floyer, J.
Forde, Colonel
Forester, rt. hon. Gen.
Gallwey, Sir W. P.
Galway, Viscount
Gaskell, J. M.
George, J.
Gilpin, Colonel
Goddard, A. L.
Goldney, G.
Goodson, J.
Gore, J. R. O.
Gore, W. R. O.
Gorst, J. E.
Grant, A.
Greenall, G.
Greene, E.
Gray, Lieut.-Colonel
Griffith, C. D.
Grosvenor, Earl
Grosvenor, Lord R.
Gurney, R.
Hamilton, Lord C.
Hamilton, Lord C. J.
Hamilton, I. T.
Hamilton, Viscount
Hardy, G.
Hardy, J.
Hartley, J.
Hartopp, E. B.
Hervey, Lord A. H. C.
Hay, Sir J. C. D.
Heathcote, hon. G. H.
Heathcote, Sir W.
Henley, rt. hon. J. W.
Henniker, Lord
Herbert, hon. P. E.
Hesketh, Sir T. G.
Heygate, Sir F. W.
Hogg, Lt.-Col. J. M.
Holford, R. S.
Holmesdale, Viscount
Hood, Sir A. A.
Hope, A. J. B. B.
Hornby, W. H.
Horsfall, T. B.
Hotham, Lord
Howes, E.
Huddleston, J. W.
Humphery, W. H.
Jervis, Captain
Jolliffe, rt. hon. Sir W. G. H.
Jolliffe, H. H.
Jones, D.
Kekewich, S. T.
Kelk, J.
Kelly, Sir F.
Kendall, N.
Kennard, R. W.
Ker, D. S.
King, J. G.
Knight, F. W.
Knox, Colonel
Knox, hon. Major S.

[Committee—Clause 4.]

Lacon, Sir E.
 Laird, J.
 Langton, W. G.
 Lascelles, hon. E. W.
 Leader, N. P.
 Legh, Major C.
 Lefroy, A.
 Lennox, Lord G. G.
 Lennox, Lord H. G.
 Leslie, C. P.
 Lindsay, hon. Colonel C.
 Lindsay, Colonel R. L.
 Long, R. P.
 Lopes, Sir M.
 Lowe, rt. hon. R.
 Lowther, J.
 Lytton, rt. hon. Sir E. L. B.
 Mackie, J.
 M'Lagan, P.
 Manners, rt. hon. Lord J.
 Manners, Lord G. J.
 Marsh, M. H.
 Meller, Captain
 Miller, S. B.
 Miller, T. J.
 Mitford, W. T.
 Montagu, Lord R.
 Montgomery, Sir G.
 Mordaunt, Sir C.
 Morgan, O.
 Morgan, hon. Major
 Mowbray, rt. hon. J. R.
 Naas, Lord
 Neeld, Sir J.
 Neville-Grenville, R.
 Newdegate, C. N.
 North, Colonel
 Northcote, Sir S. H.
 O'Neill, E.
 Packe, C. W.
 Packe, Colonel
 Paget, R. H.
 Pakington, rt. hon. Sir J.
 Palk, Sir L.
 Parker, Major W.
 Patten, Colonel W.
 Paull, H.
 Peel, rt. hon. General
 Pennant, hon. Colonel
 Percy, Mjr-Gen. Lord H.
 Philips, G. L.
 Powell, F. S.
 Pritchard, J.
 Pugh, D.
 Read, C. S.
 Repton, G. W. J.
 Ridley, Sir M. W.
 Robertson, P. F.
 Rolt, J.
 Royston, Viscount
 Russell, Sir C.
 Sandford, G. M. W.

Schreiber, C.
 Selater-Booth, G.
 Scott, Lord H.
 Scourfield, J. H.
 Selwin, H. J.
 Selwyn, C. J.
 Severne, J. E.
 Seymour, G. H.
 Sheridan, R. B.
 Simonds, W. B.
 Smith, S. G.
 Smollett, P. B.
 Somerset, Colonel
 Stanhope, J. B.
 Stanley, Lord
 Stanley, hon. F.
 Stirling-Maxwell, Sir W.
 Stronge, Sir J. M.
 Stuart, Lieut.-Col. W.
 Sturt, H. G.
 Sturt, Lieut.-Col. N.
 Surtees, F.
 Surtees, H. E.
 Sykes, C.
 Tylor, Colonel
 Thorold, Sir J. H.
 Thynne, Lord H. F.
 Tomline, G.
 Tottenham, Lt.-Col. C. G.
 Tracey, hon. C. R. D. H.
 Treeby, J. W.
 Trevor, Lord A. E. Hill-
 Trollope, rt. hon. Sir J.
 Turner, C.
 Tyrone, Earl of
 Vandeuleur, Colonel
 Verner, E. W.
 Verner, Sir W.
 Walcott, Admiral
 Waldegrave-Leslie, hn. G.
 Walker, Major G. G.
 Walpole, rt. hon. S. H.
 Walrond, J. W.
 Walsh, A.
 Walsh, Sir J.
 Waterhouse, S.
 Welby, W. E.
 Whiteside, rt. hon. J.
 Whitmore, H.
 Williams, Colonel
 Williams, F. M.
 Wise, H. C.
 Wyndham, hon. H.
 Wyndham, hon. P.
 Wynn, Sir W. W.
 Wynn, C. W. W.
 Yorke, J. R.

TELLERS.

Hunt, W.
 Knightley, Sir R.

NOES.

Aycland, T. D.
 Adair, H. E.
 Akroyd, E.
 Allen, W. S.
 Amberley, Viscount
 Anstruther, Sir R.
 Antrobus, E.
 Armstrong, R.
 Ayton, A. S.

Aytoun, R. S.
 Bagwell, J.
 Baines, E.
 Barclay, A. C.
 Baring, hon. T. G.
 Barnes, T.
 Barry, C. R.
 Barry, G. R.
 Bass, M. T.

Baxter, W. E.
 Bazley, T.
 Berkeley, hon. H. F.
 Biddulph, M.
 Blake, J. A.
 Blennerhasset, Sir R.
 Bonham-Carter, J.
 Bowyer, Sir G.
 Brady, J.
 Brecknock, Earl of
 Bright, Sir C. T.
 Bright, J.
 Briscoe, J. I.
 Brooklehurst, J.
 Bruce, Lord C.
 Bruce, rt. hon. H. A.
 Buller, Sir E. M.
 Butler, C. S.
 Buxton, C.
 Calcraft, J. H. M.
 Calthorpe, hon. F. H.
 W. G.
 Campbell, R.
 Candlish, J.
 Cardwell, rt. hon. E.
 Carington, hon. C. R.
 Carnegie, hon. C.
 Castlerosse, Viscount
 Cavendish, Lord E.
 Cavendish, Lord F. C.
 Cavendish, Lord G.
 Chambers, M.
 Chambers, T.
 Cheetham, J.
 Childers, H. C. E.
 Clay, J.
 Clement, W. J.
 Clive, G.
 Colebrooke, Sir T. E.
 Coleridge, J. D.
 Collier, Sir R. P.
 Colthurst, Sir G. C.
 Colville, C. R.
 Corbally, M. E.
 Cowen, J.
 Cowper, hon. H. F.
 Cowper, rt. hon. W. F.
 Craufurd, E. H. J.
 Crawford, R. W.
 Crosland, Colonel T. P.
 Crossley, Sir F.
 Dalglish, R.
 Davie, Sir H. R. F.
 Dawson, hon. Capt. V.
 Denman, hon. G.
 Dent, J. D.
 Dilke, Sir W.
 Duff, M. E. G.
 Dundas, F.
 Dundas, rt. hon. Sir D.
 Dunlop, A. M.
 Edwards, C.
 Elliot, Lord
 Ellice, E.
 Enfield, Viscount
 Erskine, Vice-Adm. J. E.
 Esmonde, J.
 Evans, T. W.
 Ewart, W.
 Ewing, H. E. Crum-
 Eykyn, R.
 Fawcett, H.
 Fildes, J.

FitzGerald, Lord O. A.
 FitzPatrick, rt. hon. J. W.
 Foljambe, F. J. S.
 Fordyce, W. D.
 Forster, C.
 Forster, W. E.
 Foster, W. O.
 Fort, R.
 Fortescue, rt. hon. C. P.
 Fortescue, hon. D. F.
 Gaselee, Sergeant S.
 Gavin, Major
 Gibson, rt. hon. T. M.
 Gilpin, C.
 Gladstone, rt. hn. W. E.
 Gladstone, W. H.
 Glyn, G. C.
 Goldsmid, Sir F. H.
 Goldsmid, J.
 Gower, hon. F. L.
 Goschen, rt. hon. G. J.
 Graham, W.
 Greville, Colonel F.
 Gray, Sir J.
 Grey, rt. hon. Sir G.
 Gridley, Captain H. G.
 Grosvenor, Capt. R. W.
 Grove, T. F.
 Gurney, S.
 Hadfield, G.
 Hamilton, E. W. T.
 Hanbury, R. C.
 Hankey, T.
 Harcastle, J. A.
 Harris, J. D.
 Hartington, Marquess of
 Hay, Lord J.
 Hay, Lord W. M.
 Hayter, Captain A. D.
 Headlam, rt. hon. T. E.
 Henderson, J.
 Heneage, E.
 Henley, Lord
 Hodgkinson, G.
 Hodgson, K. D.
 Holden, I.
 Holland, E.
 Howard, hon. C. W. G.
 Howard, Lord E.
 Hughes, T.
 Hughes, W. B.
 Hurst, R. H.
 Hutt, rt. hon. Sir W.
 Ingham, R.
 Jackson, W.
 Jardine, R.
 Jervoise, Sir J. C.
 Kearsley, Captain R.
 Kennedy, T.
 King, hon. P. J. L.
 Kinglake, A. W.
 Kinglake, J. A.
 Kingscote, Colonel
 Kinnaird, hon. A. F.
 Knatchbull-Hugessen, E.
 Laing, S.
 Layard, A. H.
 Lamont, J.
 Lawrence, W.
 Lawson, rt. hon. J. A.
 Leatham, W. H.
 Lee, W.
 Leeman, G.

Lefevre, G. J. S.	Rebow, J. G.
Lewis, H.	Robarts, T. J. A.
Lloyd, Sir T. D.	Robertson, D.
Locke, J.	Rothschild, Baron L. de
Lusk, A.	Rothschild, Baron M. de
MacEvoy, E.	Rothschild, N. M. de
Mackinnon, Capt. L. B.	Russell, A.
Mackinnon, W. A.	Russell, F. W.
McLaren, D.	Russell, Sir W.
Maguire, J. F.	St. Aubyn, J.
Marjoribanks, D. C.	Samuda, J. D'A.
Marshall, W.	Samuelson, B.
Martin, C. W.	Saunderson, E.
Matheson, Sir J.	Scholefield, W.
Milbank, F. A.	Scott, Sir W.
Mill, J. S.	Serape, G. P.
Miller, W.	Seely, C.
Mills, J. R.	Seymour, H. D.
Milton, Viscount	Sheridan, H. B.
Mitchell, A.	Sherriff, A. C.
Moffatt, G.	Simeon, Sir J.
Moncrieff, rt. hon. J.	Smith, J. A.
Monk, C. J.	Smith, J. B.
Monsell, rt. hon. W.	Speirs, A. A.
Morris, M.	Staepoole, W.
Morris, W.	Staniland, M.
Morrison, W.	Stanley, hon. W. O.
Murphy, N. D.	Stansfeld, J.
Neate, C.	Steel, J.
Nicol, J. D.	Stone, W. H.
O'Beirne, J. L.	Sullivan, E.
O'Brien, Sir P.	Sykes, Colonel W. H.
O'Connor Don, The	Synan, E. J.
O'Donoghue, The	Talbot, C. R. M.
Ogilvy, Sir J.	Taylor, P. A.
Oliphant, L.	Tite, W.
O'Loghlen, Sir C. M.	Torrens, W. T. M'C.
Onslow, G.	Trevelyan, G. O.
O'Reilly, M. W.	Verney, Sir H.
Osborne, R. B.	Vernon, H. F.
Otway, A. J.	Villiers, rt. hon. C. P.
Owen, Sir H. O.	Vivian, H. H.
Padmore, R.	Vivian, Capt. hn. J.C.W.
Palmer, Sir R.	Waring, C.
Pease, J. W.	Warner, E.
Peel, rt. hon. Sir R.	Weguelin, T. M.
Peel, A. W.	Western, Sir T. B.
Peel, J.	Whatman, J.
Pelham, Lord	Whitbread, S.
Peto, Sir S. M.	White, J.
Phillips, R. N.	Whitworth, B.
Pim, J.	Williamson, Sir H.
Platt, J.	Winnington, Sir T. E.
Potter, E.	Woods, H.
Potter, T. B.	Wyvill, M.
Power, Sir J.	Young, R.
Price, R. G.	
Price, W. P.	
Pryse, E. L.	
Proby, Lord	
Rawlinson, Sir H.	

TELLERS.

Brand, hon. H. B. W.
Adam, W. P.

Mr. BANKS STANHOPE said, he rose to propose an Amendment—namely, the omission of the third section of the clause, which was as follows :—

“The qualifying premises must consist of a house or other building which, either alone or with land held by the occupier in the county, is of the value aforesaid, with this proviso, that where the premises consist partly of a house or other build-

ing and partly of land, the building must either be the dwelling-house of the occupier, or must itself be of a clear yearly value of £6 or upwards.”

By that section an entirely new principle was introduced into the county franchise. The latter part of the section laid down the condition that the building must in one alternative be a dwelling-house; but non-occupation had never before been a bar to the county franchise. The clause originally proposed by Lord Chandos on the 18th of August, 1831, ran—

“Any person occupying or farming on his own account land at a rent not less than £50 by the year, although without any specific tenure of his land, and not being less than one year *bond fide* occupation of such land, &c.”—[3 *Hansard*, vi. 279.]

On the following day Lord Althorpe said :—

“He was sure it was not intended to admit only farming tenants-at-will and reject the tenant-at-will of houses and garden land.”

Lord Althorpe proposed the clause as it now stands, giving a vote to occupiers of any land or tenements of the value of £50, and the object of his Amendment was to maintain this principle of the Chandos clause as amended by Lord Althorpe, and to allow either land or premises to give the vote. According to the clause a house without land was to give a vote, but the converse was not allowed, and land without a house was not to give a vote. Upon what principle was that proposed? Was it that bricks and mortar could in any way qualify a man to vote? He was at a loss to conceive why the change was proposed. If the object was to prevent the creation of county votes, the device was absurd, because, as was well known, freehold votes were constantly manufactured. He wondered whether hon. Members knew how the proposed section would operate. He was aware that another clause of the Bill provided that existing voters on the register for existing qualifications should be disfranchised, and he presumed that a man who had a vote for grass land, without a building upon it, for which he paid over £50 a year, would retain his vote.

[The CHANCELLOR of the EXCHEQUER assented.] Very well, but if another man came into possession and paid the same rental, he would not be allowed to vote, because there was not on the land a building of the annual value of £6. Take the case of a farmer who rented thirteen acres at £4 per acre, and paid £52 a year. Suppose, on account of his losses from the rinderpest, the landlord reduced the rent

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10s. an acre, the tenant would then pay £45 10s. and would lose his vote. The section would say that because the tenant did not live in a £6 house he was unfit to have the franchise. The next clause provided that the qualification must be in one holding; so that if a man had two holdings under different landlords, each of £40 a year, he would still be disqualified for a vote unless he had a house upon one of them. Why should not such a man have a vote as well as the occupier of a £14 house? Again, a man whose holding was on the boundary line between the two counties, and who had buildings on one side and the greater part of the land on the other, might on that account fail to acquire a vote. Again, a tradesman in an £8 house in a small town hired grass land valued at £20 from another landlord, but there being no building he also had no vote. The right hon. Gentleman (Sir George Grey) said the other evening that he did not see what reason he (Mr. B. Stanhope) had to complain, because he could find in the Electoral Returns no large urban constituencies in North Lincolnshire to disturb his seat. This was no doubt so, and, as far as his own constituency was concerned, he did not care about a £14 or any other franchise. He depended for his seat upon his conduct in that House and upon the kindness of his constituents. But the question was a much wider one, affecting the whole agricultural interest of the country, and it was upon this ground that he opposed the measure. The right hon. Gentleman (Sir George Grey) had said truly enough that the Conservatives did not question the fitness of the £14 voters. But if fitness were the question, why were not persons holding land only without buildings as fit as those who had land upon which stood bricks and mortar? He would remind the right hon. Gentleman the Chancellor of the Exchequer, in words that he had himself used, that those gentlemen who occupied land, though they might not be possessed of bricks and mortar, were still our flesh and blood. They were our fellow Christians; and he would ask why they were to be treated as an invading army who were to be refused admission to the franchise? Anyone who, like him, had been dabbling for the last twenty-five years in bricks and mortar, was not likely to undervalue their importance. But he was not aware that there was any peculiar social advantage in bricks. What would be thought of him if he were to go before

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his constituents and say—I have for the last quarter of a century been surrounded by bricks, and up to my neck in mortar, and therefore I am the fittest man to be your Member? Was it to be laid down that, while numbers were to be the basis of representation in the towns, in the counties the franchise was to be based on bricks and mortar? A famous prophecy in *Daniel*, hitherto not very clear, had particularly struck him, and he was tempted to give his own version of it. The vision was this—

“The image’s head was of fine gold, his breast and his arms of silver, his belly and his thighs of brass, his legs of iron, his feet part of iron and part of clay.”

Did this apply to the future of England, whose object was the acquisition of wealth, whose means were her mineral wealth, and whose Constitution now was to be founded on clay? But the book went on to say what happened to this image—

“Then was the iron, the silver and the brass, the clay, the gold broken to pieces together, and became like chaff, and the wind carried them away, so that no place was found for them.”

If the image was based upon the clay, that result might happen, and the remainder of *Daniel’s* prophecy might be fulfilled—

“And as the toes of the feet were part of iron and part of clay, so the kingdom shall be partly strong and partly broken.”

And so, if the Constitution of England were founded upon a wrong basis, this kingdom would be “partly strong and partly broken” also. He was glad that the Government had at last given these Returns, which he had moved for as far back as the 16th of March, and which he had asked for every week since. These Returns contained some curious figures, to which he wished to call the attention of the House. He had always been under the impression that property was to be taken into account in settling representation, but it seemed that property was to be subservient to numbers. The Returns showed that the number of occupiers between £14 and £50 was 101,000, whose rental represented £1,600,000 a year; while the occupiers at and above £50 numbered 202,000, representing a rental of £34,000,000 a year. The numbers, therefore, were only at two to one, but the rental was as twenty-one to one. Again, the number of occupiers and small owners under £14 was 155,000, representing about £1,000,000 a year. Adding to these 101,000 occupiers between £14 and £50,

you got a total of 256,000 persons, representing £2,700,000; while the occupiers above £50, numbering 387,000, represented a rental of £39,000,000. Again, the occupiers and owners under £14 numbered, as he had said, 155,000, with a rental of £1,000,000; occupiers of all sorts between £14 and £50 were 286,000, with a rental of £7,500,000; so that the total number under £50 was 441,000, representing £8,500,000 a year; while the occupiers of all sorts above £50 numbering 202,600, represented £34,000,000 of rental. Now, a question might arise hereafter which would make the line of demarcation to be drawn of great importance—he meant the question how far property was to be taxed in proportion to other interests. As far as he could see, the first result of this Bill would be a fierce endeavour on the part of the towns, assisted, perhaps, by the lower portion of the county constituency, to do away with indirect taxation as far as possible and to satisfy all the national burdens by direct taxation. Now, a system which gave the power of legislation and of deciding between peace and war to those who bore an inconsiderable share of public burdens, or who did not bear any at all, must in the long run become a legalized system of confiscation. The House should consider then, how far it would allow numbers to override property. The number of borough freeholders, according to the Returns which he had obtained, was 101,000, and the number of occupiers in places unrepresented, with populations above 5,000, was 135,000, making a total of urban voters amounting to 236,000. Now, if they deducted the 135,000 in towns above 5,000 from 490,000, the number of rural occupiers from £14 and upwards, the result would be 355,000 rural occupiers, as against 236,000 of the urban element. It should be borne in mind that these Returns were based upon the Census of 1861, and since then the population of towns above 5,000 had greatly increased. Again, the urban total of 236,000 was without any admixture of a county element, while the rural total of 355,000 was qualified by all the freeholders who lived outside large or in small towns. Now, while the Members for towns represented occupation, the Members for counties represented property, and yet they were going to destroy the property representation by the introduction of so large an element from the towns into the counties. This was not simply a question

of parties. If hon. Members on the other side obtained a temporary advantage was it to be supposed that the large towns in Yorkshire, Lancashire, and such places, would send country Gentlemen, when they could get manufacturers and merchants to represent them in that House? Or did they think that if Gentlemen on that side of the House were saddled with an excessive direct taxation, they on the other side would be exempted? He could not enter into the feelings of county representatives opposite, nor would he presume to give them advice; but if he sat among them his only consolation would be that of the oyster at the bottom of the barrel—he would be the last to be devoured. He would give some instances of the working of this measure in different counties from the Returns he held in his hand. In the county of Kent the total of occupiers was 26,000, of whom 12,000 belonged to large towns. But to this element 4,000 voters were to be added, and then there would be 16,000 town against 14,000 country electors—could that be called a county representation? And that was one of the counties which they proposed to insult with an additional Member. In Stafford there were 16,000 occupiers, of whom 6,000 were in towns. Now, an addition of 6,000 to the latter would make the town element in Stafford 12,000, as against 10,000 in the county. Taking Surrey, with a total of 25,000 occupiers, of whom 17,000 resided in towns—no return was made of the new borough voters; but, as things stood, there were 17,000 town against 8,000 country voters. The case of Warwick was not so strong. In that county there was a total of 9,000 occupiers, of whom 3,000 belonged to the towns, and when 2,000 were added to them, it would give 5,000 town against 6,000 country voters. He would give one more instance—that of the West Riding of York, in which there was a total of occupiers amounting to 32,000, of whom 9,500 lived in towns. As many more borough voters would be added, and then there would be 19,000 town against 12,500 country voters. Now, he wished to know clearly and definitely, if this Bill passed, upon what principle the legislation of this country would be carried on for the future? If they were determined to make the urban element predominant—if property was a mistake—if flesh and blood, that was to say numbers, were to add not only weight but dignity to their counsels, then let that be understood. But if that

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rule were to be carried out—if property were to be subordinate to those who had the least amount of it—if they were to leave large towns unrepresented, as not fit for the franchise—and if the counties were to be legislated for in the way he had shown, he would venture to predict, to use an expression of the hon. Member for Birmingham, that they would not get “a settlement of the question even for the shortest possible time.” Hon. Members opposite, who were perhaps looking for a little party triumph at the next elections, would unite with the Gentlemen on that side to endeavour to remedy the mischief when perhaps it would be too late; and another Bill would be introduced into a Parliament composed of men not so fit by education to entertain the question. He believed the result of the new Reform Bill would be an increase of taxation; and if in the towns we were to come to what the Attorney General regarded as the only standing point—namely, household suffrage, they might be obliged in self-defence to come to the same thing in the counties, and to endeavour to meet numbers by numbers. He should deprecate such a step, but it might become necessary. The Opposition side of the House might have to go farther than they would wish towards democracy. He, for one, warned the Government against introducing large bodies of the people, who would not regard anything but the variety and passions of the moment, and who might make hon. Members opposite bitterly rue the day when they preferred a temporary triumph to the permanent interests of the country.

Amendment proposed, in page 2, line 41, to leave out Section 3

(The qualifying premises must consist of a house or other building which, either alone or with land held by the occupier in the county, is of the value aforesaid, with this proviso, that where the premises consist partly of a house or other building and partly of land, the building must either be the dwelling-house of the occupier, or must itself be of a clear yearly value of six pounds or upwards.)—(*Mr. Banks Stanhope*.)

Mr. NEVILLE-GRENVILLE said, that his hon. Friend had made out a good case for his Amendment. Much had been heard of the working classes during the early arguments for this Bill, but they were seldom spoken of now that the clauses relating to counties were discussed. For himself, he regarded these brick-and-mortar clauses as a positive insult to the working classes. The first step of an

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agricultural labourer towards becoming a farmer was to add a small field to his little holding. And who had a greater claim to share in the representation of the country than the man who, by his own honest industry, had thus raised himself? Many a man lived in a £3, £4, or £5 cottage, to which he had added one, two, or three fields. He could point to instances of such advancement in society in his own county. And to these men the country were deeply indebted, for they were the people who were at this moment engaged in rearing the calves which would otherwise have been ruthlessly destroyed in the national effort to stamp out the cattle plague. These were the men to whom the country would be deeply indebted for keeping up the breed of cattle. He hoped the Government would not stickle for the brick-and-mortar clause. He objected to the introduction by wholesale of the middle classes into the county constituencies, not, however, on account of the increase of the middle class element, but because of its swamping the working class. He would not go into the fly-and-the-ointment-pot argument, but he did regret to hear the Chancellor of the Exchequer say that the 254 county Members were almost free from the contamination of the working classes. He was sorry to hear that expression. On looking to the Members supposed to be returned by the country farmers of the £50 class, he found that not more than 22 or 23 per cent of the constituencies were Chandos occupants. What, then, became of the other 77 per cent? The large and small landed proprietors and the clergy in any parish might almost be counted on the fingers, and it was clear that there was an enormous portion of the working classes who had votes for the counties. In one union in his own county the present number of voters was 2,653; the new voters would be 3,951, being an increase of 1,298. There were thirty-eight parishes in that union. In most of the rural parishes there would be no addition to the number of voters; in others the increase would be from 1, 2, 3, to 26. In the town parishes the increases were respectively 69, 134, 523. The voters in his own county, if the county remained as it was, but perhaps it would be better cut in two, would show an increase of from 4,000 to 6,000. He would not detain the House longer, but he could not help remarking on some of the observations which had been used, and as to the manner in which this Bill had been

debated. He was sorry to hear the Member for the Tower Hamlets rather seeming to wish to gag and muzzle hon. Members on the Opposition side of the House to prevent them from discussing a great—he would not say a fearful, for he had no fear of the result—but to prevent them from discussing a measure which was, in fact, a great revolution. He was sorry to see the Government assisting to carry every position at the point of the bayonet, although with diminished forces and discontented troops. He had hoped that the Chancellor of the Exchequer would in Committee have acted with more conciliation. He expected that the right hon. Gentleman would have given the £20 franchise in counties. This he did not do. He might have exhibited a little of the spirit of conciliation to the Reformers on the Opposition side of the House. It had been said that a Reform Bill, to give satisfaction, must have the assent of both sides of the House. But the tone of the Government had been such as to excite the opposition of the warmest Reformers on that side of the House. He had expected that the right hon. Gentleman would have been somewhat conciliatory to the party with whom he had once acted, and who had through evil and through good report assisted in returning him at Oxford, and a large portion of whom had assisted in bringing the right hon. Gentleman in for South Lancashire.

SIR EDWARD COLEBROOKE expressed a hope that the Government would retain this portion of the clause in its integrity. Apprehension had been expressed as to what was called the invasion of the counties by the middle classes. He thought such invasion would be much promoted by the operation of this Bill, and it was because he anticipated such an effect that he supported the measure. The clause would be without sense or meaning if it did not enfranchise those numerous occupiers of land scattered over the country, who were at present excluded from the county franchise. The agricultural interest was, in his opinion, too largely represented in that House. He believed that three-fourths of the Members were interested in agriculture, and he believed, further, that the agricultural element would always retain an ascendancy. But the introduction of an urban manufacturing and mining element into the county representation would be beneficial. He had always advocated the £10 County Franchise Bill of the hon.

Member for East Surrey. The Chandos clause of the Reform Act of 1832 gave a representation to a £50 occupier in counties, whether the occupation was of house or of land. The occupation element was introduced for the reason that a £50 occupier in the county was as fit for the franchise as a £10 householder in the borough; and if the occupation clause in the present Bill were carried, he thought the house qualification should be regarded. He thought that the Government had made an unfortunate distinction in providing that, if the occupation under this clause consisted partly of a dwelling-house, the latter need be of no value, but if it consisted partly of a building other than a house, then the building must be of the annual value of £6. A house afforded the best means of testing the occupier's means and respectability, and he trusted the Government would make the provision as to value apply as well to a house as to other buildings. He could not conceal his astonishment that those who began with horror at the proposed admission of the working classes now expressed still more horror at finding so large a portion of the middle classes in possession of the franchise.

THE CHANCELLOR OF THE EXCHEQUER said, he stood to-night in a somewhat peculiar position, as there was a general turning of the tables. There was a Motion from the Benches behind to make the restrictive operation of this clause more restrictive, while from the opposite side of the House there was a Motion to do away with the restriction altogether. The Government had endeavoured to the best of their ability, and they should continue to endeavour on all occasions to look at these questions without the smallest regard to the side of the House from which they came, or to their bearing upon particular interests. He had sat in silence night after night under many heavy charges preferred against him of hostility to the landed interest. These were the stock charges which for the last thirty or forty years had been made by Gentlemen opposite, whose policy would have ruined land, against those whose policy had highly increased the value of every estate in England. Therefore, let it not be supposed, because he heard these preposterous charges in silence, that he agreed in their justice, or was not prepared to show, for instance, that a man like the President of the Poor Law Board, who was the first to be represented as the great enemy, destroyer, and oppressor of

land, was, in point of fact, a far better friend to it than those who directed those accusations against him. With regard to the question under discussion, the Government had approached it with the disposition which governed them in respect to the whole of the Bill, to impose no restraint whatever except on a strong and clear ground of public policy, and that principle they had endeavoured to apply without reference to its bearing on one interest or another. This portion of the 4th clause had grown by analogy out of a consideration of the case of boroughs, with respect to which it was provided that for the purpose of the franchise there must be a building. That provision had been evaded by knocking up worthless places, and he thought it beyond dispute that in the case of boroughs it was absolutely necessary, if a building was rendered necessary, for the franchise to stipulate that it should be of a certain value, and there was a provision in the 5th clause that the building should be of a clear annual value of £3 or upwards. This was entirely and exclusively done with a view to prevent the creation of fictitious votes. In proposing the £14 occupation franchise the Government thought that they were coming near to the borough franchise, and therefore, to prevent the creation of fictitious votes, this provision was inserted. It appeared to the Government that if they did not limit the operation of the clause by some such provision, it would be necessary to limit it by a provision in the nature of the 6th clause in the Bill of 1859, which restricted the number of persons who would be entitled to claim under the name of joint tenancy or joint occupation. He would like to know whether there was a general assent on the other side of the House that if they did not retain this restriction the power of enfranchising an indefinite number of persons from one undivided holding ought to be restrained by a clause similar to that in the Bill of 1859. That was a provision declaring that no greater number of persons should be entitled to votes than should be equal to two voters, except in certain cases of marriage settlements, partnerships, &c. That limitation was absolutely required in order to prevent attempts to create fictitious votes. The Government had given up one clause most valuable in principle, tending to increase the amount of votes in counties, and that had been given up in deference to hon. Gentlemen opposite, with the desire, if possible, of conciliating them — a desire

upon which the Government had hitherto acted, and would act, though he was afraid with very little hope of success; at all events, the fruits so far had been exceedingly small. With respect to the clause of the £14 occupation franchise, he thought there never was a clause framed in a spirit of greater liberality towards the interests of land as was indisputably shown by the fact that a lower class of voters, if they were only agricultural tenants, would come in under it. The holder of a £14 house would, as a general rule, be a man of larger income and of higher social status than the man who was the holder of a small farm of £14 a year; and consequently, this franchise was one eminently favourable to the representation of the land. But having admitted this principle, the Government disclaimed the notion of excluding or including any class of voters, either because they were urban or rural. As to the last member of the clause, which required that the qualifying premises should be held under the same landlord, the Government adopted in that the principle of the Chandos clause. He would, however, say that the Government would not feel it necessary to adhere to this member of their clause if they saw there was a real disposition to provide against the errors which might arise in joint tenancy in the way he had pointed out. Nothing would be easier than for a landlord having a number of dependants about him, his gardener, gamekeeper, carpenter, and others, living in £6 houses, to eke out those sums and bring them up to the £14 if he pleased. At the same time, the Government had no wish to prevent landlords from cutting up their property if they so chose, in order to create votes. It might be impolitic, and might injure his estate, and perhaps his natural good sense would prevent him from doing it, but he had a right to do it if he chose. The Government wished, however, to make the occupation in each case a *bonâ fide* occupation. His hon. Friend had shown that, with the object of having a voter of a certain status, it was necessary, especially in regard to Scotland, to provide that the house should be of a certain value, whether it was a dwelling-house or not, and that was the most important part of the whole case. It would not be just or fair to the landowner to say that a small farm of the value of £10 or £11, with a house of £3 or £4 value, should not serve for a qualification, and consequently, the Government were prepared to give up that part of the clause. He did

not see any object in the words sufficient to make them persevere in doing that which many hon. Gentlemen seemed to think was a positive pleasure to them, but which was really eminently disagreeable to them—namely, refusing demands for alterations of the measure. Therefore, if those hon. Gentlemen were willing to concur with the Government in endeavouring to obviate the abuses which arose from the system of joint tenancy, to which he had adverted, he should not deem it necessary to adhere to the third member of the clause, reserving to himself the right to bring up a proposal subsequently to meet the difficulty to which he had just alluded. Upon that understanding he would cheerfully accede to the wish which had been expressed by the hon. Member opposite.

LORD JOHN MANNERS: Sir, I cannot help expressing the regret which I feel that in the conciliatory proposal of the right hon. Gentleman the Chancellor of the Exchequer he should, in its concluding remarks, have thought it necessary for the first time to raise the old ghost to-night of the Corn Law agitation. The Chancellor of the Exchequer thought it worth while to say that the Gentlemen on this side of the House had made a charge against Her Majesty's Government and hon. Gentlemen acting with them, in which they assumed that the Government were animated by a feeling of hostility to the landed interest in producing this Bill. In that charge I agree. This Bill does operate against the landed interest enormously. But the Chancellor of the Exchequer said that that was the very last charge which he had expected to hear brought by hon. Gentlemen on that side against the President of the Poor Law Board and his Colleagues in the Government, and he went on to say that it was a very old charge, and for thirty or forty years Gentlemen on this side of the House had been keeping up the agitation. If they were to go back as far as that, I would remind the right hon. Gentleman of the time when he and myself were chaired through the streets of Newark by the farmers of the neighbourhood, twenty-five or thirty years ago, when certainly no Gentleman was more popular among the farmers than the Chancellor of the Exchequer, and more earnest in advocating their cause, and it is somewhat extraordinary that he should have this night raised the ghost of protection to native industry. The Chancellor of the Exchequer strenuously defended the third proviso in the clause,

while announcing its abandonment. He said the sole object of this proviso was to prevent fictitious votes, and he went on to show that in boroughs it was absolutely necessary to prevent the setting up of tumble-down buildings giving rights to vote; therefore, he assumed it was equally necessary to provide in counties against fictitious votes on £14 or £20 worth of land. There may be tumble-down places, such as described in boroughs, but the land in the counties cannot tumble down; it is a real thing, and the value is easily ascertained, even if they took rental instead of rating as their basis. Therefore the analogy drawn by the right hon. Gentleman is futile, and his argument untenable. Then the right hon. Gentleman said that if he conceded this point, which he expressed his willingness to do, he should expect hon. Gentlemen on this side of the House would not object to join in preventing fictitious votes out of land. The right hon. Gentleman read a clause from the Bill which was introduced in 1859 by Earl Derby, and I sincerely rejoice to find that as this debate goes on the Chancellor of the Exchequer is more and more disposed to pay consideration and attention to this Bill. Without pledging myself, or those who sit on this side of the House, to any formal words the Chancellor of the Exchequer may be pleased to introduce, I may safely say we have no more interest and no more wish to create fictitious votes than the Chancellor of the Exchequer or any hon. Gentleman opposite. We are actuated by a desire, if the Constitution is to be reformed, if an addition is to be made to the number of Her Majesty's subjects who are to be admitted to the franchise, we are desirous that that privilege of the franchise should be placed on a clearly defined and easily understood basis; and we have no wish or intention for fictitious votes to exist in the towns or counties that may be created by the operation of this Bill. Therefore, as far as the general principle of the clause is concerned, the right hon. Gentleman need fear no difficulty or opposition from these Benches. But as the Chancellor of the Exchequer—I think very wisely and very prudently—said he could not pledge himself to the particular words in which he would clothe his intentions, so we, on this side of the House, must reserve to ourselves the full right, when we are made acquainted with the form of words to say whether they fairly accomplished the object both have in view, and whether the proposal is sus-

ceptible of improvement. Under the circumstances, I do not feel it necessary to trespass on the time of the Committee on this point. I regard the statement of the Chancellor of the Exchequer as tantamount to a declaration on the part of Her Majesty's Government that this provision to which we have taken such strong objection is withdrawn, and for that statement on the part of the Chancellor of the Exchequer I cannot do otherwise than be thankful and express my extreme satisfaction.

MR. M'LAREN very much regretted that the Chancellor of the Exchequer should have given way on this question, because he had had experience of the working of a similar system in Scotland. It was a common practice there for a landowner to divide his estate into ten or twenty portions, each conferring a vote on persons who had no local habitation in the county, being the mere belongings of great towns and altogether illusory owners. This proviso regulating the qualification for occupiers would at least have raised a barrier against such a practice, for no landowner could have divided his estate into portions of £14 rental without building a house on each portion. Speaking of Scotland, if the two Bills were to be the same, he felt perfectly satisfied that if a man had a farm of £140 a year he would let it to ten different tenants at £14 each, and these ten would sublet it to other men who would carry on the cultivation. The original tenants would not have a shilling of interest in the land; the sub-tenant would pay the rent directly to the landlord, and the actual tenants would never trouble themselves about the matter. For himself he would much rather have accepted the last Amendment, which he voted against, than accept this Amendment, which, in his opinion, struck a fatal blow at the utility of the Bill. He thought the Amendment was objectionable on another ground, by favouring land to an enormous extent as against houses. Hon. Members knew from the arrangements made in connection with the income tax that land was believed to yield a profit equal to half the rent; so that if a man paid £500 rent he was held to have an income of £250 and was assessed accordingly. Thus a man having a £14 tenancy of land might be assumed to have an income of barely £7—that was all he made out of it, even if it were a *bond fide* transaction. But a man who lived in a £10 house in the country must have an income of at least £100 a

Lord John Manners

year. Yet that man was to be denied a vote, whilst to favour the land the small occupier at £14 of rent was to have a vote. It was a most flagrant piece of injustice, and would do more throughout the Scotch counties to play into the hands of the landowners than even the Chandos clause had done in England. It was, in fact, tantamount to enacting that the £50 occupancy established by the Chandos clause should be reduced to £14; that was the effect of omitting this qualifying proviso. He thought it very deeply to be regretted that this part of the clause should have been given up, and he hoped that those hon. Members who were of the same opinion would record their votes against its being done.

MR. BEACH expressed his satisfaction that the third paragraph of the clause was to be withdrawn. He however regretted the injurious remarks which had been made in the discussion as to the conflicting interests of the landed and other classes. The hon. Member for Lanarkshire (Sir Edward Colebrooke) said that the land was rather over-represented in that House. That might be the opinion of some hon. Gentlemen, but it was doubtful whether it would be borne out by the statistics of the question. Increased representation had certainly been given to the counties, though not in the manner he would have recommended; and he denied the statement that the interest chiefly represented in that House was the landed interest. The landed interest could exercise a strong influence in that House only when that which it supported was consistent with the principles of right and justice. The representatives of that interest were never deaf to the reasonable and just complaints of those who represented other interests. At the time of the Lancashire distress there were no Members on the Opposition side of the House averse to doing all that was possible to ameliorate the condition of the suffering people. Now he did not think that the Committee did wrong in prolonging the discussion the other night, for important statistics had been presented to the House which showed a condition of things far different from what most hon. Members supposed to exist; and not even the greatest adept at figures had had sufficient time to make himself fully acquainted with those statistics. A fact which spoke for their importance was that a revised edition of those statistics had been issued that morning. He believed that there were

large numbers of people occupying premises in the country below the rent of £50, and he would be glad to see the franchise extended to them; but that should be done on some definite and distinct principle. Whereas he could see no reason for the proposal to reduce this franchise to £14, except that the amount happened to be twice £7. Although in counties where no great unrepresented towns existed the character of the existing constituencies would not be materially altered by this measure, it would produce one inconvenience by considerably increasing the expenses of candidates; for indeed it could not be otherwise when electors in great numbers, scattered over a large area, were admitted to the franchise. It had been said that these expenses might be reduced by opening more polling-places. This, however, was not true, because on the contrary each additional polling-place would only entail further expense upon the candidate. In every district there must be an organization to secure the attendance of voters, and it was well known that the agency at elections was the cause of the chief portion of the expenditure. The Chancellor of the Exchequer had said that hon. Members ought not to enter into the question of urban and rural interest, because they were foreign to the spirit of the Constitution; but what was the course dictated by the Constitution itself in former times? When towns grew into importance before the Revolution they were selected by Royal prerogative to return Members to that House. But the case was now altered; and since 1832 there had not been an opportunity of redressing the difference between large towns which had grown into importance and towns which had decayed, and become of little account in the country. Did not this fact show that when the franchise was to be reduced it was proper to inquire from what quarter those who were to be admitted within the pale of the Constitution would come? In the case of counties having great unrepresented towns the character of the constituencies would be greatly altered by this measure. According to the Returns recently presented to the House the population in unrepresented towns containing above 5,000 inhabitants was 3,167,000, and in some of the counties the proportion was very large. For instance, in the West Riding of Yorkshire the population of the unrepresented towns having more than 5,000 inhabitants was 393,000, and in Lancashire the num-

ber was 509,000. Of course, the return of Members for those counties must be more or less affected by the inhabitants of the unrepresented towns, and there the urban element predominated. The test of qualification, however, that had been selected was not calculated to effect this object, and there had evidently been some ingenuity at work in providing the £6 qualification for boroughs, because while it would include nearly all the householders in the large towns, it was just above the rental of those who resided in the agricultural districts. He should have preferred to see the county occupation franchise fixed at £20, or at a £14 rating; but if the majority of the House forced upon those who agreed with him the amount of franchise fixed in the Bill, they must needs submit to it. County Members were proud of representing the various sections of the community, but they were very properly averse to giving a predominance to towns so as to swamp the agricultural interest. Neither did they wish to see voters increased by any indirect means; but to give a full and fair representation to the various and complicated interests of the country.

MR. WHITE would not go into a discussion of the general question, but begged to ask some Member of the Government whether, owing to the concession made by the Chancellor of the Exchequer to hon. Gentlemen opposite, it would not be possible for the possessor of land bringing him in £1,400 a year, in perfect accordance with the terms of the Amendment, so to divide the property as to create, he would not say 100 faggot votes, but 100 votes perfectly under his control. If so, the Chancellor of the Exchequer had done exactly what was intended to be done by Lord Derby's Bill, unless the framers of that Bill were grossly libelled. He deeply deplored that any such concession should have been made by the right hon. Gentleman. No doubt the Chancellor of the Exchequer hoped to conciliate hon. Gentlemen opposite, but that that anticipation would be realized he did not expect. The concession was one made without any reference to the feelings of hon. Members, who, like himself, thought it their duty to support and carry through this Bill, and who had therefore voted on all occasions for the Government measure. In this instance they meant to act exceptionally, and to take the sense of the House in a spirit of opposition to the Government, and he hoped that, reinforced by some Gen-

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tlemen from the other side, they would succeed in getting rid of the Amendment to which the right hon. Gentleman had so unwisely consented.

SIR LAWRENCE PALK said, that the Chancellor of the Exchequer, after having accepted the Amendment of the hon. Member for North Lincolnshire, suggested that they should all unite in an endeavour to provide some means for preventing the creation of faggot votes; and he (Sir Lawrence Palk) believed that the Members on the opposite side would gladly co-operate with the Government for the attainment of that object. The course taken by the hon. Member for Brighton, although to be regretted, was not surprising. His feelings towards county Members was one of perpetual hostility, and any favour shown to them was, therefore, regarded by him as a personal injury. If, however, the hon. Member really was, as he supposed himself to be, a sincere and ardent Reformer, he must remember that the only way in which a Reform Bill could pass this Session was by mutual conciliation and forbearance on both sides of the House. He should be thought ungrateful if he did not tender to hon. Members who sat below the gangway on the opposite side of the House his thanks for the advice they so constantly proffered to their oponents, and doubtless it gave those hon. Gentlemen great pain to see that that advice was not accepted. He recollected that on one occasion a party of Dissenters waited on a distinguished prelate and made a proposition to him which he very indignantly refused. The Dissenters retired, consulted, and returned, stating that they had agreed to accept the terms of the right rev. Prelate; but one of their number who felt aggrieved at this decision, said to his Lordship, "You must admit, my Lord, that you have got the lion's share;" upon which the Prelate replied, "Yes, sir, and if we had taken your advice, we should have had none at all." That would be the result of the advice so freely and often given to the opposition by the supporters of Government. No doubt it appeared to those hon. Members that because they on the Opposition side were pursuing an apparently obstructive policy they did not desire Reform, and the supporters of the Government were determined, no matter what proof was given to the contrary, that the Opposition should never gain any credit as Reformers with the country. That might or might not be the case, but

Mr. White

he begged to remind those hon. Gentlemen that Lord Derby and his party went to the country pledged to Reform, and he ventured to suggest in their defence that it was painful for them to find themselves so frequently in opposition to the Government, but they had a duty to perform to the great constituencies whom they represented. The other night the Chancellor of the Exchequer wound up with a terrible denunciation of the Conservative party, "which did nothing but waste time." But the decision which the right hon. Gentleman then sought to force on was deferred; and he appealed to the result of the recent division and to the concession which the Chancellor of the Exchequer had since thought it right to make, whether the reproach of wasting time was well founded on fact. Upon statistics presented on Tuesday, but so fallacious that they had to be substituted that day by others, they were asked to go into the question upon which the whole representation of the counties mainly depended. In spite, however, of the threats that had been held out the Opposition would calmly hold on its course, and although they admitted the Government was in a majority, and if they insisted and persevered long enough they must swallow the leek which was so constantly held up before their mouths—they should, notwithstanding, continue to faithfully discharge their duties to their constituencies. Those who had listened with attention to the debate would not regret that it had been prolonged, because after the arguments that had been urged they would no longer venture to prophesy that the majority would have a lasting and beneficial effect. The hon. Baronet the Member for Lanarkshire on a former night candidly admitted that he was afraid of the agricultural interest, and other hon. Members had said that in their opinion the agricultural interest had too much power in that House. He (Sir Lawrence Palk) held a different opinion, and thought that on the contrary the urban population had already too much predominance in the Legislature. The principle of Lord Derby's Reform Bill had been much discussed. Lord Derby and his party had been tried, convicted, sentenced and executed; yet on every occasion Lord Derby's Reform Bill was resuscitated, knocked to pieces, and killed again. In fact, there was no Gentleman on the other side of the House who did not resuscitate that measure, and fit a

reference to it into some passage of his speech. Now, what was the principle of that Bill, and in what respects did it differ from the Bill of 1832, and the present measure? The difference between Lord Russell's Bill, Lord Derby's Bill, and the present measure was, that Lord Derby sought to extend the county franchise and also that of the urban or town franchise on the principle laid down in the Bill of 1832.

THE CHAIRMAN said, he was unwilling to interrupt the hon. Baronet, but he must remind him that the question before the Committee was the omission of paragraph 3 in Clause 4.

SIR LAWRENCE PALK said, that with all due deference to the hon. Gentleman in the Chair, he thought he was approaching that question as closely as possible. ["Order!"] If that was a specimen of the way in which the debate was to be carried on, he could only say that hon. Gentlemen opposite were putting themselves in a very false position. ["Order, Order!"] No doubt he must succumb to any noise hon. Gentlemen opposite chose to make. He was not one who ever fought against the House of Commons, and if hon. Members did not wish him to proceed, he should desist ["Chair!"]; but he must be permitted to ask whether the debate must be considered as at an end because the Government had given up a part of the clause? He thought that would be an untenable position. He submitted that it was competent to him to show why this clause would be so objectionable by contrasting the difference between the principle of this Bill, and those that had gone before it. Now, he would shortly show what were the principles of those Bills.

THE CHAIRMAN reminded the hon. Baronet that the question before the Committee was not the principle of the Bill. It was not even Clause 4; but paragraph 3 in Clause 4.

VISCOUNT CRANBOURNE said, that as the Chairman had raised the question of order, he wished to know whether it was not legitimate, in discussing this paragraph which so much affected the re-distribution of power between urban and agricultural districts, to point out the direction in which the balance of elective power would be found.

THE CHAIRMAN said, that the question referred to by the noble Lord so far as it legitimately arose out of paragraph 3 of Clause 4, had been discussed by several

hon. Members, and so long as it appeared to him that they confined themselves to that clause he did not interrupt them. He could assure the Committee that he was most unwilling to place a limit to debate.

SIR LAWRENCE PALK said, the decision of the Chairman had placed him under the disadvantage of not being able to see how he was transgressing the rules of debate. The line was so extremely fine that the Chairman had failed to define the difference between what would be in order and what was out of order in the case. However, as his argument appeared to make hon. Gentlemen opposite very sore, he might presume it was a good one, and had had such an effect that he might advantageously confine himself to the clause. If this clause would have the effect of giving the dwellers in towns a predominance in the franchise which they did not before possess, it would be an injustice to the landed interest. Hon. Members opposite were prepared to support this franchise because they considered it would damage the landed interest. Now, he maintained that if they were bound to pass a measure of Reform, they were not bound to pass it for party purposes alone, and that they had no right to insist on a franchise which they could not defend, merely for the sake of inflicting a blow on the landed interest. The Government, in fact, thought the agricultural interest was too strong, and the object of their franchise was to diminish, control, and destroy it. He was not, however, allowed to enter into these matters, owing to the line which the Chairman had so arbitrarily drawn. ["Order!"] He did not mean to use the word in an offensive manner, and therefore he would withdraw it. He should be the last man in that House to do so, and if it had been received in that form he begged at once to withdraw it. As, however, he did not exactly understand the narrow boundary of discussion that had been laid down he would not address the House further on the subject.

SIR FRANCIS CROSSLEY said, that if the proposed omission were adopted it would tend to greatly increase the number of voters in a manner he did not approve of, and when he found county Gentlemen on the Opposition side for the first time advocating an Amendment the effect of which would be to increase the number of voters, he naturally thought there was something behind. It appeared to him the Opposition wished to follow the principle he heard once laid down by a large

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landed proprietor who once had a seat in that House. He told him that he had never any difficulty with his tenants, because when they took their farms they were told they must vote in his interest, as it was the land and not the man who had the vote. The landowners now wanted to create a greater number of such voters than they could have done as the Bill stood originally, and as he thought this would be the effect of the omission of paragraph 3, he should support its retention.

SIR JOHN TROLLOPE was surprised at the opposition to the withdrawal of this clause which was offered by the hon. Member for the North Riding and the hon. Member for Brighton, because it would effect the exact consequence about which they professed to be so anxious, that of greatly increasing the number of electors in the county. For this reason it certainly ought to have recommended itself to the favour of hon. Gentlemen below the gangway. This view, he thought, must have come over the mind of the Chancellor of the Exchequer. But it had been objected that it would lead to the manufacture of votes. The idea seemed to him most absurd. It was not a very probable thing that any landlord would be willing to split up his £1,400 a year into 100 electors, who would certainly be a very poor class of tenants, upon whom he would be unable to depend for their rent, or even for their votes when he wanted them. He disapproved of the clause, because it would exclude many men from the franchise who were well worthy of it—men who laid out their money in stocking the land and operations of that sort. He did not personally object to increasing the number of voters. Some hon. Members already represented very large constituencies. He did so himself. But such constituencies were composed in a great measure of men who represented their own property, from the humble labourer with his own little freehold up to the wealthy proprietor of thousands of acres. It was a mistake entertained by hon. Gentlemen opposite—a mistake which sprang from their ignorance—that these small county voters were capable of being put under pressure. On the contrary, they were men of a very independent turn of mind, who had their own ideas about things, and seldom failed to act upon them. He must say he thought that those who professed a wish to extend the franchise were placing themselves in a paradoxical position by opposing the adoption of this proviso.

Sir Francis Crossley

SIR FRANCIS GOLDSMID said, that hon. Gentlemen on the Ministerial side of the House had no objection to increase the number of voters, but they desired to extend the franchise to those only who would be likely to record their votes on their own convictions, and not at the mere will of their landlords.

COLONEL PERCY HERBERT congratulated the Chancellor of the Exchequer on the conciliatory tone which he had taken on the present occasion, and expressed a wish that he had adopted a similar tone more frequently during the discussions on this Bill. His general objection to the clause was that the effect of it would be to concentrate the power of the country almost entirely in the hands of the towns. The right hon. Gentleman the Chancellor of the Exchequer had made some flourishes, when speaking of this clause, about the fitness of the £14 occupiers, but nobody on either side of the House had raised any doubt on this point; indeed, it could hardly now be done, seeing that for the last thirty-five years the majority of the Members of the House of Commons had been returned by £10 householders. That, however, was not the question now at issue. The objection was that the £14 occupiers belonged to a class which was already over-represented in the boroughs; and furthermore that the small proportion of Members that the rural districts were able to send to the House, should be returned by the same class as the freeholders in the boroughs. The Chancellor of the Exchequer had objected very much to a sharp line of distinction being drawn between the urban and the rural districts, and said that such a distinction was unknown to the British Constitution. He (Colonel Percy Herbert) ventured, however, to differ from him with regard to that. 400 years ago there were a great many things which the British Constitution did not recognize, but which it took notice of now—such, for instance, as the existence of large towns, like Liverpool and Birmingham. It was not, therefore, altogether unreasonable for them to complain of the county franchise being entirely swamped by the householders in the towns. The hon. Member for the Tower Hamlets had said that the rent of a house was the best test for finding out the status of the tenant in society, but he would ask whether the rating was not a better test. Many persons paid a

very high rent for their houses, though in point of respectability they were not to be for a moment compared to their neighbours who paid far less. He thought the Government scheme was condemned even by the very statistics that had been published for the purpose of propping it up; and he would show the Committee by reference to these statistics that a £14 franchise would bring into the counties a larger proportion of town than of county voters. It appeared that the gross estimated rental of the boroughs was £39,000,000, that of the metropolitan boroughs alone being £15,000,000, leaving the gross estimated rental of the remaining boroughs at £24,000,000. The gross estimated rental of the English counties, excluding Parliamentary boroughs, amounted to £65,000,000, but the counties returned 147 Members only, while the 24,000,000 in the boroughs (excluding the metropolitan boroughs) returned 304 Members. Taking the population of the boroughs and the counties, the contrast was equally great. The population of all the boroughs was, in round numbers, 9,000,000, or about 6,500,000 after deducting the metropolitan boroughs. The population of the counties was about 11,000,000, yet the 11,000,000 returned 147 Members, while the 6,500,000 returned 304 Members. Now, he ventured to assert that by passing this Bill as it stood five-sixths of the whole political power of the country would be concentrated in the hands of persons dwelling in towns, and in proof of this he might refer to the cases of South Staffordshire and South Northumberland.

MR. J. B. SMITH appealed to the Chairman as to whether the hon. Gentleman was in order.

THE CHAIRMAN said, the question immediately before the Committee was whether paragraph 3 of Clause 4 should stand part of the Bill. A question arose upon that as to the nature of the qualifying proviso, and if hon. Members confined themselves to the effect which that might have upon the franchise they were perfectly in order. It did not appear to him that the remarks made by the hon. Member were out of order.

COLONEL PERCY HERBERT proceeded to show that the voters of Middlesex outside of the Parliamentary boroughs were virtually unrepresented, and concluded by stating that hon. Gentlemen on that side of the House objected only

to the manufacture of votes in the towns when it was evidently for the purpose of swamping the county constituencies.

MR. OSBORNE said, that they had had a very remarkable speech from the hon. and gallant Gentleman who had just sat down. It appeared that whilst the hon. Member for Shropshire was allowed to take the horse out of the stable, the hon. Member for Devonshire (Sir Lawrence Palk) was not even allowed to look over the hedge. The contrast between the speeches of the two hon. Members was very remarkable. The latter certainly did not proceed to discuss the statistical returns, however much he was disposed to wander; but the former seemed to be labouring under the delusion that he was speaking on the Motion for the third reading of the Bill, a point to which they had not arrived. But what the statistics read by the hon. and gallant Member had to do with the particular section of Clause 4, then under consideration, he and the House would be very much puzzled to ascertain. It appeared to him that the whole of this discussion might have been avoided, inasmuch as the Chancellor of the Exchequer (as he understood) had made a very proper and amiable concession. [*Ironical Cheers.*] Yes, he maintained that that concession of the right hon. Gentleman was made in a proper spirit; and that if it were really desired that the Bill should pass, and result in a good reform of the Constitution, a spirit of conciliation should dictate the course they pursued. Hon. Gentlemen opposite should give and take; and when met by concession they should not respond by flogging a dead horse.

MR. HENRY BAILLIE rose to order. The hon. Gentleman was not speaking on the clause.

MR. OSBORNE thought he was speaking strictly on the clause. But they were all liable to error, and none more so than the hon. Member for Inverness. The hon. Gentleman opposite was probably not aware that this question had been conceded by the Chancellor of the Exchequer. He (Mr. Osborne) did not apprehend that under this clause, as amended, there would be any manufacture of votes on the part of the landholders, because he did not think that they would ruin their property by making faggot votes. They did not do so in Ireland, where the inducement was much greater to make such votes. The vote in Ireland was on a £12 rental of land, and there it was not necessary to have a house at all to

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possess the qualification. Why, then, should there be any necessity for a house in order to have the vote in this country? He thought that the hon. Gentlemen below the gangway would be exceedingly wrong if they divided the House upon this question. The Chancellor of the Exchequer had promised to bring up a clause which he (Mr. Osborne) thought would satisfy the House. If hon. Members wished to carry the Bill this Session, they must not expect to carry all their crotchets; but they must be prepared to concede something to their opponents. Hon. Gentlemen opposite formed a very powerful party, and, judged by the last speaker, some were very eloquent. If the Committee should go to a division upon this question, he for one should support the concession made by the Chancellor of the Exchequer.

MR. NEWDEGATE said, he understood that the Chancellor of the Exchequer had qualified his concession by stating that he would bring up a new clause similar to Clause 6 of Lord Derby's Bill of 1859. He wished to know how many persons could be qualified out of the one occupation by the mere process of becoming tenants. He did not think the concession of the Chancellor of the Exchequer was so great as hon. Gentlemen seemed to assume. The concession would not be available for the division of land to the same extent that it would be available for the division of other property. He viewed the proposed extension with regret, as a further invasion of the rights of the freeholder.

SIR HARRY VERNEY said, he thought the concession was, in fact, a very considerable extension of the franchise. He confessed he did not see why more than one person should vote out of one property. He did not think that hon. Members need be afraid of a division of votes under this clause. He was in favour of the rating clause, believing that every person who had the franchise ought to be required to pay the rates. He appealed to hon. Gentlemen below the gangway not to divide upon this question.

MR. LIDDELL said, he merely wished to put a question to his right hon. Friend the President of the Poor Law Board. He impugned the accuracy of those statistics which formed the basis of the arguments used that night—at all events, as far as they regarded the districts with which he was best acquainted. It appeared that the first returns gave the total number of

electors on the register for South Northumberland as 5,511; but the last papers furnished gave the total number of electors qualified by property only, and situated within the limits of Parliamentary boroughs, as about 5,700. An error obviously existed there. The total number of electors appeared by the returns to be less than a part of them. This was a discrepancy so extraordinary that he wished to receive some explanation from his right hon. Friend. But this was not all. The blue book issued at the beginning of the Session stated that 1,304 electors would be added by the reduction of the franchise to £14, but by adding together the columns in the last return, he found that the increase would be 1,938. These discrepancies were glaring, and suggested doubts of the general accuracy of the return.

MR. C. P. VILLIERS supposed the only explanation was that in this county some error had been made by the sheriff, but he believed that the returns were generally accurate so far as they depended upon the officers of unions, the order sent out to whom had reference to those persons who were qualified within the limits of Parliamentary boroughs. He had, however, made inquiries respecting the returns furnished by sheriffs, but had not met with any other instance of serious error besides that now pointed out.

MR. HUNT suggested that some discrepancies might, perhaps, be accounted for by the earlier returns having been made before and the latter returns after the last register came into force.

MR. C. P. VILLIERS said, that the electoral returns were delayed in order that they might be based upon the new register.

MR. J. B. SMITH requested the Chancellor of the Exchequer to repeat the substance of the statement he had made for the benefit of Members who were absent from the House at the time.

THE CHANCELLOR OF THE EXCHEQUER: It is not necessary I should go over all the remarks I made to the Committee, but I will state briefly what I consider to be the pith of the case. The object with which we introduced the words which the hon. Gentleman moves to omit was simply and solely to prevent the manufacture of fictitious votes. That "flesh and blood argument" we acknowledge as freely and readily when we propose to extend the representation of rural interests as when we seek to extend any other kind

of representation. The Government were led to adopt this section by the natural application of an analogy arising out of an undoubted necessity in the case of boroughs. Looking, however, more strictly into the matter, and by the aid of the discussion which has been raised, we do not see that there is any door open to the creation generally of what can be fairly called fictitious votes, except in one mode, and that is, by the creation of a large number of joint interests. Therefore I stated that if we withdraw this clause it will be necessary to introduce into the Bill a provision which should be *bond fide* and strictly addressed to preventing the creation of fictitious votes in that collective form. I then referred to the clause introduced into the Bill of 1859, and I read the words of that Bill, but by no means with the intention of tying the Government to them. They provide that no greater number of persons shall be entitled to be registered in respect of the same premises unless they have derived their right by descent or other operations, or unless they are *bond fide* engaged as partners. As at present advised, I do not quite understand why two persons should be entitled to be registered for the same premises unless they are in partnership as farmers. A father and two or three sons, or several brothers, may be enfranchised in this way if the value be sufficient for their several qualifications; but in the mass of cases I do not see why more than one should be entitled to be registered. All I wanted to obtain from hon. Gentlemen opposite was a frank declaration of their opinion that it was right to prevent the creation of fictitious votes; and satisfied with the indications given, we cheerfully concede the proposal of the hon. Gentleman to omit the section. An hon. Friend below the gangway says that as hon. Gentlemen opposite, who have been always opposing the extension of the franchise, are now demanding and supporting it, he thinks there must be something behind; but it is wrong of my hon. Friend to say that. We have been protesting all along against the spirit of suspicion in which our proposals have been received; and, consequently, it is our duty now to set an example by not receiving the proposals of others in a similar spirit of suspicion. I think we may be satisfied with the general and perfectly intelligible assurance hon. Gentlemen have given of their desire to prevent the creation of fictitious votes.

Mr. HENLEY said, he thought it would require consideration before they determined to deal differently with joint tenants in occupation franchises in counties and in boroughs. As to what were called pocket votes, he did not believe that any man would be such a fool as to cut them from his estates, but perhaps some Gentlemen sitting below the gangway might entertain a different opinion, knowing how in towns the most was often made of a building. For himself, as far as he was concerned, he did not care a halfpenny whether this paragraph was in the Bill or not. To omit it might make a few votes, but it was uncertain to what side such votes would be given; but if the Government came to the conclusion to accept it he had not the least objection. The 6th clause of the Bill dealt with joint tenancies, and he thought it would require the attention of the legal Gentlemen in the House to see that two conflicting principles were not allowed to work.

SIR EDWARD COLEBROOKE said, he hoped that the Government would not hold themselves to be bound to the exact words of the proviso which had been suggested, and that the clause to be brought up by the Chancellor of the Exchequer would be simple in its character and divested of all complications. Referring to the Amendment which stood in his own name, he would say that if there were a provision to prevent the splitting up of votes, half his objection to the Bill, as it originally stood, would be obviated.

MR. DISRAELI: I think that there ought to be a clear understanding upon this matter. What I understand is that the Chancellor of the Exchequer will withdraw the third section. ["No, no!"] I understand it is to be left out. A previous Reform Bill has been referred to, and though all its provisions are not so impressed upon the mind of every Member as Her Majesty's Government seem to contemplate, yet I have some faint recollection of the clause that has been mentioned, and I may say that I am far from objecting to legislation to prevent faggot votes as a general principle. But I would remind the Chancellor of the Exchequer that there are no checks—such as are now proposed—in the Irish Act, which the right hon. Gentleman adopts as his model on account of its satisfactory working; and unless there is some good reason, I do not see why he should unnecessarily introduce checks; but so far as any steps are necessary to prevent fag-

[Committee—Clause 4.]

got votes, I may say that I should be anxious to co-operate with the Chancellor of the Exchequer in attaining that object. But if the Irish Act is to be our model we ought to recollect that the Irish Act contains no checks of that nature.

SIR FRANCIS CROSSLEY said, he did not wish to discuss the matter at this stage, but what he and his friends complained of was that in boroughs electors were allowed to vote though they had no occupation, provided they were on the register for a certain piece of land and paid rates, even though they handed over the land to some one else. They did not want to have this system repeated in the counties, and if there were no provisions introduced by the Government to prevent it he should advise his friends not to support the proposition.

THE CHANCELLOR OF THE EXCHEQUER: I understand that there must be a *bonâ fide* occupation, and unless the land is used for the profit and benefit of the person occupying no vote will be acquired. If the law is insufficient to attain this object it will be our duty to mend it. With reference to what has fallen from the right hon. Gentleman opposite, he has not accurately stated the facts. I do not say the observations of the right hon. Gentleman have weakened, but they certainly have not strengthened the understanding which was established by the speeches of the noble Lord and others, as to the propriety of introducing into this Bill a provision to prevent the creation of faggot votes. The Irish Act has never been declared to be our model for this Bill at all; but the Irish Act, like the Bill of Lord Derby and other measures upon this subject, have been consulted for information, and have from time to time been referred to for purposes of illustration. I hope there will be no recession from what has been stated as regards the propriety of introducing provisions as to the creation of county votes in a collective form.

SIR HUGH CAIRNS said, that he thought nothing could have been more distinct than the statement of his right hon. Friend, that in any measure for preventing the creation of faggot votes he should be glad to unite with the Chancellor of the Exchequer. What the Chancellor of the Exchequer had said as to preventing the creation of faggot votes and as to the Irish Act, which it was important to bear in mind, was this. They had a statement from the Chancellor of the Exchequer a

few days ago that the Irish Act had worked well, and every one connected with Ireland would say so. And he believed that he was right in saying that in the Bill for Ireland no alteration would be proposed in this respect. What the House had to bear in mind was that no doubt had arisen in Ireland as to qualifications of this sort. This, however, did not render it improper that they should guard against it on that occasion, and no doubt a proper clause would be accepted by the House.

MR. BRIGHT: I was not in the House when the Chancellor of the Exchequer made the statement on the subject, but I confess that I look upon his change of view in this matter with some suspicion, because I think it extremely difficult in a case of this nature to prevent the creation of fraudulent votes. I think I can go as far as Gentlemen opposite in extending the franchise, notwithstanding the revolutionary views they have expressed during these debates. But if there be one thing more odious than another in this matter, it is that the electoral lists should in any degree be formed of persons who, according to the spirit and honest meaning of the law, have no right to be there. Many Members of this House know that in Scotland the manufacture of faggot votes has been carried to a great extent in counties where the number of electors is not large. I remember receiving a letter from a gentleman who was an unsuccessful candidate for a Scotch county, in which he told me that he polled an absolute majority of all the electors of the county who resided within the county, and that notwithstanding this fact he was defeated by the faggot votes created by a nobleman having great property in the county. [*Cries of "Name!"*] I believe in the county of Selkirk the candidate who was not returned polled an absolute majority of all the electors residing within the county, and yet he was defeated by the votes of persons living in other parts, who had no real interest in the county, and who had no right to be upon the list according to the spirit of the law. If the Chancellor of the Exchequer finds he has no means of doing what he has undertaken to do, I should be greatly disappointed by the withdrawal of the clause, especially if they had regard to the character of the electors, for which hon. Gentlemen opposite always pretended to be more desirous than hon. Gentlemen sitting on this side of the House. As long as we do not

go to universal suffrage, there is something to be said in favour of knowing that every man who votes lives somewhere, and that you know where he lives, and therefore I believe that a suffrage fixed upon occupation is probably better than any other suffrage. I suppose there is to be no division on the matter, though I should like to know whether the Chancellor of the Exchequer proposes to withdraw this part of the clause altogether, or whether he proposes merely to postpone it. [An hon. MEMBER: He cannot.] I must, then, wait until he brings up the new clause, which will embody the view which he has stated to the House.

MR. HUNT said, he begged to remind the hon. Member for Birmingham that the county franchise had never been a residential franchise: it was for the most part a franchise representing the property of the county, while the borough franchise represented occupation. According to the ancient lines of the Constitution—the importance of standing on which the hon. Member had spoken so much of lately—whether a man had a residence or not, if he were otherwise qualified he had a vote. He was sorry the hon. Gentleman had given up his own principle. This was one “of the ancient lines of the Constitution” which the hon. Member for Birmingham on a former occasion advised the House to stick to.

MR. BRIGHT: I made no objection to persons residing out of Selkirkshire voting in that county; what I objected to was the faggot votes.

MR. SANDFORD said, that as the Chancellor of the Exchequer had announced his intention to bring up clauses framed against fictitious votes, he wished to draw the attention of the right hon. Gentleman to another kind of fictitious votes which had been extensively manufactured in counties, and which might possibly even have received the sanction of the hon. Member for Birmingham. He alluded to the creation of 40s. freeholders by means of building societies, for the purpose of swamping the votes of those who had a substantial interest in the county. The hon. Member for Birmingham had mentioned the county of Selkirk, but he (Mr. Sandford) could tell him that the election for East Surrey had been carried by means of voters so created.

MR. BOUVERIE said, that some hon. Members appeared to have forgotten the distinction between an occupation and property qualification—namely, that in the latter case residence was not required.

But, practically, they all knew that the votes in counties under the Chandos clause were residentiary votes. As he understood the proposal emanating from the other side, and accepted by the Government, there was to be no restriction as to the occupying tenant having a residence on the property. They all knew what that meant. It meant an unlimited creation of votes by the nominal subdivision of property. Thus, farms would be divided between father and son, and a farm of the annual value of £140 would produce ten voters. He defied the Government, or anyone else, to draw up a clause upon the principle of non-residence, so as to prevent the unlimited creation of fictitious votes. To abandon the principle of residence was to abandon the whole principle of occupying franchises. He was altogether at a loss to understand the course that had been adopted by Government in this matter, and he was sure that the country would view it with great astonishment. He was satisfied that, on the whole, the greater portion of the Liberal party would rather see no reduction in the county franchise than one accompanied by such an alteration of principle as it was now proposed to make.

MR. HUNT said, he did not know where the right hon. Gentleman found any residential qualification mentioned in the Chandos clause. As he understood that clause, it merely gave a vote to occupiers who paid £50 a year rent, but there was no condition that the occupiers should reside on the property they held. If there were any words to that effect in the Act, he would be obliged to the right hon. Gentleman if he would point them out.

MR. AYRTON said, he thought that hon. Gentlemen who sat near him were rather hasty in finding fault with the concession which had been made by the Chancellor of the Exchequer on this subject. If the Government were to pass any Reform Bill some discretion must be allowed them with regard to the minor provisions of the measure, and he regarded the proposition that had been accepted by the Chancellor of the Exchequer as involving one of those minor provisions, and therefore thought that the matter rightly came within the discretion of the Government. He believed the provision had been introduced for the purpose of preventing the creation of fictitious votes, and the real question before the House was whether that could not be done otherwise than by this clause. The county franchise

like the borough franchise ought to be one merely of occupation. He thought that the creation of faggot votes might be prevented by inserting a clause which would forbid the fictitious splitting up of property. Thus by one of the clauses of the Reform Act of 1832, relating to boroughs, no two persons could have votes in respect of the same house except they were joint occupiers of the property and were partners in the business carried on there. As people were not likely to take upon themselves the risk of partnership merely for the purpose of obtaining a vote, the clause operated admirably as a safeguard against the creation of fictitious votes. He proposed that a similar clause should be inserted with reference to land in counties. There was, however, another provision in the Reform Act which would prevent the creation of faggot votes, and that was that borough voters should reside within a certain distance of their qualification, and to complete the analogy they ought to provide that county voters should be required to reside within the county—or, at all events, within a reasonable distance of its borders—in which they obtained their qualification.

SIR JOHN HAY said, he wished to make a remark with regard to the charge made by the hon. Member for Birmingham against the county of Selkirk, that its election was carried by means of faggot votes. He must say he thought that the accusation was made specially against that county because it happened to have returned a Conservative Member. He could not deny that in some instances the elections in Scotland had been influenced by that description of votes, but he did not believe that Selkirkshire was more open to the hon. Member's charge than were the other Scotch counties. The landlords and tenants in Selkirk were almost all Conservative in their political opinions, and it was only owing to the growing towns in that county that it had any Radicals within its borders. He thought he might retort upon the hon. Member by asking whether it was not the fact that many of the Liberal Members returned by the boroughs in Scotland, and who were now assisting the Government in carrying this Bill, were elected solely through the exertions and influence of Whig noblemen and of Radical bailies.

MR. WARNER hoped the Chancellor of the Exchequer would see the necessity for postponing the question, and of bringing in another clause founded on a more simple principle than that on which the one before

the House was based. Perhaps the object sought for by hon. Members would be better obtained by a clause restricting the franchise to one vote for each occupier. However, if the matter went to a division, he should feel bound to vote for the clause as it stood.

SIR HUGH CAIRNS wished to say one word in reference to a remark made by the hon. Member for the Tower Hamlets. He had understood the hon. and learned Gentleman to say that the Act of 1832 provided that no person should vote as a joint occupier in boroughs unless he was a partner in trade.

MR. AYRTON: Partner and joint occupier.

SIR HUGH CAIRNS thought that the hon. Gentleman was mistaken on that point. By the words of the Act if the premises were jointly occupied by more persons than one as owners or tenants they each had votes. He also wished to point out that in the two qualifications for the county franchise at present required there was no reference to residence; in the one case a 40s. freehold and in the other the payment of £50 rent a year being the sole conditions of the vote. He wished to know on what principle they were going to introduce the element of residence in respect of the county franchise. If the paragraph were not withdrawn, it might happen that a man who paid £49 a year rent in one county, and had his house in another county, would have no vote, although the proposal was to give an occupancy franchise of £14.

MR. M. MORRIS said, that he had seldom listened to less conclusive arguments than those advanced by the hon. Members below the gangway, among whom he was sitting at that moment. He thought there had been some confounding of occupation and residence. He could not understand why a person who occupied land as a farmer in one county and who resided in another, should not have a vote in the county in which he had his farm. As to the Irish Act, were hon. Gentlemen aware that a man might have a farm in the most northern county—Donegal for instance—and reside in a southern county—Cork for instance—and yet be on the register for Donegal? That was, however, the case, and it was consonant not only to law but to common sense. A man might have a grass farm in one county, and other farms in other counties, but he could not reside permanently on them all. The right hon. Gen-

Mr. Ayrton

tleman (Mr. Bouverie) said that the persons admitted to the franchise if the Amendment were carried would not belong to the Liberal party. But the question which the House had to decide was, whether the franchise should not be given to persons entitled to it, and not merely whether such a proceeding would be for the interest of the Liberal party, or whether it might be disagreeable to Gentlemen who sat "below the gangway." Though why that phrase should be used he did not know. He differed from Gentlemen who sat around him on this as on many other matters.

MR. BARROW wished to declare that in voting for the Amendment he did not pledge himself to be bound by any terms of compromise that might be offered by the Government. He believed it was matter of very little consequence whether the words remained in the clause or not, but he would not pledge himself to any particular course.

THE CHAIRMAN then put the Question to omit the first words of the paragraph—"that the words proposed to be left out stand part of the clause."

MR. HUNT said, he rose on a point of order to ask why the Chairman had only put the Motion to omit the first words of the third paragraph, when the Motion was to omit the whole paragraph.

MR. BOUVERIE said, he thought the hon. Member was under a misapprehension owing to his not being fully acquainted with the mode of voting in Committee.

THE CHAIRMAN said, that the question was put upon only the first words of the paragraph, because another hon. Member had given notice of an Amendment to the latter part of the paragraph; and if the Committee determined that the first words of the paragraph should stand part of the clause, the hon. Member would then have an opportunity of moving that other Amendment.

Question put, "That the words 'The qualifying premises must consist of a house or other building which, either alone or with land held by the occupier in the county, is of the value aforesaid,' stand part of the Clause."

The Committee *divided*:—Ayes 74; Noes 361: Majority 287.

MR. HUNT said, he rose to call attention to the fourth paragraph of the clause, which stipulated that where the occupier was tenant of the qualifying premises the whole must be held under the same landlord. He could not understand the prin-

ciple of this paragraph, for they had heard from the Chancellor of the Exchequer that the question was not as to what was the landlord's position, but what was the tenant's, and the division on his Amendment a few hours ago had affirmed the principle that an occupier should have a vote simply in consequence of his being in a position to pay a certain rent. Whether the holding was under one landlord or under more involved in his opinion no difference in the man's position in life, or in the obligations and burdens to which he was subject. This proviso, he could not help thinking, was the work of the draughtsman, and not of the Government. In the Reform Act of 1832 he found no provision with regard to the £50 occupation that that rent should be paid to the same landlord, though such a construction had been put upon it by the Judges. It often happened that Parliament passed laws with a certain intention, and that the Courts of Law attributed to them a totally different intention, and he did not think it was the purpose of the Legislature to confine the qualification under the Chandos clause to occupations under a single landlord. The Committee had decided that a person occupying premises of the clear yearly value of £14 should have a vote. Now, suppose a man held a house and land of that value under one landlord and obtained a vote; if the landlord took it in his head to sell half the land, was the tenant, though he remained in the occupation, to be deprived of his vote? He wanted to know on what principle this was; he could not see the least reason for it. He was told by some Gentlemen on that side that such a provision was favourable to Conservative views; but, for all that, he did not think the principle one upon which they ought to legislate. He begged to move the omission of the words, "Where the occupier is tenant of the qualifying premises the whole must be held under the same landlord."

SIR GEORGE GREY said, that with regard to this point the Government were only adopting the existing law as decided by the Judges in relation to the Chandos clause of the Reform Act of 1832. It had always been the law in boroughs. The intention of the Chandos clause was that a man should pay £50 rent to the landlord—but if the new county franchise were permitted to be made up of holdings under different landlords, why should not the same principle be applied to boroughs?

[Committee—Clause 4.]

[Mr. HUNT: Why not?] He thought fraud might arise, and he preferred adherence to the existing law.

MR. SCLATER-BOOTH said, he would support the Amendment, because he could not admit that this new franchise was an extension of the Chandos qualification. The intention of the Chandos clause was to give more power to the owners of property in counties; and furthermore, the £50 voter was sure to be a man of some capital, and one who had some interest in the welfare of the country. The case of the small occupiers was totally different. He did not object to the enfranchisement of £14 occupiers on the score of their fitness. They were fit, and so were a great many more who had a less qualification, but the real question was whether the £14 occupiers should control the county representation. If the proposal of the Chancellor of the Exchequer were agreed to, there would be one-third of the counties of the kingdom in which 50 per cent of the electors would be small holders added to the constituency. There were eighty counties or divisions of counties in England and Wales, and in twenty-three of them 30 per cent would be added to the constituency.

MR. CRUM-EWING supported the Amendment.

LORD HENRY SCOTT said, he did not think the reasons adduced by the Home Secretary valid against the Amendment. With regard to the remarks made in his absence by the hon. Member for Birmingham, he could state that every vote given in the county of Selkirk had passed through the proper court of inquiry, and to say that those votes had been made by a nobleman was not to state a fact.

THE CHANCELLOR OF THE EXCHEQUER said, he should discuss the point without reference to the interests of either party in that House. The clause embraced every species of qualification whether in country or town; but looking at its principle, the balance of his mind was opposed to the Amendment of the hon. Gentleman. There was no doubt a certain presumption in favour of the proposition of the hon. Member when they looked at the case of two men, one of whom would have a vote because he paid a certain sum to one landlord, while the other would have no vote though he paid the same amount to several. But then the practical convenience connected with registration must be taken into account in all these cases. They must consider that a man might hold small strips

of land which might be so far separated that the cases could not be tried in the same registration court. It would be probably found that more evil than good would result from the proposition of the hon. Gentleman. The last Member but two who had spoken was under a misapprehension in supposing that the Government intended to correct the present state of the law with respect to the Chandos clause. The Chandos clause would be left precisely as it was. It was a matter for consideration how far the principle contended for by the hon. Gentleman should be carried, and whether it should apply to boroughs, if it were to be applied to counties. In his opinion it would add greatly to the labour and expense of investigation. Considerations of practical convenience were against the adoption of the Amendment; but even conceding that the proposition was a proper one, the object would not be attained by the proposed omission, but it would be necessary to introduce positive words to carry out his intention, and the Committee would, on the whole, do wisely to be content with the state of the law as it stood.

VISCOUNT CRANBOURNE said, he entertained a great objection to disfranchising his own flesh and blood. The only objection of the Chancellor of the Exchequer appeared to be that the proposed alteration would give greater trouble to those who had to revise the register. There was one class whom the Chancellor of the Exchequer would disfranchise who were acknowledged on all sides to be a class who ought to be introduced, and that class comprised the village tradesmen. It often happened that the ground in a village belonged to small owners whilst the land all round belonged to a large owner. The question was not one of great magnitude, but he thought the Committee would act wisely in accepting the Amendment of his hon. Friend.

MR. HUNT said, he thought the Chancellor of the Exchequer was right in saying that if he (Mr. Hunt) succeeded in striking out the paragraph substantive words would be required to carry out his object, and he had provided words to meet that objection. In the course of his canvass at elections he had frequently come across a man who was in as good a position as any man in the parish who could not vote because he happened to hold under two landlords. He considered that to be a great injustice, and did not see why that injustice should not be remedied. The Chancellor of the Exche-

quer said, that if that principle should be adopted with regard to counties it ought to be adopted with regard to boroughs. He perfectly agreed with that remark. If a man held two houses next to each other in a borough, and made a communication between them, he did not see why, although they belonged to two different persons, the tenant should not have a vote just as if both the houses belonged to the same landlord. But in boroughs there was this distinction, that the franchise was residential. The Amendment however, limiting the principle to counties, would tend to enfranchise a large number and he hoped the Committee would adopt it.

Amendment negatived.

SIR STAFFORD NORTHCOTE said, he hoped the Government would not object to the following words which he proposed to introduce at the end of the clause:—

“In any case in which the occupier of any premises has sublet any portion thereof, he shall not be entitled to a vote in respect of such premises, unless the portion of them remaining in his own occupation be of the clear yearly value of £14, and in order in that case to ascertain the clear yearly value, the amount of the rent paid by any sub-tenant or sub-tenants shall be deducted from the gross estimated rental of the premises, and a proportionate deduction shall be made from the rateable value.”

The Committee had adopted as the standard for the county franchise the holding either of a house or land to the amount of £14. The difference between the holding of a house and the holding of land was this—that if a man occupied land of the value of £14, unless he occupied the whole of it, he would not be entitled to a vote; whereas if he took a house of the value of £14 and let off to the extent of £12 or £13, only retaining to the value of £1, he did not lose his vote. All he desired was to correct that anomaly, by introducing a provision that if a man let off a portion of his land or premises he should lose his vote, unless he retained to the minimum yearly value which had been decided upon. He thought this a very reasonable proposal and he hoped the Government would adopt it. It was applicable both to the county and the borough.

SIR GEORGE GREY said, that the effect of the Amendment would be to alter the legal definition of occupation, and to disfranchise borough voters very extensively. If a man occupied in a borough to the value of £10, and let off a portion of his house it was still an occupation; but

it was now proposed that if he let off any portion of his house, the rent received by him should be deducted from that which he paid, and he would be struck off the register, because, although legally occupying the house, he made use of the occupation in such a manner as to enable him to pay his rent. Hon. Members would observe that the Amendment proposed a most important alteration in the existing franchise, and he trusted that the Committee would not accede to it.

SIR STAFFORD NORTHCOTE said, that after what had fallen from the right hon. Gentleman, which he confessed had greatly surprised him, he would withdraw his Amendment for the present; but, as he believed the principle to be a very important one, which required much greater discussion than they could give to it at that hour of the night, he should reserve the right to bring it forward again at a further stage, either as an Amendment to the borough franchise clause or as an independent clause dealing with both the counties and the boroughs.

Amendment, by leave, withdrawn.

MR. HUNT said, he had placed on the paper the notice of a Proviso to the following effect:—

“Provided always that no such occupier shall be so registered in any year unless he shall have been rated in his own name in respect of the premises to all rates for the relief of the poor made during the time of such his occupation so required as aforesaid, nor unless he shall have paid, on or before the 20th day of July in each year, all the poor rates and assessed taxes which shall have become payable from him in respect of such premises previously to the 5th day of January then next preceding.”

He intended to take the sense of the Committee on this question, if no one else did. But it would be more convenient, as the principle applied both to borough and county votes, that the discussion should be raised at a time when it could be taken generally upon both franchises. The Government Bill contained a clause repealing the payment of taxes, and perhaps that would be the more convenient moment for raising the question.

Clause agreed to.

THE CHANCELLOR OF THE EXCHEQUER said, there were so many Motions anterior to the Government business for tomorrow (this day), that he did not think he should be dealing fairly with the House if he put the Reform Bill upon the Paper. He would therefore propose to fix the resump-

tion of the discussion in Committee for Monday.

House resumed.

Committee report progress ; to sit again upon *Monday* next.

LAND DRAINAGE SUPPLEMENTAL BILL.

On Motion of Mr. KNATCHBULL-HUGESSEN, Bill to confirm a Provisional Order under "The Land Drainage Act, 1861," ordered to be brought in by Mr. KNATCHBULL-HUGESSEN and Sir GEORGE GREY.

Bill presented, and read the first time. [Bill 192.]

House adjourned at half after
Twelve o'clock.

HOUSE OF LORDS,

Friday, June 15, 1866.

MINUTES.]—*Sat First in Parliament*—The Lord Willoughby de Broke, after the Death of his Father.

Took the Oath—The Lord Blayney.

SELECT COMMITTEE—On Crown Lands *discharged*.

PUBLIC BILLS—*First Reading*—Validity of Marriages * (164); Foreign Jurisdiction Act Amendment * (165).

Committee—Law of Capital Punishment Amendment (*re-comm.*) (145 & 166).

Report—Lunacy Acts (Scotland) Amendment (138).

Third Reading—Prosecution Expenses * (88); Charitable Trusts Deeds Enrolment * (146), and *passed*.

LAW OF CAPITAL PUNISHMENT AMENDMENT BILL—(Nos. 145 & 166.)

(*The Lord Chancellor.*)

COMMITTEE (ON RE-COMMITMENT.)

House in Committee (according to Order) on Re-commitment.

Clause 13 (Execution to be within Prison).

LORD ST. LEONARDS objected to the whole of Part IV., authorizing the execution to be within the walls of the prison. He objected altogether to private executions. A soldier was marched out before his comrades for execution as an example to others in the regiment, and a civilian ought to be hanged in public as an example to others. To be "hanged like a dog" had a deterrent effect, for the boldest man shuddered at it; and if they resorted to private executions, in his opinion they would deprive capital punishments of their deterrent quality. The fundamental prin-

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ciple which governed the administration of the criminal law in this country was that all proceedings involving life and liberty should be conducted in public, and it was only in accordance with it that the punishment should also be carried out in public. By that means the public was certain that everything was done fair and right, and that justice had been done. The final execution of such a sentence ought above all things to be public, or else what security had the people, should a man of influence be unfortunately condemned, that he suffered the extreme penalty of the law. It was only by public executions that the great mass of the people could be induced to believe that the law had taken effect in such cases. During the last ten years the reports of executions given by *The Times* had, with one exception, always testified to the becoming conduct of the assembled crowds, and that single exception received a flat contradiction a few days afterwards from a person of great experience. No wrong was done by public executions, and though it was impossible to search people's hearts, there could be little doubt that to witness so solemn a spectacle must make a deep impression on the minds of those who beheld it.

Moved to omit Clause 13.—(*The Lord St. Leonards.*)

THE DUKE OF RICHMOND supported the Bill, reminding their Lordships that all the publicity attending the proceedings in the case of a man accused of murder was not in the least interfered with by the present Bill. The only alteration proposed was that the execution should take place in private; but all the details would be just as public as they were now. There would be the same security that the law had been carried into effect that there was now. The noble and learned Lord (Lord St. Leonards) had argued that because a military execution was of a very imposing character, because performed in public, the public execution of other criminals must be similarly impressive. It must be recollected, however, that a soldier was executed in the presence of his comrades, of those with whom he had for years been in close association; whereas the execution of a criminal for murder brought together only the very dregs of the population, and it was impossible to induce respectable persons to be present. The evidence that had been given by police inspectors and others was

to the effect that executions had no deterrent effect on the lower classes, who looked upon them in the same way as prize fights or any other amusing sights, and that the behaviour of many of the crowd was exceedingly riotous and indecorous. Very little moral impression could therefore be made by public executions, and he thought the change proposed was a very desirable one.

THE LORD CHANCELLOR said, that capital punishment was the only punishment that was carried out in public, and desired to know why, if publicity was so essential as his noble and learned Friend argued, it was not applied to other cases. Imprisonment, indeed, necessarily involved privacy; but why should not people be flogged as well as hanged in public? Why, because flogging in public would be so revolting to popular feeling that it would not be tolerated. He could not help thinking, therefore, that analogy was in favour of private executions. This was already the law in some of the American States and in several of the States of Europe. It might have been liable to abuse in former times, but nobody nowadays could have any apprehension of criminals being tortured or put to death in any other way than the sentence prescribed. No doubt it was possible that a few individuals in a crowd might be impressed by an execution; but the large mass of the people present were always of the lowest class, unmixed with persons of superior education, whose presence gave a tone to large assemblies; and the evils of the present system were so great that, in his opinion, it was very desirable to put an end to it. On the second reading of the Bill, the preponderance of opinion in the House was decidedly in favour of the change, which was recommended by the recent Royal Commission, and was in harmony with the more humane feelings of the present age. He thought the value of the Bill would be materially impaired if the clause were struck out. His right rev. Friend (the Bishop of Oxford) had suggested that a bell should be tolled within the walls of the prison when the criminal left his cell, and that a black flag should be hoisted on the walls at the falling of the drop. He thought, however, that such a regulation could not consistently be introduced into the Bill, and that the due solemnity of the spectacle was sufficiently provided for. He hoped their Lordships would be of opinion that the clause ought to be retained, and that it would be a great improvement on the present system.

LORD DUNSANY said, that one of the great objections to our mode of executing criminals was the uncertainty of its duration. A man was sometimes hanging fifteen or twenty minutes before life was entirely extinct. The mode of death should be more certainly instantaneous. It was to be assumed that the punishment should be inflicted with the greatest equality possible to all persons so unfortunately placed, and it was the duty of the Government to take every possible care that no unnecessary torture should be inflicted in the performance of the last solemn act of the law. Nothing, however, was more uncertain or more bungling than our present system of hanging. We had but one skilful executioner in England, and his services were not extended to Ireland. It required some skill to hang a man effectually. They found that criminals executed died from different causes—some died from suffocation, others from dislocation of the neck, and others again from apoplexy caused by an unnatural flow of blood to the brain. It all depended upon the skill of the hangman whether the unfortunate criminal died at once or was allowed to suffer for several minutes. He believed that if the executions were carried out in private they would be far more solemn and decorous than they were at present.

THE EARL OF ROMNEY said, he could not help thinking that the publicity of executions had a solemnizing effect on the minds of those who witnessed them. However apt such persons might be, in going to or coming from such exhibitions, to indulge in a species of jocularly, trying, if possible, to carry off their nervous feeling, it was quite obvious that they were deeply impressed with the awfulness of the scene they had witnessed. They would not be impressed with the tolling of the prison bell as they were by the appearance of the living condemned criminal on the scaffold, and seeing in a few moments his lifeless body blown to and fro by every breath of wind. He had himself once witnessed an execution, and he could not describe the feelings of horror which it excited in him. If the penalty of death were inflicted privately in prison, the sentence would be deprived of much of the horror which now attached to it.

THE EARL OF MALMESBURY said, when this Bill was being read a second time he ventured to express his dissent from the new mode of executing criminals proposed. He was now glad to find his

opinion fortified by such a distinguished legal authority as his noble and learned Friend (Lord St. Leonards). He hoped their Lordships would not be offended when he said he believed they were, perhaps, the worst Court in the world for passing judgment as to the effect of public executions upon the lower classes. Their Lordships were highly educated men, possessing refined feelings and minds, and they were naturally shocked at the sight of a public execution. They would carefully avoid witnessing one except for the purpose of observing what its effect was upon the minds of the masses who assembled around the scaffold. Their Lordships' minds would naturally revolt at such scenes. How, then, could they answer for the effect produced by public executions upon the minds of uneducated persons, many of whom belonged to the criminal class? He thought they could not answer for the effect of those spectacles; and, therefore, unless they were certain that such executions were worthless in respect to morality and useless as warnings, he thought it was better to leave the law as it stood than to attempt any alteration of it. The right rev. Prelate (the Bishop of Oxford) in replying to the observations he (the Earl of Malmesbury) made on this subject on a former occasion said, that criminals often displayed a good deal of bravado on the scaffold, and assumed a certain feeling of courage for the time which was productive of a false and morbid impression on the minds of the spectators. But was he sure that that was the case in the present day? He (the Earl of Malmesbury) thought not. He thought that owing to the exertions of the excellent men who now held the offices of prison chaplains the unfortunate criminals generally appeared on the scaffold in a far different state of mind than was the case some sixty or seventy years ago, in the days of Dick Turpin and gentlemen of that kind. He did not concur with the statement of the right rev. Prelate, that there was often a morbid infatuation of the public mind which led people to sympathize with criminals who were about to be executed. Baron Bramwell, in his charge to the jury in the Cannon Street murder case, said, only last week, that "rogues will always assist rogues, but there is no sympathy in this country for murderers." When a supposed murderer was arrested it was well known that the chief difficulty of the police was not to keep him in safe custody, but to protect him against the

The Earl of Malmesbury

violence of the mob. It could not, then, be said that the people had anything of a morbid sympathy for a criminal. He thoroughly agreed with his noble and learned Friend (Lord St. Leonards) that the infamy of a public execution had a deep effect upon the mind—of this effect a remarkable instance was to be found in the criminal himself, for the first precaution taken after a man had been sentenced to death was to keep him from committing suicide. Criminals in general were not so insensible as some supposed to a feeling of degradation. If inquiry were made at the convict establishments here or abroad, it would be found that criminals felt the greatest horror at having their hair cut and the convict dress put on them. Robespierre, to avoid a public execution, attempted to blow his brains out, and Wolfe Tone, he believed, killed himself in prison rather than be publicly executed. Then there was the instance, not many years ago, of a French nobleman, who, to prevent the disgrace which would fall on his family by his public execution for a murder of which he had been guilty, committed suicide. Another argument which had been eloquently urged the other day by the right rev. Prelate was that the disgraceful scenes witnessed at public executions were a proof that those executions had no beneficial effect on the minds of the spectators. In the absence of any statistics showing the proportion of the public upon whom public executions had no salutary effect he thought that the argument of the right rev. Prelate was not worth much. He considered that if nine-tenths of the spectators were solemnly impressed with the awful scenes they witnessed—and he believed that the proportion was considerably more—it would form a strong argument for the present mode of carrying into effect the extreme sentence of the law. A servant of his had attended an execution, and the effect on him was so great that he was unfitted for his work for three or four days. One objection raised was that the people indulged in obscene language at these executions; but the same thing occurred on great public spectacles, such as the funeral of the late Lord Palmerston, and at Her Majesty's coronation; but it would be absurd to argue from that that public funerals and coronations did more harm than good. Those people were obscene, not because of what was taking place, but because it was their habit to be obscene. He considered that the substitution of private for public

executions was the first step to the abolition of capital punishment. He did not think that the proposal to make the executions private, although aided by the theatrical accessories of the tolling of bells and the display of a black flag, would have any effect upon the unimpressible minds of those who constituted the criminal class in England, however they might act upon the imaginative people of the South. The noble Duke (the Duke of Richmond) had alluded to executions in the army, and said that they took place in the presence of the friends and comrades of the criminals; and he (the Earl of Malmesbury) thought it was a defect in our present system that the executions always took place at certain and the same places. He would suggest that executions should take place as far as possible in the particular localities where the crime was committed. When executions took place in the county towns the same people always saw them, and they produced less effect than would accompany them if the sentence of the law were carried out in the places where the crime was perpetrated, and where the executions might be witnessed by those who were formerly the friends and associates of the criminals.

THE BISHOP OF OXFORD said, he could not concur in the statement of the noble Earl that their Lordships were likely to be bad judges of the effect of public executions on the lower classes, because, as men of education and refinement, their feelings on the matter were likely to be different from those of less educated people. His own opinion was that the result of their superior education was just the reverse. He thought that the careful study which people of education bestowed on questions like the present eminently qualified them to judge what effect was produced on the minds of the lower classes by events which passed before their eyes. If this were not the case, it would be almost impossible for educated people to legislate for the uneducated. But the question did not rest there. It should be borne in mind that an inquiry had been made on the subject by a Commission, and evidence had been obtained from those who witnessed public executions, and whose business it was to be present at them, as to the effect produced on the minds of the assembled masses, and even on the criminals themselves; and after hearing both sides the Commission came to a conclusion against public executions. The noble and learned Lord who moved the Amendment (Lord St. Leonards) said

that public hanging had a deterrent effect, because, when a man was executed, a common observation made by the people was that he was "hanged like a dog." Now, he did not think that dogs were hanged in public, but, whenever they went through that uncomfortable operation, he believed that the operation was performed in private; so that if the idea of being "hanged like a dog" had a deterrent effect, the conclusion was in favour of private and not of public executions. The preponderance of evidence given by persons who lived at country towns where executions took place, by chaplains of gaols, and by leading members of the police, was clearly against the notion that any good effect was produced on the criminal masses by public executions. He was told by a noble Friend of his a Colonial Governor, of a curious instance of the effect of public execution; for a fortnight after a public execution where he was stationed he noticed that all the boys and young lads in the town were performing mock executions, showing that the public spectacle of the death of a man by hanging, instead of filling their minds with horror, was regarded as a sort of pleasurable dramatic excitement. Public executions were done away with by him, and the result, he stated, was that a marked change for the better was produced. The witnesses from America and from Prussia, who were examined before the Commission, was to the same effect. Indeed, the evidence generally went to show that the dread of the punishment became increased when the sight itself was withdrawn from the public gaze. Another remarkable fact was that it appeared that those very men who had themselves been great criminals had been constant attendants at public executions; so that it was clear those spectacles had exercised no sort of deterrent effect upon their minds. And from what their Lordships knew of the operations of the human mind they would at once understand that noise and disturbance and whatever tended to dispel that fixedness of thought which to produce any good result must be centred not upon the accidents of the scene, but on the great fact that a human life was being cut short by a shameful death, took away in the case of the great mass of the people from that great moral impression which such a scene was meant to create. It was also shown that the fact of executions being public produced a bad effect upon criminals and upon the criminal population—of this they had distinct and conclusive

evidence before them. It would be found from the evidence of a very thoughtful man (Mr. Kennedy) that the morbid feeling excited by such spectacles in America had led to the greater frequency instead of to the diminution of murders. As to the objection that the holding of executions in private would tend to the total abolition of capital punishment, he would only say that if those who supported the clause were right in the view which they took the tendency would be in the opposite direction. If, while public executions gave an unnecessary shock to many persons, they were able to show that their effect was to accustom people to the penalty of death and thus to diminish its deterring influence, the argument against the entire abolition of capital punishment would be surely stronger than if the last punishment for a great offence were inflicted in the manner proposed without subjecting to a needless shock the moral and civilized feelings of the country.

On Question, That the clause stand Part of the Bill? their Lordships *divided*:—Contents 75; Not-Contents 25: Majority 50.

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Bath, M. Bristol, M. Lansdowne, M. Normanby, M.	Abinger, L. Belper, L. Bolton, L. Boyle, L. (<i>E. Cork and Orrery.</i>) Brodrick, L. (<i>V. Middleton.</i>) Brougham and Vaux, L. Charlemont, L. (<i>E. Charlemont.</i>) Chelmsford, L. Churchill, L. Clermont, L. Colville of Culross, L. Denman, L. De Tabley, L. Dunsany, L. Foley, L. [<i>Teller.</i>] Granard, L. (<i>E. Granard.</i>) Hamilton, L. (<i>L. Belhaven and Stenton.</i>)
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Heytesbury, L. Houghton, L. Lyveden, L. Methuen, L. Minster, L. (<i>M. Conyng-ham.</i>) [<i>Teller.</i>] Overstone, L. Polwarth, L. Portman, L. Saye and Sele, L. Scarsdale, L.	Southampton, L. Stewart of Garlies, L. (<i>E. Galloway.</i>) Sundridge, L. (<i>D. Argyll.</i>) Taunton, L. Teynham, L. Tredegar, L. Wensleydale, L. Wharnccliffe, L. Wrottesley, L.
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Hardinge, V.	

Clause agreed to.

Clause 14 (Sheriff, &c., to be present).

THE DUKE OF MARLBOROUGH took occasion to say that, while the presence of large crowds would, under the operation of the Bill, be done away with, it was desirable that executions should still be allowed to preserve to some extent a public character. He should, therefore, propose to introduce into the clause words to the effect that the visiting justices of the prison should admit as many persons within its precincts as could be conveniently accommodated. As the clause at present stood there would be present (besides the official) only such persons as the sheriff or visiting justices might think to admit.

LORD TEYNHAM suggested the insertion of words in the clause providing for the admission within the prison of a reasonable number of the accredited representatives of the public press. In some cases the question whether reporters should be admitted had been raised before justices, and had been decided in the negative by them. The press itself had demurred to such an exclusion, and the opinion of the public, he believed, had coincided with that of the press, and had been adverse to the decision of the justices concerned. As that clause stood it was quite possible, and even probable, that occasions might arise in which, when the sheriffs or

the visiting justices found that the power of excluding the press was in their hands, they would be disposed to exercise that power, and would actually exclude it. According to the 18th clause, the Secretary of State would have the power to make regulations touching executions; but as the clause then under discussion specified the parties who should be officially present, and who should have authority to limit the number of persons admitted to witness the execution, the letter at least of the Bill would lead one to suppose that the power of admitting or excluding the press was not to be left in the hands of the Secretary of State, but was to reside in the sheriffs and the visiting justices. Seeing that executions hereafter were not to take place altogether in public, it was most important that the representatives of the press should be enabled to inform the public of what transpired on those occasions.

An Amendment *moved* after ("belongs") to insert ("and that which shall appear to the Sheriff or to the Visiting Justices a reasonable number of the accredited representatives of the public Press.")—(*Lord Teynham.*)

THE LORD CHANCELLOR thought it would be better to leave the matter in the hands of the sheriffs and the visiting justices, who were responsible to the public, than to allow any person, however respectable, to claim an absolute right to admission within the precincts of the prison. The Amendment of the noble Lord might be attended with inconvenience.

Amendment *negatived*.

THE DUKE OF MARLBOROUGH said, the clause imposed on the visiting justices or the sheriffs the duty of selecting the persons who should be present to witness the execution. He was glad that he himself was not likely to be placed in the position of having such a duty imposed on him. The provision was one that must utterly fail, and the result would be that executions would be witnessed simply by the officials of the gaol. When executions thus became truly private he feared that they would be ultimately abolished altogether.

THE LORD CHANCELLOR hoped their Lordships would not assent to the suggestion of the noble Duke, which would probably lead to inconvenience.

Clause *agreed to*.

Clause 15 (Surgeon to certify Death, and Declaration to be signed by Sheriff, &c.) *agreed to*.

Clause 16 (Coroner's inquest on Body).

EARL NELSON suggested that as the chief object of the inquest was to identify the dead man as the person who had been sentenced to execution, it would secure greater publicity and otherwise produce a more salutary effect if the jury were summoned from the district in which the crime had been committed. These persons would be not only the most fit to testify to the identity of the body, but would carry back to their neighbourhood the certainty that the crime had been punished by the execution of the criminal.

An Amendment *moved*, after ("jury") to insert ("for the inquest shall be, where practicable, summoned from the parish or district where the murder was committed.")

THE LORD CHANCELLOR thought it would only introduce needless difficulty into the working of the clause to require that the jury should be summoned in all cases from the district in which the crime had been committed.

Amendment *withdrawn*.

Clause *agreed to*.

Clauses 17 to 23, inclusive, *agreed to*, with verbal Amendments.

Clause 24 (Substitute for Punishment of Death in certain cases.) (Partial Repeal of 2 Geo. II. c. 25, s. 2).

EARL GREY observed, that it proposed to abolish the punishment of death for those who committed treason by setting fire to Her Majesty's ships and dockyards in time of war. In his opinion it was a most grievous offence, meriting the severest punishment.

THE LORD CHANCELLOR said, the policy had hitherto been to confine the infliction of capital punishment to murderers. Any number of crimes might be included in the category of those to be punished by death if heinousness alone was to be the guide. Mutilation, for instance, was a most terrible crime; but that could not be included. Still, if any person in collusion with the enemy set fire to Her Majesty's dockyards he could be indicted of high treason, and was liable to conviction and capital punishment. But it must not be forgotten that the fact of collusion with the enemy would have to be proved.

THE EARL OF ELLENBOROUGH thought it immaterial whether collusion with the enemy were proved or not. A man by committing such an offence as setting fire to Her Majesty's ships constituted himself an enemy of the public. Parliament would act most unwisely if it abolished the punishment of death for the greatest injury which could be inflicted upon the country.

LORD TAUNTON also thought the Act should be retained in force.

THE LORD CHANCELLOR, in deference to what appeared to be the general wish of their Lordships, said he would not insist upon the clause.

Clause *struck out*.

Clauses 25 to 27 *agreed to*.

Clause 28 *negatived*.

Clause 29 (Incorporation of Parts of 24 & 25 *Vict. c. 100*).

THE EARL OF CARNARVON expressed his opinion that some assurance ought to be given on the part of the Government that in cases where a person was tried for a capital crime, and a conviction ensued, and where the Royal prerogative had once interposed, it should not be exercised a second time for the mitigation of the sentence. He had in his mind the case of Charlotte Winsor, whose sentence had been commuted to one of penal servitude for life. He thought it was due to the public that this unhappy murderess should be instructed that her commuted sentence would be fully carried out. At present life-sentences were merely nominal, but he trusted that in this particular case the usual custom would be departed from.

THE LORD CHANCELLOR felt that it was very difficult to lay down one rule to regulate a diversity of cases, and this moreover in a matter which touched the prerogative of the Crown. He could, however, only say that if he were Secretary of State at the end of twelve years' of Charlotte Winsor's punishment he should not regard it as a case deserving of a merciful consideration. He thought that in ordinary cases of murder the sentences of penal servitude ought to be what they professed to be, although it was impossible, of course, but that cases of an exceptional character might arise.

THE DUKE OF MARLBOROUGH also expressed an opinion that sentences of murder commuted to penal servitude for life should be taken out of the category of

The Lord Chancellor

those punishments which, after a certain time, were subject to remission.

Clause *agreed to*.

Schedules *agreed to*.

The Report of the Amendments to be received on *Tuesday* next; and Bill to be *printed* as amended (No. 166.)

THE MARQUESS OF CLANRICARDE gave notice that at a subsequent stage he should move that the crime of feloniously assaulting with intent to kill should be taken out of the Bill, and he should at the same time call attention to the case of Charles O'Connor, in Dublin, who had pleaded guilty to that offence.

LUNACY ACTS (SCOTLAND) AMENDMENT BILL—(No. 138.)

(*The Lord Privy Seal.*)

REPORT OF AMENDMENTS.

Amendment *reported* (according to Order.)

THE EARL OF SHAFTESBURY *moved* to insert a clause empowering the directors of any chartered lunatic asylum in Scotland to grant retiring allowances out of the funds at their disposal to any of their officers who had served for fifteen years, and who were more than fifty years of age. It was well known that the medical officers and attendants in lunatic asylums were specially subject to injurious influences. The perpetual presence of insanity was depressing in the extreme. In the interest of the lunatics as well as of their attendants, it was of importance that the faithful and laborious services of the latter should be compensated by the reduction of the term of service requisite to entitle them to a retiring allowance from twenty to fifteen years, as had already been done in England.

Motion *agreed to*.

Amendment made; and Bill to be read 3^a on *Monday* next.

CROWN LANDS BILL.

The order made on the 7th Instant referring the Bill to a Select Committee, and the Order made on Monday last naming the said Committee, *discharged*; and Bill *committed* to a Committee of the Whole House on *Tuesday* next.—(*The Lord President.*)

VALIDITY OF MARRIAGES BILL [H.L.]

A Bill to declare the Validity of Marriages in certain Cases—Was *presented* by The LORD KINGSDOWN; read 1^a. (No. 164.)

FOREIGN JURISDICTION ACT AMENDMENT
BILL [H.L.]

A Bill to amend the Foreign Jurisdiction Act
— Was presented by The Earl of CLARENDON;
read 1st. (No 165.)

House adjourned at half past Seven
o'clock, to Monday next,
Eleven o'clock.

HOUSE OF COMMONS,

Friday, June 15, 1866.

MINUTES.] — PUBLIC BILL — *Report* — New
Forest Poor Relief* (193):

TESTS ABOLITION (OXFORD) BILL.
QUESTION.

SIR WILLIAM HEATHCOTE said, he would beg to ask the hon. and learned Member for Exeter, Whether he intends to proceed with the third reading of the Tests Abolition (Oxford) Bill that night?

MR. COLERIDGE said, in reply, that, looking to the state of public business as appearing upon the paper, and to the fact that notice had been given by the right hon. Gentleman the Member for Oxford that he meant to take a division upon the third reading of the Bill, he (Mr. Coleridge) did not think it would be for the convenience of Members generally to attempt to bring it on that evening. With the leave of the House he should, therefore, postpone his Motion to another occasion, probably the 3rd of July.

IRELAND—PROBABLE RESIGNATION
OF JUDGE LONGFIELD.—QUESTION.

MR. WHITESIDE: Sir, a very remarkable statement has appeared in the newspapers within the last few days, of which I wish to ask some explanation at the hands of my right hon. Friend the Chief Secretary for Ireland. Judge Longfield is reported as having said, in a case before him, that—

“He hoped that the parties would not delay sending in their requisitions for the further information of the Court, as he was anxious to dispose completely of all cases before him, to avoid the inconvenience of a re-argument before his successor of cases already heard before himself. He regretted to say that he thought it unlikely that he could hold much longer the situation which he at present filled. He had read that morning

a Bill brought into Parliament so unjust to himself that he considered it as equivalent to a Bill for depriving him of his office by imposing on him more business than, at his time of life, he could undertake to discharge. He had requested his registrar to furnish him with a return of orders made by him in Court for the month ending the 3rd day of June. The orders amounted to 257. Of those, 136 were made in cases transferred to him from the Court of the late Judge Hargreave, and the remainder in cases originally his own. This was exclusive of orders to give out title-deeds and fiatting petitions, settling rentals, conveyances, schedules, partitions, and declarations of title. The number of petitions fiatied by him during the above period amounted to forty-five, twenty-three of which were cases which came to him owing to the death of Judge Hargreave. The number of titles read by him during the same period was thirty-seven, twenty-five of which were in cases referred to him. He protested against the injustice of imposing so much additional labour on him, and had written to the Chief Secretary for Ireland on the subject, protesting against the injustice, and had received an answer this morning, in the ordinary language of official civility, to the effect that the Government were prepared to carry the Bill as it stood. The only part of the Bill with which he was now concerned was that which related to the additional duties imposed on himself. He would, however, say that he entirely disapproved the policy of the Act.”

[“Order, order!”] The learned Judge goes on to say that it will diminish the security of titles conferred [“Order!”], and to speak of other matters. I therefore beg to ask my right hon. Friend, Whether Judge Longfield has notified his intention of resigning his judicial position in the Landed Estates Court without any retiring pension; and, if so, what are the grounds of that resignation; whether as a consequence of that resignation any changes are contemplated in the constitution of the Court; and whether, assuming that any correspondence has passed on this subject between Judge Longfield and the Lord Lieutenant, my right hon. Friend sees any objection to its production?

MR. CHICHESTER FORTESCUE: In answer, Sir, to my right hon. and learned Friend, I have to say that there has been a certain correspondence between the Irish Government and Judge Longfield, in the course of which that learned Judge has given the Government reason to believe that it is probable he will not continue for any lengthened period of time to fill the office the duties of which he now so ably administers, and which it would be very much to our regret if he were to resign. But he has not intimated his intention of resigning at present; in short, he has not resigned. The correspondence has not however terminated, and, under

the circumstances, I do not think it ought to be given to the House.

MR. WHITESIDE : But what I want to know from my right hon. Friend is the cause of the quarrel. What is it all about ? [No answer was returned to this question.]

THE LATE BANK FAILURES.

QUESTION.

MR. HODGKINSON said, he wished to ask the President of the Board of Trade, Whether, in order to mitigate the inconvenience arising from the recent failures of Banking and Discount Companies, Her Majesty's Government will bring in a Bill to enable the official liquidators of such Companies, when in course of liquidation under the Joint Stock Companies Act, to issue to depositors and other creditors Certificates of indebtedness, and to render such Certificates and the debts thereby certified, transferable by indorsement ?

MR. MILNER GIBSON replied, that the object intimated by the Question of the hon. Member was that the Government should bring in a Bill to create a new class of securities transferable by indorsement, and of a kind at present unknown to the law. The question had been maturely considered, and he had not been able to satisfy himself that any sufficient ground had been made out for exceptional legislation in respect of these particular companies alluded to—namely, banking and discount companies, while undergoing liquidation under the Joint Stock Companies' Act. The official liquidator would not be in possession of the whole state of the account as between the creditors and the company, so as to be able to give a certificate of indebtedness which would be reliable, until the winding-up was complete. Under these circumstances, the Government were not prepared to bring in a Bill to effect the object mentioned by the hon. Gentleman.

BANK OF ENGLAND AND RATE OF DISCOUNT.—QUESTION.

MR. GRANT said, he would beg to ask the Chancellor of the Exchequer the question of which he had given notice, Whether, if the Bank of England was to reduce their rate of discount below 10 per cent per annum, the power granted to them by the Government Letter of issuing a larger amount of notes than is fixed by Law would cease. As it might be necessary to say a few words in explanation of the ques-

tion, he should conclude with a Motion, that he might put himself in order. He understood that by the Letter addressed to the Governors and Deputy Governors power was granted to the Bank of England, contrary to the terms of their Charter, to issue a number of notes in excess of the amount fixed by law as proportionate to their reserve, on condition of the rate of discount being fixed at 10 per cent. A Court of Directors was held accordingly, and passed a Resolution by which the rate of discount was raised to 10 per cent to meet the exigencies of the case. It was rumoured amongst commercial circles that the hesitation of the Bank of England now to reduce the rate below 10 per cent was not so much owing to its position as to the fact that they were under the impression that the Government Letter would at once be at an end if they reduced their rate of discount below 10 per cent. He therefore wished to ask the right hon. Gentleman, Whether the Letter would be null and void so soon as their rate of discount was reduced below 10 per cent ? He begged to move the adjournment of the House.

THE CHANCELLOR OF THE EXCHEQUER : Sir, as this is a question of great importance I will endeavour to make it perfectly clear, though I may be somewhat lengthy in the answer I give to it. The question appears to me to involve the prior question, whether the Bank of England, under the Government Letter, can issue a larger number of notes than is allowed by law. It is desirable, in a matter so important, to define quite accurately the meaning of the terms employed, because the ideas entertained on a very important question may materially depend on the meaning of the terms employed. No power, strictly so called, has been granted by the Government to the Bank to issue any amount of notes beyond the quantity determined by the Act of Parliament. The letter to which the hon. Member alludes is an engagement on the part of the Government, in a certain contingency, to make an application to Parliament, and that is the whole extent of it, the Government having themselves no power in the matter, which would enable them to confer powers upon others. I will, therefore, construe the question of the hon. Gentleman in this manner, in accordance with what I take to be his meaning, whether the engagement by the Government would be still in force in the event of the

Mr. Chichester Fortescue

reduction by the Bank of the rate of discount to a lower rate than 10 per cent. With respect to that, all I have to say is that it is simply a question of the construction of a document—nothing else, and the hon. Gentleman is quite entitled to ask us what construction we put on a document for which we are ourselves responsible—and I will tell him. I think it quite certain that the letter only applies to advances which are made at a period at which the rate of interest at the Bank of England is not less than 10 per cent. Now, it does not admit of doubt, on the simple, and natural, and fair construction of the document, that the engagement is limited to a period for which the Bank of England continues to charge interest at the rate of 10 per cent. The House will observe that I distinguish entirely between the question of the construction of the document and the question of policy as to the course proper to be taken in any future circumstances which may occur. If the Bank of England thinks it expedient, and considers themselves warranted in any future circumstances to reduce the rate of interest, then, in my opinion, the engagement will cease to be in force; but if I am asked what the view of the Government will be upon any subsequent circumstances in which the Bank of England may find it necessary, if so the case should be, to raise its rate of interest again, my answer would be that the event must be considered a new event, and dealt with on its merits, and that the same principles on which they have acted in this case would govern the Administration in any similar contingency. I have thus endeavoured to answer the hon. Gentleman's question, which I consider to relate—first, simply to the existence of a covenant on the part of the Government; second, to what I consider the primary object of his question, the nature of that covenant; and thirdly, also, to the policy which may be pursued in any future contingency that may arise, and which, when it does arise, must be dealt with on its own merits.

SITTINGS IN THE HOUSE.

MOTION FOR ADJOURNMENT.

SIR GEORGE BOWYER said, that during the present Session hon. Members have failed on many occasions to obtain sitting room in the House. This had arisen from the inadequacy of the House to contain the number of Gentlemen of which

the House of Commons was composed. He had been informed that the Under Secretary for Foreign Affairs, giving a lecture to some of his admiring constituents, stated that, while the number of the Members was 658, the House contained adequate accommodation for only 300. He did not know whether the hon. Gentleman might not have overstated the case, because he had heard it asserted that, taking the galleries into account, there was accommodation for 400. Perhaps there might be room in the body of the House for that number, so that more than one-third of the Members had not sitting room. Now, we were accustomed to hear of every Gentleman elected to that House taking "his seat in Parliament;" but this was perfect nonsense. An hon. Member might secure a seat if he was down at a quarter past three o'clock in the afternoon; but if there was anything important on the paper, it was impossible after the hour at which the Speaker took the Chair to get even standing room, where a Member could hear the proceedings which were going on, and apply his mind to the subject under discussion. This was a question which affected their utility as representatives. It was comparatively bootless to debate at great length how Members of that House were to be elected, if, when they were elected, they had not that accommodation without which they could not perform their duties with credit to themselves, or with justice to their constituents. What had occurred only on the previous day before the division on the Amendment of the hon. Member for Northamptonshire, on Clause 4 of the Reform Bill? There was a crowd amounting to a mob about the door. The space without the Bar could not be kept clear, because there was not room within the Bar for the Members who wished to know what was going on; and there were a number of Members in the lobby who could not get in to hear the Question put. If we were told that in China a deliberative Assembly were sitting in a room of such contracted dimensions as compared with the size of the Assembly, that fully one-third of those entitled to take part in the deliberations could not get seats, we should say, "What fools the Chinese are!" But this was the state of things among us, who held ourselves up as models of men of common sense. During the present Session every seat in the House had been filled night after night; numbers of hon. Gentlemen had been standing at the Bar, and others had not been

able to get in at all. This ought not to be allowed to continue. It was injurious to the character of the debates, and to the due representation of the people. More than that, every time there was a full House scenes occurred which were altogether incompatible with the dignity of that Assembly. The crowding, and pushing, and squeezing—the constant noise and interruption—was perfectly absurd to spectators. He wanted Her Majesty's Government to apply their minds to this matter, and to employ some able and experienced men to find out whether it was not possible to find a remedy, and, if it was, what the remedy should be. He should, perhaps, be met with the answer that, if made to accommodate the whole of the 658 Members, on ordinary occasions the House would be so large that hon. Members could not be heard. That allegation was simply absurd. There were in the metropolis rooms twice the size of the House of Commons, and yet speakers were heard perfectly well by the audiences in those rooms. Something, certainly, must be done, and he suggested that a considerable improvement might be effected by taking in the space behind the Speaker's Chair. He begged to ask the First Commissioner of Works, Whether Her Majesty's Government are prepared to cause an inquiry to be made with a view to affording adequate accommodation to Members in the House, and prevent thereby the serious inconvenience which Members have suffered, especially during this Session, for want of a sufficient number of seats? He hoped that hon. Members who took an interest in this question would express their opinions on it before the First Commissioner rose to reply to his Question; and in order to give them an opportunity of doing so, he now moved the adjournment of the House

Motion made, and Question proposed,
 "That the House do now adjourn."—(*Sir George Bowyer.*)

MR. CRAWFORD submitted that on an evening when Supply was put upon the paper with the view of giving hon. Members an opportunity of bringing matters of interest under the notice of the House, it was contrary to the custom and the general understanding which had prevailed in that House, for the hon. Baronet to occupy time by a subject which only recently had been discussed, and which, however interesting it might have been to the hon. Baronet, was not, he ventured to think,

viewed in that light by the House generally. It was not desirable that the ordinary course of business on Supply nights should be interrupted by discussions raised on Motions for the adjournment of the House.

MR. COWPER agreed with the hon. Member for the City of London (Mr. Crawford) as to the inconveniences of the course adopted by the hon. Baronet the Member for Dundalk (Sir George Bowyer); and, therefore, he should not follow the hon. Baronet into a discussion of the matter. The question of the number of seats which the House ought to contain was, he believed, carefully considered when the House was built; and for good reasons it was determined that it should not be larger than it was now. He thought the experience of the last eighteen years, during which discussions had been carried on there, had not led to the belief that the House ought to be enlarged, and he thought the enlargement would not conduce to the proper conduct of public business. Her Majesty's Government, therefore, had not had the matter under consideration; and he could not say that they were prepared to direct such an inquiry as the hon. Baronet suggested.

VISCOUNT CRANBOURNE could not concur with the right hon. Gentleman the First Commissioner of Works and the hon. Member for the City of London in the view which they took of this matter. It was rather a question of privilege. While the grass was growing the steed starved; while the Reform Bill and other important measures were being discussed those who were entitled to take part in the discussions had not room in the House. There was room enough that evening, but hon. Members knew very well that during a discussion which had already occupied several weeks, and was likely to occupy as many more, there had been very undignified struggles for every inch of room. He was aware that a favourite theory with right hon. and hon. Gentlemen in office was that the accommodation in the House was ample. The occupants of the Treasury Bench, who contrived to appropriate to themselves a very extravagant amount of space, were very fond of confining independent Members to a very limited extent of accommodation. Was it a Constitutional doctrine that the number of the Members of the House of Commons being 658, there should only be accommodation for about 300 of them? Was that a part

Sir George Bowyer

of the Constitution? Was that one of the ancient lines of the Constitution? If it was, he asked to have the rule applied impartially. The Speaker ought to sit on half a chair; the Sergeant-at-Arms ought to be similarly disposed of; and the Gentlemen on the Treasury Bench ought to sit two deep, one upon another. When he saw the Chancellor of the Exchequer sitting on the knees of the Under Secretary of War, and the Secretary to the Treasury balanced by the First Commissioner of Works, he would then say, that all arrangements were convenient, and hon. Members had no reason to complain. The present arrangement was most unjust to independent Members, who, when they urged their complaints on the subject, were met with the covert insinuation that every one of sufficient importance got a seat, and that those Members who did not were such contemptible beings they ought to be glad to be allowed to stand where they could. ["Oh!"] But that was not a Constitutional doctrine. All Members were equal in that House. Whether they were good speakers or bad, whether they were important or unimportant, they all had as much right to seats in that House and to take part in the councils of the nation as if they were so many Chancellors of the Exchequer. Therefore, he did urge on Her Majesty's Government and on the First Commissioner of Works the propriety of giving this subject a rather more serious consideration than they had hitherto done. He undertook to say there was no other deliberative assembly in the world in such a disgraceful condition. They knew that in every other country, whether under a despotic or a republican rule, there was ample accommodation for those who were brought together to discuss public matters. That accommodation usually was carried to what would here be thought the outrageous extent of a desk as well as of a seat for each Member. It would be a long time before they could get such luxuries in the House of Commons; but it was disgraceful to us that the House of Commons was the only deliberative assembly to be found in the world in which the Members had to struggle for seats. He could not conclude without reminding right hon. and hon. Gentlemen on the Treasury Bench, who now so pleasantly accommodated themselves, that they only held their positions by courtesy. If they continued to disregard the wants of others, they

might find some evening an irruption from independent Members which would send them from their comfortable seats.

THE CHANCELLOR OF THE EXCHEQUER thought the noble Lord (Viscount Cranbourne) had misapprehended what had fallen from his hon. Friend the Member for the City of London and his right hon. Friend the Chief Commissioner of Works. Neither of those Gentlemen had in the slightest degree intimated that this was not a fit and proper subject for discussion. It had been discussed at considerable length one evening during the present Session, though he was not aware whether the noble Lord was present on that occasion. There could not be the slightest objection to the matter being again discussed, provided that the Member who brought the subject forward conformed to the rules of the House, and did not attempt by surprise to thrust aside other business of independent Members, and, as had happened in the present instance, by giving notice of a simple question, and then, having obtained possession of the House, for the purpose of putting that question, rising and saying that he would put himself in order by moving the adjournment of the House. That was a precedent so inconvenient with regard to the business of the House that it appeared to him that his right hon. Friend and his hon. Friend behind him (Mr. Crawford) were quite justified in saying that they would be no parties to the discussion of the subject when it was brought forward in such a manner.

Motion, by leave, *withdrawn*.

SCOTLAND—WIGTONSHIRE ELECTION.

QUESTION.

MR. E. CRAUFURD wished to ask the Lord Advocate, Why he has not yet brought to trial the persons accused of the abduction of Robert Agnew, who states that he was taken from Newtown Stewart, drugged and detained at Glentrool during the polling day at the last Wigtonshire election; and when and where the trial will take place?

THE LORD ADVOCATE replied, that the case mentioned by the hon. Gentleman was referred to the Crown authorities in August last, at which time it did not appear to him that there was sufficient evidence to justify him in ordering the case to be tried, and accordingly it was not sent for trial. Very recently, however—within the last six weeks or two months—some

additional evidence had been reported to him, and he thought it justified him in sending the case for trial. It would accordingly be tried on the 2nd of July next.

BUSINESS OF THE HOUSE.

QUESTION.

MR. H. B. SHERIDAN said, he would beg to ask Mr. Chancellor of the Exchequer, When he expects to be able to bring on the Terminable Annuities Bill; and whether, considering that the discussion is to be taken on the next stage of the Bill, he will name an early day, and give notice of that day to the House?

THE CHANCELLOR OF THE EXCHEQUER replied that he was unable to name a day for the discussion of the Terminable Annuities Bill, but he hoped it would not be delayed for any long time, though he did not assent to the ground named by the hon. Member—namely, that the discussion should be taken on the next stage of the Bill—unless the hon. Member meant the discussion on his own very important Motion. The Bill itself had been already discussed at considerable length. It was quite understood that the hon. Gentleman should have an opportunity, with full notice, of making his Motion, and he trusted it would be possible to name a day before any long time had elapsed. As notice of a Question had been given which he could not subsequently answer according to the forms of the House, he would take the present opportunity of replying to it. The hon. Member for Lincoln (Mr. Heneage) wished to “call the attention of the House to the mode in which agricultural statistics relating to ‘Cropping’ are being collected in certain districts of England; and to ask the Chancellor of the Exchequer whether he is aware of the rumour that certain confidential Income Tax Assessment Books for Schedules A and B had been given up by the sworn district Income Tax Commissioners to inferior officers of the Excise, for the purpose of assisting them in their collection of the above-named ‘Cropping’ statistics.” Instructions had been issued by the Board of Inland Revenue directing the Surveyors of Taxes to furnish the officers of the Excise, in cases where it was found necessary, with the names and assessments of persons under Schedules A and B, with a view to enable those officers to ascertain who were the parties from whom the statistics ought to be obtained. The District Income Tax Commissioners, he might remark, were not

The Lord Advocate

sworn to secrecy with regard to Schedules A and B, but only with regard to Schedule D. He would suggest that this was a matter of public jurisdiction, and that the best course to be adopted by the hon. Gentleman would be to call for the information as to the instructions, which could, if it were thought desirable, be laid before the House forthwith. Before sitting down he wished to state that they had now arrived at a period of the Session when it became necessary for the transaction of public business to propose the use of morning sittings, and that it was the intention of the Government to propose in the course of the evening that the House should meet at twelve o'clock on Tuesday next. Last year the morning sittings had commenced about the 31st of May. In the course of the evening he would state to the House what business it was proposed to take on Tuesday next.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, “That Mr. Speaker do now leave the Chair.”

THE SUGAR DUTIES.—OBSERVATIONS.

MR. BARCLAY said, he rose to call attention to the present effect of the Differential Duties on Sugar. He had no desire to enter into a long argument upon this much vexed question, and he might state that he had no personal interest, either through himself or through his constituency, in the production of sugar. For many years, however, he had been well conversant with the operations carried on in the sugar producing manufactories in one of the largest of our colonies. With regard to the present differential duties on sugar he thought they produced an injurious effect, and that they were capable of considerable improvement. The Chancellor of the Exchequer, when concluding a debate upon the subject in the last Parliament, admitted as much, and it was certain that we should not have a better class of refined sugar introduced into this country until some alteration was made. The system of classifying the duties on sugar had failed. In 1854 the number of classes into which sugar was divided was raised from three to four, and that had a prejudicial effect upon the higher classes of the commodity, and that prejudicial effect was afterwards increased by the subse-

quent raising of the classes from four to five. One effect of the differential duties had been the introduction, to a large extent, of beetroot sugar, and he was speaking within limits when he said that within the last year 80,000 tons of beetroot sugar were introduced into this country. He thought that effect could hardly have been contemplated when the differential duties were imposed. The sugar planters were now placed in this difficulty—formerly they were obliged to lower the value of their sugar to meet the differential or classification duties, but now the planters of Jamaica and Barbadoes had been called upon to raise the quality of their sugar to meet the new competition which arose from the introduction of beetroot sugar. This question had been treated here, too, much as a refiners' question. The colonist did not wish to refine, and the difficulty of his position was increased by the fact that, while he must produce good sugar, he must take care not to make it too good for England. He did that sometimes, when the sun was bright and the season favourable, and then he had to give the unpleasant order that the sugar should be mixed with colouring matter—namely, good agricultural mould—in order to make it admissible into England. This was to be traced to the fact that there was once an able and excellent man, a Member of that House, who was indoctrinated with the refiner's idea, and in this case, as in others—

"The evil that men do lives after them."

A machine had been lately introduced by which sugar could be highly refined; only five or six revolutions of this machine could be allowed for sugar intended for the English market; but the most highly-refined sugar was sent to Bombay, Australia, and France, and other countries, but it was never seen in England, except at exhibitions. This was the injury resulting from the well-intentioned classification or differential duties. In England, when we purchased wheat, barley, or malt we were anxious that that which was purchased should be equal to sample; but in importing sugar the fear was lest the sugar delivered should be better than the sample. The effect of that had been to shut the higher classes of sugar out of the English market. There had lately been invented an ingenious machine called a "concreter," which was intended to make something that should not be sugar at all. The "concrete," however, was to be

adapted to the uses of the manufacturer; it was expected that it would come in at the lowest duty, if not at the same duty as molasses; and it would probably cause great trouble to the Custom House officers. The question in the colonies was whether the old machinery should be laid aside and the "concreter" used; and it would certainly be a retrograde step for the colonists to begin the manufacture of "concrete" under the artificial stimulus supplied by the present classification of the sugar duties. It was to be hoped that in a short time the principles of free trade would prevail. He did not expect that any immediate action would be taken upon the subject; but he trusted that during the recess, or early next Session, the subject would be considered by the Government with a view to a modification of the present duties, if not to the establishment of a uniform duty.

MR. J. B. SMITH said, he was more and more satisfied by investigation that the Chancellor of the Exchequer, in altering the duties, had made a great mistake. It was a monstrous thing that the people of this country, who were the largest consumers of sugar in the world, should be compelled by law to consume sugar of the worst quality; but that was the fact, although it was one scarcely to be credited. A very small portion of what was consumed in this country was really sugar; it was something which had been re-made by the sugar refiners of this country. He entreated the Chancellor of the Exchequer, during the recess, seriously to examine the question, satisfied that he would come to the conclusion it was absolutely necessary that the law should be altered, so as to place this country upon a similar footing to that of every other country in the world, and enable its people by law to consume real instead of manufactured sugar.

THE CHANCELLOR OF THE EXCHEQUER said, that he was very far indeed from complaining that his hon. Friend had brought forward a subject which had not been discussed for two years; but, as he had truly stated, it involved a number of separate questions of great importance and great difficulty. Indeed, in closing his speech, he had passed cursorily by one point which might be said to involve a still unsettled controversy—as to whether, in the event of our adopting a uniform duty upon sugar, we could combine therewith a permission to refine in bond. Without entering into the subject fully, he would

say that there was another view besides that which had been stated with clearness and force. He (the Chancellor of the Exchequer) did not at all feel that he individually had had the important share attributed to him in the establishment of any principle with respect to our sugar duties. He had concurred in what had been done, but he had not been a principal agent in urging upon the House and the country the adoption of any system. In point of fact, the present system in principle rested, he thought, mainly upon the results of the investigations of a Committee of that House which sat in 1861 and 1862. A distinction must be drawn between a question of principle and a question of fact. The question of principle was this—ought you to have one rate of duty for all descriptions of sugar, or ought you to have a rate of duty which should be according to the value of the article upon which it was imposed? Even if the views which his hon. Friend entertained were adopted, they could not expect that sugar would be imported in a perfectly pure state. The question was, whether there should be uniform duty for all the various degrees in the manufacture of that article, or whether the duties should vary in proportion to the quality of the sugar. Now, ever since the trade in sugar was opened in this country, the judgment of Parliament had been that the fairest system upon the whole was to have a varying scale of duties, each of them adapted to the capacity of the article imported for producing a pure sugar. That had been the principle upon which our duties had been founded. [Mr. J. B. SMITH: The law is not founded upon that principle.] He said that the question how far our scale of duties attained this end, and was properly adjusted to the different qualities of sugar, was perfectly distinct from the question whether there ought to be a scale at all. He was not going to argue this point; but when it was said that good sugar could not be imported into this country, and that the manufacturer abroad was obliged to spoil his sugar in order to get it into England, the charge simply meant this:—While in England there was a scale of duties supposed to be adapted to the various qualities of sugar, in other countries a uniform duty existed; and doubtless, therefore, the relative inducement to send to the British and the foreign market differed widely. Some sugars might be more profitably sent here, on account of the low rate of duty applica-

ble to them. But it did not therefore follow that our system was in principle an unjust, and the foreign system a just one. It might be said that the foreign system treated the lower quality sugars with extreme severity, and that was the reason, and not the scale of duties existing here, which brought them to the English market. It was a *petitio principii* to say that because it paid better to send certain qualities of sugar to Belgium or elsewhere, therefore the English scale of duties was a wrong one. However, with regard to the question of fact, a great deal must be conceded to the view taken by the hon. Member. No doubt, in 1864, when the sugar duties were last re-cast, the relative rates of duty were all favourable in England to the lower qualities of sugars. In that year, and about the time we were altering the application of our principle, a communication came from the French Government to the Government of England representing that, without interfering at all with the liberty of each State to levy from sugar for fiscal purposes whatever amount of tax it might think fit, it was very desirable to remove every artificial inducement by which sugar was led to one country rather than another, and that it would be also most desirable to combine with the system regulating imports a reconsideration of the bounties upon exports, so that with regard to exports from countries where refining has taken place, there would be a perfect freedom of trade in the absence of these peculiar inducements. Her Majesty's Government could not but perceive that that would be a beneficial arrangement—beneficial alike to the importers, the refiners, and the consumers. They, therefore, entered very freely and cheerfully into the views of the French Government. A Conference was accordingly assembled, comprising representatives of England, France, Belgium, and Holland. The deliberations were confined to these four countries; but, practically, they included the great mass of the importations into Europe. Those international representatives instituted an investigation into the whole subject, and they considered that certain things ought to be done at once in their respective countries, with respect to a modification either of duty or drawback. The provisional arrangements thus suggested were all of a character tending to equal trade. Her Majesty's Government, therefore, cheerfully concurred in them, and promised to submit to Parliament the measures which were

necessary to give effect to the views of those international representatives at that stage. Corresponding steps were taken in other countries, and the first proposals of the Conference were thus attained. But the solution of the principal question required a longer time. The members of the Conference examined the scale of duty subsisting in England, and likewise considered with great care, on the part of their respective countries, the question whether the duty upon sugar ought to be uniform, or whether it ought to be adapted to the varying qualities of sugar. And they came to a conclusion which he understood to be as follows:—that they thought the English system right in principle, but thought the practical application of it bad. They concluded that our system was not opposed, but, on the contrary, conformable to and required by the true principles of free trade that sugar should be taxed on entry into their respective countries as nearly as possible in proportion to their capacity for yielding a pure article. But then came the question of the scale which should be applied. They said that that question could not be solved except by instituting a very elaborate series of experiments. They, therefore, had to obtain the sanction of their respective Governments to the institution of these experiments; they had to choose a place for making them, to hire buildings, and, in fact, with a view to the solution of this problem, to start a kind of little sugar refinery. The prosecution of those labours necessarily required a very considerable time; but he imagined that the experiments must at present be reaching their completion. When they were completed the result would be reported to the several Governments. And it would then be proposed, as the condition of an international arrangement, that, whatever amount of duty the respective Governments might think fit to levy—because upon this subject it would not be right to enter into even a conditional arrangement—the adjustment of that duty would be such as to be conformable to the different qualities and values of sugar. It was remarkable that the result of the inquiry should be, as he understood, the conversion of the representatives of France and the representatives of one of the other two countries taking part in the Conference, to the principle upon which our sugar duty was raised. He was not informed of the actual result of the experiments, but the result anticipated was that probably a more contracted range would be

recommended for the scale of duty. When the result was communicated to Her Majesty's Government it would then be their duty to consider whether they were able to recommend to Parliament the adoption of the scale proposed; and early next Session the question would be raised and Parliament would be informed of what had been done. There could be no doubt, he apprehended, that Her Majesty's Government were right in entering into this joint Conference, because to destroy the barriers which now interposed between different countries in this way was a matter of great importance. He could only say that Her Majesty's Government would approach the question with perfect freedom from prejudice; if they had been wrong they would, to the best of their judgment, correct the error; and when all the facts were made known, they would be laid before the House of Commons, in the hope that such an arrangement might be come to as would be most conformable to the principles of free trade as commonly understood among us. Up to the present moment, as he had said, the inquiry had been favourable to the principle of the English system even among those who could not be suspected of partiality. And it was worthy of notice that all the advocates of a uniform duty shrunk from a rigid application of their own principle, because while they would have a uniform rate upon everything below a certain standard, they were for another rate of duty upon refined sugar. Now this test was purely arbitrary, for every sugar was more or less refined, and no sugar was perfectly refined; and therefore even according to the plan acquiesced in by the advocates of a uniform duty, you had a rate varying with the perfection or imperfection of the refining process which these respective sugars had undergone. The question was thus considerably complicated, but it was one which, he thought, was susceptible of a fair settlement by the Government and the House of Commons.

MR. BRIGHT: I merely wish to say one or two words after hearing the speech of the Chancellor of the Exchequer. I recollect the speech that he made when this question was under discussion before, and when the new scale was offered to the House. At that time I could not but wonder at the ability and ingenuity of the speaker who could pursue this question through so many different channels and make it almost plain to the House. But the conclusion I have come to is this, that

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probably it would be better if the House were to look to some not distant day when we could get rid of this duty altogether. I suppose the sum raised by it is now between £4,000,000 and £5,000,000 sterling, and the right hon. Gentleman has told us that the revenue of the country increases in ordinary years by an amount not falling far short of £2,000,000. He has also told us in past times that our expenditure is gigantic, that it is intolerable, and, I think, discreditable. I have not gone through half the adjectives which the right hon. Gentleman has used to denounce our excessive expenditure. He proposes, further, to begin a process of paying off the National Debt. Now, I should be content with regard to the National Debt if the House would be rather more careful not to increase it—for if it does not increase, then, with our prosperity, our increase of population, and great increase of wealth, we shall be better able to bear the burden of the National Debt than heretofore. Well, if the revenue increases £2,000,000 a year, the expenditure could be very easily reduced for several years by £1,000,000 or £2,000,000. I think it was the noble Lord the Member for King's Lynn (Lord Stanley) who, in a speech to his constituents not long ago, intimated that the expenditure of the country might very easily be brought down to £60,000,000 a year. If the course I point out were taken, it is quite clear that the sugar duty, which now brings in from £4,000,000 to £5,000,000 a year, might be reduced at the rate of £1,000,000 annually until it was disposed of. There is no duty levied upon the people which is so seriously felt, and which is so burdensome to them as this duty. It is an article of first-rate importance, especially for the living and rearing of children; and we know how necessary and beneficial it is to the poorer class of people when there is a good summer and fruit is plentiful, for by its aid they are enabled to supply their cottages with an abundance of a luxury which to them is of the first importance. I do not go into a discussion of the uniform as against the sliding scale. Years ago I spoke in favour of a uniform duty, and on this occasion I merely rose to point out that if the House were so desirous to deal with this question, and the Chancellor of the Exchequer is in a particularly good mood for conciliating us all—by reducing £1,000,000 a year we might soon get rid of this duty altogether. If this were done, in all parts of the United Kingdom there would be a sense of grati-

tude to the House that it had economized the expenditure and given a relief in taxation which would be felt in every family in the country.

Mr. STEPHEN CAVE did not care to go into the question whether our expenditure could be very much reduced; but even if that were the case, there would possibly be found a rival claimant for relief which might prevent the sugar duties from being wholly repealed—an article, too, which contained a very large quantity of saccharine matter, and though perhaps not so useful for feeding children, it was considered very useful for the nutriment of those in more advanced life. There was, no doubt, a good deal in what the hon. Gentleman said with regard to a uniform duty, and the only way in which the difficulties connected with the subject could be overcome, or the complaints which however unreasonable were sure to arise terminated was by making the duty so small that it would not be worth while to keep up the scale, as would be the case if the duty were reduced to $\frac{3}{4}$ d. per lb. With such a duty he believed the enormous consumption which would ensue would in a very short time recoup the revenue for the loss sustained. The hon. Member for Stockport hoped they should have another Committee. He wished the hon. Member had been on the last Committee, as he himself had been, which sat during a whole Session, and at which more than 6,000 questions were put. On that occasion the Secretary for the Colonies and other Members of the Committee who went into the inquiry, fully persuaded that a uniform duty was the only one which commended itself to common sense, were converted to the contrary opinion before the close of the investigation, and voted in favour of a classified scale. But "uniform duty" and "classified scale" was a question rather of words than of fact. The late Mr. Wilson, when asked why they put different duties on different kinds of sugar, replied, "We do nothing of the kind. We charge pure sugar at the same rate wherever we can find it." There were two sorts of buyers of sugar—the refiners and the grocers. The refiners were like Custom House officers—all they cared about was how much pure sugar was contained in the sample. They did not trouble themselves at all about the look of it except as an indication of this. But the grocer selected what was pleasing to the eye as well as what contained a large proportion of actually pure sugar. In the

Mr. Bright

Mauritius and other places they tried to make their sugar look so well that the grocer would give for what was pleasing to the eye more than the refiner would give, who regarded only the presence of the pure sugar; and if in consequence of some defect in the manufacture they lost the grocers' market altogether, they were obliged to fall back upon the refiner, and then they did not get the price which they expected. He would give an illustration which his hon. Friend, who was a good horseman, would very well understand. Some people bred cart horses, and others thoroughbreds. If those who bred the latter missed attaining a certain degree of excellence, they got what was perfectly worthless as a thoroughbred, and what was much less valuable than a lower bred horse. His interest was exactly the same as that of his hon. Friend, it was that of the colonial proprietor and not that of the refiner. He held it was the interest of the colonies to send home that article which would pay them best, and that was generally an imperfectly finished article. He did not believe that the colonies could ever compete with the refiners. The Returns moved for the other day showed the effect of the system as regarded consumption. He said last year that the enormous consumption of 36 lb. per head showed that the duties had not had the effect of excluding sugar. Within the last two years the consumption had been raised to nearly 40 lb. per head, and there was no other country in the world which showed half that consumption. The proof of the pudding was in the eating, and so this enormous consumption showed the working of the present scale of duties, and that it was not probable they interfered prejudicially with the growth, manufacture, or import of this valuable commodity.

MR. CRUM-EWING was understood to say that if the refining could be carried on in bond, the sugar could be sold 1*d.* a pound cheaper.

BUST OF THE LATE MR. HUME.

MOTION FOR AN ADDRESS.

MR. EWART rose to make the following Motion:—

"That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to cause to be placed within the precincts of this House, a Bust, offered by his widow, of the late Joseph Hume, esquire, who for nearly forty years ably, laboriously, and disinterestedly served his Country in the House of Commons."

He (Mr. Ewart) said, that his only claims to bring the Motion forward consisted in the long personal friendship which had connected Mr. Hume and himself, and in his association with Mr. Hume in many of the labours which he had undertaken and accomplished. It might be truly said that Mr. Hume's life was one of patient devotion and continuous labour, devotion and labour for public objects and in the public cause. One of the characteristics most commonly ascribed to him was economy of the public money, to which he attended with unwearied vigilance. He seemed to have taken as his rule the well-known quotation of Burke—

"Magnum vectigal est parsimonia;"

but, though such was the character attributed to him, he did not carry it to an extreme; it was only one among his many good qualities. Though he watched, with unceasing attention, the public expenditure, yet, for a good object, he would bestow the public money with no unsparing hand. He would liberally promote the cause of education, of art, or science, and acting on this principle, he supported an annual grant to that distinguished body, the Geographical Society. One object on which he was intent, in which he was successful, and in which he (Mr. Ewart) had the honour of being associated with him, was the free opening of public places and public monuments to the people. Thus, Hampton Court, Kew, Westminster Abbey, St. Paul's, and other places of historical or scientific interest were either thrown open or made more accessible to the public. One of the successful efforts of Mr. Hume was the repeal of the Combination Laws. That repeal set free the disputes between capital and labour. But Mr. Hume was no bigot on either side, and supported the claims of workman and of master with strict impartiality and unprejudiced judgment. With regard to education, Mr. Hume might be commemorated among the founders of the London University, which formed a new era in the history of education in England. But the most important labours of Mr. Hume were devoted to the extension of free trade. Of free trade he was one of the foremost and most successful pioneers. In those early days of commercial reform it might be interesting to hon. Gentlemen opposite to know that a country Gentleman (Mr. Whitmore) led the van among free traders. He (Mr. Ewart) believed there was scarcely another Member of the House surviving except the

Speaker and himself, who had supported free trade in its infancy during the early days of Mr. Whitmore, Mr. Hume, and their illustrious leader, Mr. Huskisson. One of the great objects pursued by these early free traders was the opening of the China trade, in which Mr. Hume took an active part. Another object of his reforming zeal was the abolition of private light dues. The right of establishing lighthouses was then a private undertaking, a *privilegium*, the profits of which accrued to the owners of lighthouses. Mr. Hume succeeded in establishing one uniform and public system of lighting; abolishing the monopolies, and placing the lighthouses of the country under the general guardianship of the Trinity House. Mr. Hume was an early advocate of the repeal of the Navigation Laws, a reform which demanded some courage in its promoters, since they had against them the opinion of the great apostle of free trade, Adam Smith himself. Mr. Hume was also one of the earliest advocates of the repeal of the Corn Laws. As long ago as the year 1829, he proposed a gradual yearly reduction of 1s. a quarter of the duty on foreign corn till it should vanish into nothing. He was also one of the earliest supporters of a system now universally admitted to be the polar star of our colonial policy, the principle of colonial self-government. Perhaps the greatest achievement of his public life was the proposal and Report of the Import Duties Committee, in which he (Mr. Ewart) had the honour of acting with him. That Committee was enlightened by the evidence of another Mr. Hume, James Deacon Hume, of the Board of Trade, the first among the witnesses in favour of the removal of our duties on foreign productions. It was singular that this reform sprung from the practical experience of the Board of Free Trade itself, and the enlightened intelligence of its members. It might be said of them in the words of Moore, that

"The extinguishers themselves took fire."

He (Mr. Ewart) believed that the late Sir Robert Peel owned that his great commercial reforms were based on the evidence and Report of Mr. Hume's Committee. With regard to the public character of Mr. Hume, it was marked by three great qualities, which distinguished and inspired all his actions; public spirit, patient unwearyed labour—*labor improbus*, to borrow a strong expression from Virgil—and moral courage, one of the rarest of political vir-

Mr. Ewart

tues. If ever there was a man who, in a good cause, could defy

"The world's dread laugh,
Which scarce the firm philosopher can scorn,"

that man was Joseph Hume. Mr. Hume, he (Mr. Ewart) believed, never sought office. Gibbon complained that, when he was in Parliament, "his vote was counted in the day of battle, but forgotten in the division of the spoil." Mr. Hume was content to be a pioneer and sometimes to lead the forlorn hope of Reform. It was to him (Mr. Ewart) a melancholy satisfaction to have paid this last tribute to the worth of his lamented friend. With regard to Mr. Hume's private virtues, this was not the fit occasion to record them. But he (Mr. Ewart) should never forget the manly simplicity of his character, his unclouded temper, and the steady warmth of his friendship. He (Mr. Ewart) would only add that he hoped this mode of commemorating Mr. Hume's services would also be the inauguration of a new system of honouring those who, by their conduct in Parliament, have deserved well of their country.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, praying that She will be graciously pleased to cause to be placed within the precincts of this House, a Bust, offered by his widow, of the late Joseph Hume, esquire, who for nearly forty years ably, laboriously, and disinterestedly served his Country in the House of Commons,"—(Mr. Ewart.)

—instead thereof.

COLONEL SYKES said, it had been his good fortune to enjoy the acquaintance of Mr. Hume for twenty-five years, and he rejoiced that at last in that scene of his labours there was a sense of his services to his country. Mr. Hume's native town had erected a statue to him in gratitude for the distinction he conferred upon it; and the people of England had by a penny subscription raised an amount which enabled the trustees to have Mr. Hume's portrait painted, which was now in the University of London, and also to found a scholarship of Political Economy in that University. He quite agreed with his hon. Friend that no man laboured for the public service with a more entire absence of self. By his influence with both sides of the House he might have obtained honorary distinctions, and it was to be regretted that

it had not been thought worth while to pay him even the empty compliment of making him a member of the Privy Council. Sir Robert Peel, although opposed to him in politics, declared that he was the most useful Member the House of Commons had had during the time he had been in it. He thought it could not fail to be a great gratification to the widow and family of Mr. Hume if this Motion should be accepted by the House.

MR. M'LAREN said, it would give great pleasure to the people of Scotland if this Motion were acceded to. Having had the honour of the friendship of Mr. Hume during the last thirty years of his life, and being well acquainted with his public services, he desired to make one or two observations on the subject before the House. He knew how anxious he was in the labours he undertook for the public service only to discharge his duty, and how entirely free he was from any kind of selfishness or party feeling; and he held that the House would do itself honour and pay a deserved compliment by acceding to the proposition of his hon. Friend (Mr. Ewart). If ever there was a man who deserved well of his country for singlemindedness, integrity, and a desire to promote the public welfare that man was Joseph Hume. He was never characterized by rancour or selfishness, and towards his political opponents his conduct was considerate and generous.

MR. KINNAIRD said, that having had the honour of being a Member of that House in the time of Mr. Hume, he felt impelled to add his testimony to the character of so distinguished a man. No Member ever did so much to save public money and to induce economy and a watchfulness over the public expenditure as Mr. Joseph Hume; and one proof of his worth was that now that he was gone none had arisen to fill his place. He held that the House would do credit to itself by acceding to the proposition.

MR. DARBY GRIFFITH said, he willingly indorsed all that had been said in praise of Mr. Hume, but he would ask the House to consider whether the mode of doing him honour was one which should be adopted as a matter of course, and constitute a precedent for future occasions. Hitherto when the House thought it right to honour one of its Member, everything had been done at the public expense and by the action of that House. In the present case, however, the Motion was not

that the House should take some action to do Mr. Hume honour of its own motion and its own capacity, but that it should receive a bust offered by his family. Nothing of the kind had ever been done before, and he thought they should be careful how by accepting this offer they set up a precedent which might be inconvenient on some future occasion. He did not see how, if they accepted this, they could afterwards refuse similar offers from the families of Members who had occupied distinguished positions within the House. When a monument was put up in that House it should be, he contended, the work of the House alone.

THE CHANCELLOR OF THE EXCHEQUER: I so far agree with what has fallen from the hon. Gentleman opposite (Mr. Darby Griffith), that I think that this Motion ought by no means to pass as a matter of course. In this case the House of Commons ought to exercise its duty under a great sense of responsibility, and with considerable care and scruple. But the question really is whether the circumstances of the case are such as to justify the Motion made by my hon. Friend. There is, perhaps, no department of the duties of the House that requires nicer consideration than that of the modes in which it shall pay honour to its most distinguished Members after they have ceased to belong to it. But for my own part, I think I have observed there are no duties of the House in which it shows more consideration and a greater capacity for preserving the line of prudence and wisdom than in those very duties which require so much delicacy and care. I am not in the least afraid that from our acceding to the Motion of my hon. Friend (Mr. Ewart) we shall be involved in future embarrassment; because, while I admit that these are cases which hardly allow of being dealt with by a general rule, I think there is in the House abundant ability and abundant disposition to judge each case as it arises according to the circumstances, and every probability that a judicious opinion will be arrived at. Therefore, by no means as a matter of course, but after careful consideration, I, for one, and, I may say, on the part of the Government, give a cheerful assent to the Motion of my hon. Friend. I have listened with great pleasure to the speech of my hon. Friend. If any particular type of character is to be judged and estimated according to the rarity of its appearance,

in my opinion, as tested by such a rule, the character of Mr. Hume will stand very high. I know not whether we may not compare him favourably in that respect even with the long series of most distinguished men in other times who have exercised great influence and occupied a commanding position in Parliament. A succession of those men, at all events, down to our own time has never failed; but a succession of men like Mr. Hume will be more difficult to sustain. Mr. Hume was without predecessor, and, as has been truly said by my hon. and gallant Friend the Member for Aberdeen (Colonel Sykes), he is without a successor. This is no small tribute—on the contrary, it is perhaps the highest tribute that can be paid to his memory. Indeed, it is, I think, ample justification for the Motion of my hon. Friend, and it may serve to allay the fears and the apprehensions of those who may think that such Motions are likely to be made too often in consequence of the precedent we are now about to sanction. I will not advert to the other name which has been mentioned in the course of this discussion, and which differs in many respects from Mr. Hume's, though illustrious in my opinion in the annals of this country. There is no conflict, no collision between them—each has had his own province and his own work; and that work has been executed in such a manner that I can wish nothing better for ourselves than that we may be enabled to do likewise. To every word of the speeches of my hon. Friends in eulogy of Mr. Hume, I, for one, render a deliberate and a conscientious assent. I think I have scarcely known—I do not know that I ever knew a character upon the whole more remarkable. Among his many excellent qualities were his courage, his patience, his rigid vigilance, his strong unfailing sense of duty, which no one could fail to observe; but these qualities, which are rarely to be found in combination, were found in Mr. Hume combined with others which, perhaps, still more remarkably gave his character stamp and rank, and made it not only a single but an eminently finished character—I speak of Mr. Hume's extraordinary kindness of spirit. Although for nearly forty years he was involved in the turmoil of political strife and even in the most worrying and irritating details of public business, he never departed from that genial cheerful spirit which always characterized him. Again, although Mr.

Hume was a fervid economist, he was a discriminating economist; and no one could do a greater injustice to his memory, when a supposed want of efficiency is discovered in a public department, than to attribute it, as many at various times have done, to what they deemed the ill-judged economy of Mr. Hume. Those who watched the career of Mr. Hume know that nothing in him was more remarkable than the conscientious care with which he endeavoured to adapt his judgment to the merits of each case. Personal illiberality or harshness was a thing entirely foreign and abhorrent to his nature—the efficiency of our establishments was the object of which he never lost sight. As has been said to-night, with clearness of view and determination he took part with the foremost in the great controversies of the age, and upon questions relating to Colonial Government, Navigation Laws, and the Corn Laws, he saw the full truth at a moment when it had hardly dawned on the horizon. Yet Mr. Hume was content to forego the notoriety or celebrity, which attends the pursuit of objects such as these, and to leave to others those spheres of usefulness in which the applause of the public forms the immediate reward of public men, and to devote days and nights, months and years, an enormous proportion of the labours of a long life, to the most irksome details, not only a thankless task in itself, but in each producing the smallest immediate effect. What could be hoped from the multitude of points he took up—from the battles he fought and gained? One day he gained a few hundred pounds, another day he gained a few thousands of pounds, and another he established a stricter rule in place of a laxer one—in every form endeavouring to improve the administrative Departments of the Government. These are just the things which in their collective results are invaluable, but which taken singly draw no observation, and attract no gratitude. In my opinion, it indicated on the part of Mr. Hume that he had attained to a very high moral eminence when he passed by the more attractive portions of the domain offered to public men which are to a greater degree connected with public celebrity, and to devote himself by choice to labours of that character the reward of which was his own sense of having performed a public duty, and in which he must have known very well that there was little else in the way of immediate reward. That character

The Chancellor of the Exchequer

and that repute never can fail, but on the contrary will rise higher from year to year; because it is time that is the test of all characters and reputations; it is time that detects the false and puts its seal upon the true. It is solidity of character, solidity of qualities in a public man, which really insure his permanent fame and permanent place in the recollection of his countrymen. Of course, I do not mean to assert that I agreed then or should agree now with all the views put forward by Mr. Hume; but as one who had an opportunity of observing, especially during the period that I was conversant with the administration of affairs in this country, the qualities of his mind and the qualities above all which he displayed in his character of a Member of Parliament, I will say that never did I give an assent with greater satisfaction to any Motion before the House than I now give my entire assent to the Motion of my hon. Friend.

Mr. HADFIELD thought it much to be regretted that a discovery of the merits of great public men was not earlier made. Year after year Mr. Hume had combated every species of opposition; and, at that time, to say a word in his favour was almost to lower oneself in the eyes of society. Those who were now struggling against similar difficulties, and whose names, nevertheless, would go down to posterity as benefactors of their kind, should derive comfort and hope from the eulogies which, if tardily, yet ably and eloquently, the Chancellor of the Exchequer had bestowed on the exertions of Mr. Hume.

Mr. WHITE also expressed his regret that for Mr. Hume, upon whom an elaborate eulogy had just been pronounced, more respect was not testified while he was still alive. It was known that he would have felt much gratified had his services been acknowledged even by an honorary distinction; but they were allowed to pass wholly unnoticed by an ostensibly Liberal Government. With all the singleness of purpose for which he was celebrated, Mr. Hume was a strong party man, and once declared that he would "vote black was white to keep the Whigs in office;" the requital which they gave being to habitually heap obloquy upon him. Acknowledgment of error came better late than never; but the right hon. Gentleman himself (the Chancellor of the Exchequer) was a Member of the Cabinet which declined to accord to Mr. Hume the Privy Councillorship which it was well-known

that it would have been gratifying to himself and the members of his family to have received.

Question, "That the words proposed to be left out stand part of the Question," put, and *negatived*.

Words *added*.

Main Question, as amended, put, and *agreed to*.

Resolved, That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to cause to be placed within the precincts of this House, a Bust, offered by his widow, of the late Joseph Hume, esquire, who for nearly forty years ably, laboriously, and disinterestedly served his Country in the House of Commons.—(Mr. Ewart.)

SUPPLY.

Resolved, That this House will immediately resolve itself into the Committee of Supply.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

IMPRISONMENTS IN IRELAND.

RESOLUTION.

Mr. SYNAN, in calling attention to the effects of the suspension of the Habeas Corpus Act in Ireland, said, that while he attributed that suspension to the policy of former Governments and Parliaments, he had no wish to complain of the attitude towards that country of the present House of Commons, for since he had enjoyed a seat in the assembly every subject connected with Ireland had received the fullest and kindest consideration. But the wildest imagination could hardly conceive the consequences which had followed from one of the measures which it was thought necessary to adopt. A Return which had been obtained with regard to Limerick Gaol showed that thirty-nine political prisoners had been subjected to the silent system from the time of their committal; that they were debarred from communication with the outside world; that they were not allowed to communicate with their professional advisers, friends, or relatives; and that, in fact, it required an order from the Lord Lieutenant himself to enable the professional adviser of one of the prisoners to obtain access to him in gaol. In no other case that he was aware of had untried

men been subjected to a class of punishment ordinarily reserved for hardened criminals after their conviction. The Government were not authorized by the suspension of the Habeas Corpus Act, affecting only the method of arrests, in inflicting punishment of this nature upon political prisoners, who ought to be treated with signal lenity. The whole proceeding was utterly unauthorized. The prison to which he was referring was not established under the solitary and silent system; but even had the separate principle been introduced there, the officials had no right to confine those prisoners for twenty-two hours out of the twenty-four in separate cells, and to prevent them from speaking during the remaining two hours. He believed that in their proceedings under the Habeas Corpus Suspension Act the Government had acted with a kindly hand and in a conciliatory spirit. He did not mean to impeach the motives of the Government or of the local authorities; but as he wanted to know what had been done since he gave his notice in April last, he begged to move—

“That, in the opinion of this House, the treatment of Prisoners in the County Gaol of Limerick, under the Habeas Corpus Suspension (Ireland) Act, has been unnecessarily severe and unconstitutional, and that it is the duty of Government to prevent the continuance of the same.”

MR. BLAKE, in seconding the Motion, said, he could not concur with the hon. Gentleman who had brought forward the Motion in acquitting the Irish Government and the local authorities of blame in this matter. The case of the prisoners in the Limerick Gaol was almost analogous to that of the prisoners in the Waterford Gaol which he had brought under the notice of the House some time since; and yet the treatment of which the hon. Member complained had been continued in respect of the Limerick prisoners, after he (Mr. Blake) had brought the facts of the Waterford case before the House and the Government. Up to the time when the Return was laid upon the table those unfortunate prisoners had not been enabled to communicate with their legal advisers for the purposes of defence, or with their friends for the purposes of their business affairs. If such things were told of the most tyrannical Government in existence, they would scarcely be believed; and as the Irish Government had well-paid Inspectors Ge-

neral of gaols to inform them as to what was going on in the various Irish prisons, they ought not to have remained in ignorance of the harsh and illegal practices in the prisons of Waterford and Limerick.

Amendment proposed,

To leave out from the word “That” to the end of the Question, in order to add the words “in the opinion of this House, the treatment of Prisoners in the County Gaol of Limerick, under the Habeas Corpus Suspension (Ireland) Act, has been unnecessarily severe and unconstitutional, and that it is the duty of Government to prevent the continuance of the same,”—(Mr. Synan,)

—instead thereof.

Question proposed, “That the words proposed to be left out stand part of the Question.”

MR. CHICHESTER FORTESCUE said, there was no ground for the statement made by the hon. Member for Waterford to the effect that the committals under the warrants of the Lord Lieutenant had taken place on the *ipse dixit* of a stipendiary magistrate, but such a committal had never taken place. The parties referred to were committed after careful examination and on grounds that made their committal imperative. As to the course pursued by the Irish Government, the hon. Gentleman seemed to think that the Superintendents of Irish Prisons were the mere servants of the Crown. [Mr. BLAKE denied that he had said anything of the kind.] He said that, at all events, the tone of the hon. Member's remarks led to that conclusion. He was happy to be able to give his hon. Friend the Member for the county of Limerick information and assurances which, he believed, would be deemed satisfactory. He confessed that some delay had taken place in the production of the Returns moved for by the hon. Gentleman, but still that delay had made no difference with regard to the object which the hon. Gentleman had in view, because the attention of the Government had been given without any delay to the subject which the hon. Member had brought before the House. He would give the House an account of what had occurred. In the beginning of April the hon. Gentleman addressed a letter to the law adviser of the Chief Secretary, calling attention to the treatment of the political prisoners which he had himself visited, and pointing out several respects which, as he considered, that treatment was objectionable. That statement was at once

Mr. Synan

taken into consideration by the Irish Government, and the Inspectors General of Prisons, to whom it was submitted, addressed a letter to the local inspector of Limerick, directing his attention categorically to the several allegations made by the hon. Gentleman, and calling for a reply. The reply duly arrived, and it certainly confirmed the statement of the hon. Gentleman. But there was one important exception. It was alleged in the statement forwarded to the Irish Government, that the prisoners were not permitted to sign memorials to the Government, and that allegation was denied. With regard to all other points the hon. Gentleman's statement was substantially correct. He might mention that in March a circular letter had been sent by the Inspectors General to the various prisons, containing instructions to the effect that political prisoners should receive a proper and reasonable amount of food, malt liquor, bedding, clothing, and other necessaries; that they should not be required to wear the prison dress, though they might be supplied therewith if they wished it; that they were not to be compelled to work, and that they should be kept apart from convicted prisoners. With regard to the complaint that at Limerick the prisoners were confined in separate cells, he might remark that the gaol there, though originally constructed in the old fashion under the associated system, had been recently converted into a separate and cellular gaol, and it was impracticable to keep prisoners in it unless they were confined in separate cells. The next important point was the refusal of the Board of Superintendence to allow prisoners to communicate with their friends. On that and other points the Inspectors General of Prisons had given directions to the local inspectors to the following effect:—That the prisoners should be allowed not less than two hours' exercise daily, that they should not be prevented from speaking to each other at exercise, provided the conversation was not on political subjects, that they should be allowed the fullest privilege, afforded by the bye-laws, of seeing their friends, and that whenever practicable the bye-laws should be relaxed in their favour; that they should be allowed to write and receive letters; and that they should not be treated with greater strictness than was necessary for their safe custody. The letter containing these instructions was

taken into consideration by the Board of Superintendence, who objected to the third suggestion on the ground that one of the avowed objects of the Fenian movement was to seize upon the prisons. The Government objected to the course taken by the Board of Superintendence, but that body was beyond control as long as it acted within the limits of the bye-laws. It was determined, therefore, to remove the prisoners, and he believed there was not now a single prisoner in Limerick Gaol under the warrant of the Lord Lieutenant. He trusted that the statement he had made would be deemed satisfactory, and that it would not be thought necessary to carry the matter any further.

MR. MAGUIRE said, he was glad to hear the explanation that had been given by the right hon. Gentleman, because it confirmed his belief of the kindly intentions of the Government, though he did not think they exhibited vigour enough in controlling the local bodies. He understood that the political prisoners placed in Belfast Gaol were treated with the utmost rigour. He was informed that untried political prisoners in Belfast Gaol were punished as severely as if they had been found guilty before a Judge and jury of a criminal offence. He had heard that for twenty-two hours they were kept in a solitary cell; that they were allowed less than two hours for exercise, and that silence was rigidly maintained. He submitted that this matter required the immediate interference of the Government. They might get out of the difficulty by releasing many of those men against whom only a *prima facie* case had been established. There were different degrees of criminals amongst those persons. He believed that many of them were anxious to be restored to their families, and to resume their lives of industry; they were sick of Fenianism, and the Government might allow them to go out of prison on getting a pledge that they would not take part in illegal objects again. The Government might thus diminish their responsibility. He asked the Government to inquire into the statement he had made respecting the condition of the political prisoners in Belfast Gaol.

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAWSON) promised that inquiry should be made with reference to Belfast Gaol, and said that the circular which had been read by the Chief Secretary for Ireland had been sent to the autho-

rities of every gaol in Ireland. In expressing a wish that the prisoners should not be treated with more than necessary severity, the Government had almost exceeded their legal power. It was the most anxious desire of the Government that no prisoners should be detained a single hour longer than was absolutely necessary for the safety of the community.

SIR COLMAN O'LOGHLEN, who was gratified by the statement that had been made, thought that the Governor of Limerick Gaol could be indicted for misdemeanor for having refused to allow prisoners to be seen by their professional advisers, said that solitary confinement was unknown to the law except for convicted prisoners, and complained that prisoners who had been removed to Mountjoy Prison, which was a convict gaol, and, therefore, was subject to the regulation of convict prisoners, could not be seen by anyone without a special order from the Castle, which was given only to a legal adviser or to an immediate relative.

MR. SYNAN said, he was satisfied with the explanation of the Chief Secretary, and would withdraw his Motion.

Amendment, by leave, *withdrawn*.

Question again proposed, "That Mr. Speaker do now leave the Chair."

LIMITED LIABILITY COMPANIES.

QUESTION.

MR. OTWAY said, he wished to ask the President of the Board of Trade, Whether he purposes to introduce into the Joint Stock Companies Act of 1862 such modifications as will enable Limited Liability Companies prospectively to reduce their nominal capital, and proportionally the denomination of their shares, reserving all the rights and securities of existing creditors?

MR. MILNER GIBSON did not understand whether his hon. Friend intended his question to apply prospectively?

MR. OTWAY: Yes, prospectively.

MR. MILNER GIBSON said, he had formerly introduced a Bill, enabling companies, without diminishing their capital, to divide that capital into a greater number of shares. It was thought that creditors would not be prejudiced by such subdivision, and that it would enable companies to have a larger proprietary without any diminution of their registered capital, in respect of which they were properly

responsible to creditors for any liabilities incurred. Unfortunately, that Bill was thrown out in the other House of Parliament. At some future time he hoped to be able to re-introduce it in perhaps rather an improved form. Indeed, some Amendments would have been proposed in the other House, if the Bill had gone on. One of these Amendments would have provided that notice should be given to the creditors of an intention to divide the shares, because it was contended that, though creditors would be nominally in the same position as to the fund available for meeting their claims, they might be put to additional expense in obtaining payment from a larger number of contributories than before existed. While a certain notice would thus have been provided for in the case of existing companies, it was thought desirable that in the case of future companies the memorandum of association should contain the words "with power to reduce the amount of their shares." His hon. Friend now said, "Allow companies by special resolution to alter their registered capital." Now, if provisions could be adopted which would be practically effective in giving to creditors the same security as they had when the liabilities of the company were incurred, one could see no objection to this proposal. But the question depended mainly on the possibility of thus practically protecting creditors, and as he confessed that, acting under the most competent advice, he did not see his way to the framing of such provisions, he must decline to go to the extent proposed by his hon. Friend, and allow companies to reduce their capital. When the Joint Stock Companies' Act was passed it was distinctly laid down that, although companies might make such arrangements as they thought fit at the outset, two things especially must be declared in their memorandum of association—first, the amount of their requisite capital; and next, the division of this capital into a certain number of shares of a fixed amount. It was said that companies might re-constitute themselves, and divide their capital and shares as they thought fit. No doubt companies were in this way put to great inconvenience, and he should be quite ready to support any Bill which would enable them to do in a most expeditious manner what the law said they might do. As at present advised, however, he could not support any proposal for enabling companies to alter their original memorandum of association so as to reduce the capital regis-

tered, though he would allow them to divide that capital into a larger number of shares.

CAPE TOWN RAILWAY.

MOTION FOR AN ADDRESS.

MR. THOMAS CHAMBERS said, he rose to move—

“That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to withhold Her Royal Assent from the Act of the Colonial Legislature of the Cape of Good Hope, No. 34, of 1864, whereby the Wynberg Railway Company obtained running powers over the Cape Town and Wellington Railway, in violation of the contract between the Cape Town Railway and Dock Company and the Government of the Colony.

An hon. MEMBER moved that the House be counted, but as thirty-nine Members were found to be present, and the Speaker making up the required forty—

MR. THOMAS CHAMBERS resumed, and said, that in 1855 the Colonial Government granted to the Cape Town Railway Company the exclusive right of a railway between Cape Town and Wellington, and on the strength of this grant £600,000 of capital was raised, most of it being advanced by English proprietors, and was expended upon the line. The powers obtained by the Wynberg Railway Company were really a breach of the contract entered into by the Colonial Government. The Governor, however, took no notice of a memorial sent to him by the Cape Town Railway Company; and the Colonial Secretary in England had declined to receive a deputation, but asked the representatives of the Company to reply to a Report from the Governor, no copy of which had been furnished to them. The Secretary of State for the Colonies seemed to be of opinion that the Colonial Legislature was the proper judge of the terms of the contract, and that he could not interfere. They were clearly, however, not an impartial tribunal. Believing the Act referred to to be inexpedient, contrary to the general policy of legislation, and a breach of contract, he asked the House to address Her Majesty with a view to the Royal assent being withheld.

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at a quarter
before Eight o'clock, till
Monday next.

HOUSE OF LORDS,

Monday, June 18, 1866.

MINUTES.] — *Took the Oath* — The Lord Hawke.

PUBLIC BILLS.—*First Reading*—Towns Improvement and Local Government Acts Amendment * (167).

Third Reading—Public Schools (143); Labouring Classes' Dwellings (Ireland) * (128); Fishery Piers and Harbours (Ireland) * (130); Belfast Constabulary * (133); Indian Prize Money * (140); Lunacy Acts (Scotland) Amendment * (138), and passed.

METROPOLITAN RAILWAY (ADDITIONAL POWERS) BILL.

THIRD READING.

Bill read 3^a.

THE EARL OF ZETLAND moved the omission of Clause 42, which proposed to limit the amount of compensation for accidents to be paid to passengers holding workmen's tickets to £100, and to substitute the arbitration of the Board of Trade for proceedings in a Court of Law in such cases.

THE DUKE OF RICHMOND was in favour of retaining the clause. A similar clause had been inserted in the Metropolitan Railway Extension Act of 1864, in the East London Railway Bill of 1865, and in the London, Chatham, and Dover Bill. But the clause objected to in the Bill under consideration would work more beneficially for mechanics and others of their class, than the similar clauses in the Acts to which he had referred. Railways which were at present bound to run workmen's trains were not liable, except to an extent limited by law, for accidents to passengers by them; and since the companies chose to permit workmen to travel by more trains than the single train each way at the penny fares, he thought it only right that the principle of limited compensation should be accorded to the companies in respect to those passengers, in the same way as if they travelled by the special morning or evening workmen's trains. If the principle were found to be just when applied to the single train, surely it would be equally just to extend it to the several trains. The fact was that the limitation would work advantageously for the working classes. If it were not so extended, the result would be that the additional accommodation would be discontinued.

LORD STANLEY OF ALDERLEY said, that in his opinion the railway companies should be liable to the full extent, as estimated by a jury, for injuries done to passengers through the negligence of their servants. He knew of no sufficient reason to induce the Legislature to order that the family of an artizan should not be compensated to the full extent of their loss in case he should be killed by an accident in a railway train which had arisen, in the opinion of a jury, in consequence of the negligence of the railway company's servants. It might be urged that, under the circumstances, it would be advisable to limit the amount of compensation in case of accident in proportion to the fare paid; but he thought it very probable that if the principle were once admitted in a general way it would be framed into a precedent, and their Lordships would be asked to admit the principle again and again. If he gave his consent to retain the clause, it would be on the distinct understanding that it should not be made a precedent.

EARL NELSON said, the noble Earl spoke as if it were proposed to introduce the principle of the clause into a Bill for the first time. That was not the case. It was part of the arrangement, when metropolitan railway companies were required to run workmen's trains, that they should not be liable for more than £100 on account of an accident to a passenger by these trains. Now that the railway companies had at their own risk allowed workmen to travel at the penny fares by any train, he thought it fair to extend the limit of compensation to passengers, travelling with workmen's tickets by those trains.

Resolved in the Negative.

Bill passed, and sent to the Commons.

BISHOPRICS OF CAPE TOWN, ADELAIDE, AND BRITISH COLUMBIA.
PETITION.

THE BISHOP OF LONDON, in rising to present a Petition from Miss Angela Georgina Burdett Coutts, of 1, Stratton Street, in the City of Westminster, and of 59, Strand—

"Praying that in any Measure for amending the Law with respect to Bishops and Clergy in the Colonies of Cape Town, Adelaide, and British Columbia, full legal Effect may be given to Her Majesty's Royal Letters Patent constituting the Sees of those Colonies respectively; and that in case any of the Bishops of the said Sees shall surrender his Letters Patent, the Funds forming

the Endowment of his Bishopric may be applied according to the Intentions of the Founder thereof or else revert to the Founder,"

said, he felt convinced that the petition which he had to present was deserving of every consideration at the hands of their Lordships. The petitioner stated that so long ago as 1847 she contributed £17,500 to the fund for the foundation of the Bishopric of Cape Town, and that she was asked to contribute that money and did so contribute it for the establishment of a branch of the United Church of England and Ireland, as by law established in the Colony of the Cape. Her Majesty's Government for the time being were parties to the arrangement under which the money was paid, for certain letters patent were issued which embodied the proposition that the Bishop so appointed should be a Bishop of the United Church of England and Ireland, having jurisdiction over the clergy in the colony of the Cape, and exercising that jurisdiction in accordance with the law and the principles of the United Church of England and Ireland, and acknowledging the supremacy of Her Majesty the Queen. In the same year the petitioner was also induced to contribute the sum of £17,500 for the foundation of another bishopric in the colony of Adelaide, in Australia; and so late as the year 1859 she contributed £15,000 for the foundation of a bishopric in British Columbia, adding thereto the sum of £10,000 for the endowment of two archdeaconries in the same colony. It was on an appeal from the heads of the Church, sanctioned by the leading Members of the Government of this country, that the money was contributed for these purposes. The same purposes were recognized by the Colonial authorities, as shown by letters he had on the table before him: and the petitioner now prayed that the money, amounting altogether to £60,000, which she had so subscribed, might be devoted to the purposes which she had in view at the time of its contribution. It might be said that in case of any diversion of this money from its original purposes the Courts of Law were open to the petitioner; but a portion of the money had been conveyed to the bishopric of Adelaide, and invested in land for the endowment of the bishopric; and it was no light matter at once to carry on suits in Adelaide, British Columbia, and the courts at home. He was, moreover, speaking the sentiments of the petitioner when he stated that she did not desire to recover the money she had thus disposed

The Duke of Richmond

of, but that her present action arose from her conviction that great public principles were at stake, principles of the utmost importance to the Church of which she was a member, and to the Colonial Church. The petitioner was not alone in this view of the matter, because he believed that a noble Earl on the cross-benches (Earl Grey) was intrusted with a similar petition from a distinguished Prelate in the Colonial Church, who had spent eighteen of the best years of his life in working in the colony of Adelaide, and who had collected large sums of money from all quarters for the endowment of a colonial branch of the United Church of England and Ireland as by law established. In Adelaide he had raised large sums for the establishment of a college devoted to similar purposes. Now this Prelate felt that his intentions were likely to be frustrated, and that his work would come to nothing by the transfer of those endowments to another object than that which he had contemplated. The petitioner, whose petition it was his duty that day to present, asserted in her petition that in contributing this money she had three objects in view, besides the general object of promoting the service of Almighty God and the spread of the pure Gospel of Christ in these colonies. These objects were that the Bishops should hold jurisdiction over the clergy in their respective colonies, that they should execute that jurisdiction in accordance with the law of the Church as it existed at home, and, thirdly, she conceived an integral part of the arrangement to be the acknowledgment of the Royal supremacy over the churches of which she was the benefactress. The petitioner did not say that she found any absolute certainty that the purposes of her foundations were to be set at naught; but a few years only had passed, the parties to the compact were many of them still alive, and the petitioner now found that difficulties were likely to arise in consequence of decisions of the highest Courts of Law, while the parties to whom she had looked for securing the proper appropriation of these funds were either disposed to assist in what she conceived to be a misappropriation of the funds or to stand by with folded hands. The grievance or wrong was of such a nature that he should be compelled to trespass upon their Lordships' indulgence by giving a short history of the circumstances. Their Lordships would remember that in the spring of the previous year a very painful case

was brought before the Judicial Committee of the Privy Council. A Bishop in one of those colonies had published works which, in the estimation of most religious men, both at home and in the colonies, were most dangerous in their tendency as likely to uproot the regard in which the authenticity and the genuineness of the Books of the ancient Scriptures were held. He was not going to enter into any theological discussion, but he desired to say that he was one of those who, when the subject was first mooted, believed that the evils resulting from those works would be greater than their author ever contemplated. He had from the first expressed a fear that the author of those works would not be able to stop in the dangerous career to which he had committed himself. The case, however, was disentangled from all theological discussion. Bishop Colenso had not adhered to the intention with which he was understood to have come to this country—namely, to divest himself of an office, the duties of which it seemed very difficult for him to execute—and the matter consequently was brought before the Courts of Law at the instance of the Metropolitan, for whose conduct in the course of the proceedings every allowance was to be made when the difficulty of the circumstances in which he was placed was taken into consideration. Many intricate questions presented themselves; but when the matter came before the highest Court in England that had cognizance of such questions, every thing was disposed of in the general question, whether the letters patent purporting to confer power upon the Metropolitan of Cape Town were or were not effectual for that purpose; and it appeared from the effect of that decision that these letters patent were wholly inoperative, and that those which had been granted to the petitioner Bishop Colenso, were as invalid as those of the person petitioned against, Bishop Gray. The effect of the decisions of the Privy Council in this case, and in that of “Long v. the Bishop of Cape Town,” was to introduce much confusion among the Colonial Bishops with regard to the position in which they were placed, and it was possible that the purpose for which this money was contributed might be altogether frustrated. It would be the height of rashness for him (the Bishop of London) to express any opinion upon the effect of those legal decisions; but Mr. W. M. James, a Counsel who had devoted considerable attention to this subject, in giving his opinion, said—

"I have satisfied myself that the disturbance of men's minds on this subject has been produced by a perverse misapprehension of the decisions in the Privy Council. As long as the Colonial Church is maintained as a branch of the Anglican Church under the supremacy of the Crown, it will possess ample power for the maintenance of discipline, doctrine, and moral conduct in its Bishops and clergy. The decisions of the Privy Council have left untouched the power of the *forum domesticum* of every Bishop over his clergy, and the power which, by the constitution of the Church in the Colony as a voluntary association, is vested in the Crown as the 'Supreme Governor, Ordinary, and Visitor.'"

On the other hand, there was the Attorney General (Sir Roundell Palmer's) very distinct expression of opinion that the consequences of those decisions were far more grave than the eminent Counsel to whom he had referred supposed. The Attorney General, in referring to these judgments, said—

"In the first place, I understand it to be determined that no legal dioceses are created by these letters patent in the colonies to which the question has reference. Secondly, that these letters patent create no legal identity between the Episcopal Church presided over by these Bishops, and the United Church of England and Ireland. Thirdly, that the letters patent do not introduce into these Colonies any part of the English ecclesiastical law. Fourthly, that they confer on the Bishops no legal jurisdiction or power whatever, and add nothing to any authority which the Bishops may have acquired by law or by the voluntary principle, without any letters patent or Royal sanction at all. There remains nothing, therefore, that the letters patent could do, except it be, as I understand, simply to incorporate the Bishops and their successors as a legal corporation, with all the ordinary incidents of a legal corporation. But even as to that, I see it stated, as part of the recent judgment, that these letters patent are not valid for the purposes of creating an 'ecclesiastical corporation, whose status, rights, and authority, the colony could be required to recognize.'"

Under these circumstances, their Lordships would perceive that there was a most material difficulty in the application of the money that had been contributed for the purpose of founding the bishoprics to which he had alluded. The question of the Royal supremacy was a very serious one. There was no such office as that of "Patriarch" in the Church of England; the whole authority of the Church in this country was exercised by the two Metropolitans of Canterbury and York, and in Ireland by those of Armagh and Dublin, whose Courts were perfectly independent of each other; so that there was no central power except that of the Queen in Council. Therefore, if the central power as residing in the Crown were deprived of its authority over the Colonial Bishops, the Church in the Colonies would

have no direct connection of a legal kind with the Church of England, being no longer subject to that controlling power to which our four Metropolitans at home were subject. On this subject the Metropolitan of India (Bishop Cotton), than whom no Colonial Bishop was better entitled to be heard on such a question, had written in an article which he (the Bishop of London) believed it was no breach of confidence to attribute to his authorship—

"It is monstrous to say that our Church ceases to be the Church of England when it is out of England or non-established. It is the old historical Church which Augustine planted at Canterbury, and which was reformed by English kings, prelates, divines, nobles, statesmen, and commons; the Church which is essentially of England, because its formularies are thoroughly impregnated with the English spirit, and have taken hold of the heart of the English people. It is the Church which, in its 37th Article, carries everywhere the doctrine of the Royal supremacy as a safeguard to the rights of its lay members, and whether formally established in any British colony or not, its Bishops are necessarily nominated by the Crown, and the Sovereign must retain (of course through some constitutional and duly authorized tribunal) the right of revising the graver ecclesiastical as well as civil sentences. What that tribunal is in the case of South Africa appears extremely doubtful (so far we agree with the Bishop of Cape Town's charge), but that is a question on which the legal intellect of England will soon be exercised, and the precipitancy of the Metropolitan in refusing to wait for any interpretation of the law except his own, seems to us a lamentable instance of *sic volo, sic jubeo; stat pro ratione voluntas*. What we want is some fair tribunal which shall do justice on both sides, repressing the extravagances of latitudinarianism on the one hand, and of hierarchical absolutism on the other, for at present the two evils are playing each other's game. We earnestly pray that God's spirit may put it into the hearts of some wise and good men to devise such a solution of our embarrassments."

If he (the Bishop of London) were called upon to go to one of the colonies, he should very much hesitate to divest himself of his connection with the United Church of England and Ireland, and place himself under a new law which he did not understand, and submit to be guided without appeal in his practice by the Metropolitan or diocesan of one of these colonial churches, not knowing with any great distinctness what was the doctrine which he was called upon to promulgate. Now, if that applied to him, it applied to a thousand of the clergy of the English Church, and he did not know how he could conscientiously advise any young clergyman to place himself in such a position. The petitioner, then, he might remark, was not singular in the appre-

hensions which she entertained, for at least two distinguished Colonial Prelates, it appeared—namely, the Bishop of Adelaide and the Metropolitan of India, agreed with her views; and, moreover, a letter had been addressed to the Secretary of State for the Colonies by the Church Missionary Society, which collected a very large sum of money every year for the support of Colonial clergy, expressing a very distinct opinion on the subject. That address stated—

“The Church Missionary Society is conducted in all respects in conformity with the principles and discipline of the United Church of England and Ireland. One of its standing regulations is that ‘every congregation gathered from the heathen is to be settled and governed according to the constitution and discipline of the Church of England.’ Upon the faith of this avowed and fundamental principle, the large income of £130,000 to £150,000 a year is contributed and is expended in supporting Christian teachers among the heathen and Mahomedan population in Her Majesty’s Colonial possessions and in other territories. The Committee find that the constitution and formularies of the Church of England, with such reasonable modifications as local circumstances necessarily require, afford ample scope and guidance for missionary operations. The Committee fear, however, that the action of the Synod in Ceylon has already overstepped the constitutional limits of the English Church, for it has adopted a new form of clerical declaration and subscription, which is to bind the Bishop and clergy and their successors; and Her Majesty’s Secretary for the Colonies is to be ‘moved to make any future appointment to any ecclesiastical office contingent upon the acceptance of the said declaration, and upon an undertaking to sign it in Ceylon;’ and the Bishop of Colombo was requested ‘to require of all candidates for holy orders, and all applicants for ecclesiastical employment in the diocese, prior to their being ordained or licensed, the acceptance of, and signature to, the above declaration, as an act of agreement or contract between the said applicants and the Bishop, for and on behalf of the Church of this diocese.’”

The Committee of this large Society conceived that declaration to be inconsistent with the principles and practice of the Church at home, and they felt that their funds were in danger of being diverted from the purpose for which they were subscribed. Moreover, he made bold to say, that many of the colonists themselves, retaining their attachment to the Church of their fathers, and desiring to worship in the same way, felt themselves placed in a most unenviable position by the late decision and the principles announced in connection with it; for while every denomination of Dissenters might freely form itself into a community in the colonies, they who desired the Royal supremacy as a pledge for the maintenance

of the law as it was administered at home were deprived of what they conceived to be an integral part of the system of the church they revered. He thought, then, he had shown the existence of a grievance which required very serious and careful consideration. So various and so complicated were the questions involved in the matter that they almost seemed to be deserving the attention of a Committee of their Lordships’ House. He did not believe the full meaning of this decision of the Judicial Committee of the Privy Council was understood at present, or that it would be understood until a case, which involved the very question in debate, had been decided. This case was now pending in the Rolls’ Courts, and which would probably be reviewed by some higher tribunal, and therefore he thought the matter would require very grave deliberation before any steps were taken whereby the petitioner and the other persons he had mentioned were deprived of the rights they conceived they possessed. No doubt it was absolutely necessary that the matter should receive legislative consideration, but he trusted he might be allowed to press upon the noble Earl who presided over the Government that in any legislation on the subject great care should be taken to secure the colonists in their right to remain members of the Church of England and Ireland if they desired to do so. When colonies were separated from the mother country they necessarily became independent in ecclesiastical as in all other matters; but while they remained connected with the mother country, there was an appeal in all civil matters to the courts at home, and so the same connection of the Colonial Church with the mother Church should be preserved till the day arrived when the colonies became independent States. If they were to have this absolute independence in matters ecclesiastical, it would be time enough to give it when they were perfectly independent in matters civil. He would urge the noble Earl also to be careful not to act on a misunderstanding which seemed to have got abroad—namely, that the late decision of the Judicial Committee applied to all the Colonial Churches; whereas of the forty Episcopal Churches that had been founded in the colonies there were only eighteen to which it distinctly applied; and, because there were difficulties affecting these eighteen, it would be a great mistake to reduce the whole forty to the same condition. Nay, there was great doubt whe-

ther all of these eighteen were affected, for there were four distinct classes of colonial bishoprics—first, those whose letters patent were granted under the authority of an Act of the Imperial or Local Legislature; secondly, those whose letters patent were granted by the Crown when there was no Colonial Legislature, in which cases their validity was admitted on all hands even to the extent of coercive jurisdiction; thirdly, those which, though granted informally, had been accepted by the Colonial Legislatures; and lastly, those in which according to the principle of the decision of the Judicial Committee there was a complete failure. Of these last there were, he was informed, only six. Now, it was quite unnecessary, and it would be very rash, on account of difficulties with six, or even with eighteen, to alter the constitution of all the other Colonial Churches, which existed without the necessity for any such alteration. He ventured to express his sense of the great importance of preserving the Church of England in the colonies. Care should also be taken that the surrender at all events of the revenues which were devoted in the first instance to the Church of England should always follow severance from that Church. He held in his hand a paper which put this point very tersely, and he could not do better than quote it—

“If the Bishop and clergy in a colony feel themselves at liberty to secede from the Church of England, and to form a free and independent Church, they need neither Imperial nor Colonial Legislation for this purpose. Any proposal, therefore, to legislate for these free Churches was very much like an attempt to legislate for the Wesleyan Methodists. Legislation in such matters must apply to a Church by law established, and not to these free Churches, which in the eye of the law must be regarded like any Dissenting body. To regulate these Churches, therefore, was as great an invasion of the freedom of the colonists as any that was ever contemplated by issuing these letters patent. Legislation,” the paper continued—“Can only be required to enable such an independent Church to retain the property and prestige of the United Church of England and Ireland in its state of separation. But such legislation would be unjust to the Church at home, as well as to those members of the Church of England in the colony who may desire to remain a branch of the Church of England. It would be analogous to the case of Wesleyan Methodists, in any colony, seeking Imperial or Colonial Legislation to alter the poll-deed which is the foundation of the Methodist Society, while they retained the property held under that deed. The ministers of the Church of Scotland in India, who resolved to become a ‘Free Church,’ acted an honest part in resigning their churches and ecclesiastical property to members of the Church

of Scotland sent from home, and they themselves raised new establishments.”

He would also urge that great care should be taken not to injure the Church at home through the Church in the colonies. Now, there were certain well-considered Acts of Parliament regulating the connection between the Colonial Churches and the Church at home. These Acts, among other things, vest in the two English Metropolitans and the Bishop of London certain powers with reference to the ordination of the clergy of the Colonial Churches. These powers were not conferred on them without grave and serious consideration, because it was deemed that the responsibility in this matter ought to devolve on those who held the sort of position which they occupied. Certain other laws were also passed after grave consideration as to the relation between the Colonial Churches and the Church at home conferring certain privileges and at the same time enforcing certain exclusions as to the clergy in the colonies in reference to the Church at home. He therefore hoped that in legislating on the subject they would not tamper with those Acts without substituting something equally good in their place; otherwise, if there was a profusion of those free and independent Churches scattered over the world, and if their clergy were entitled to minister in our dioceses at home, very grave difficulties might be introduced at home by what had been done abroad. He must apologize to their Lordships for the length at which he had spoken; but he had done so because he believed the subject was one of deep and vital importance. He did not wish it to be said that, during his Episcopate, the whole of the good work which had been commenced by his predecessors—by Bishops Slat, Howley, and Blomfield, had come to the ground. He did not wish it to be said that the large funds which had been collected for the maintenance of the United Church at a distance had been appropriated to any other purpose than that for which it was intended. He believed the existing connection, or connection which was lately supposed to have existed between the Colonial Churches and ourselves, was beneficial at once to the colonies and to the Church at home. Sure he was there were no better subjects in the colonies, none more likely to adhere tenaciously to the mother country to the last, than those who considered themselves members of the United Church of England and Ireland; and whatever steps were taken

to obviate the difficulties which had been raised regarding these funds, he did trust they would be able to maintain the Colonial Church as much connected with the mother Church at home as it was a few years ago.

LORD BROUGHAM said, that a more meritorious or liberal person than the lady whose petition the right rev. Prelate had presented did not exist. The many thousands she had devoted to the Colonial Church by no means represented what she had expended to relieve the wants and provide spiritual instruction for those at home. Her benefactions were alike extensive, generous, and judiciously applied. The subject which the right rev. Prelate had brought before their Lordships no doubt required their gravest consideration. The judgment of the Judicial Committee of the Privy Council had undoubtedly excited great attention and called forth much remark; but it was a judgment according to law, and no other judgment could have been pronounced. This was exactly one of the cases to which he alluded the other day, in which he thought it would be beneficial if the Judicial Committee had the power of calling in the assistance of a certain number of the Episcopal Bench to give their opinion on the doctrine and discipline of the Church. He believed, in that case, the judgment might have been the same—probably would have been the same; but he was quite certain it would have given more satisfaction, especially to the Church. The subject required full investigation, and that they could not stop without legislating upon it he held to be perfectly true. He thought that in the colonies, as in the mother country, a Bishop ought to be subject to the Metropolitan.

THE ARCHBISHOP OF CANTERBURY wished, in the first place, to express his great satisfaction that his right rev. Friend had brought forward this subject, inasmuch as it was most desirable that those who had devoted their attention to it should deliver their opinion and help to solve the most difficult problem which for some time had been brought before their Lordships. Before he proceeded he begged leave to express his cordial concurrence in the admiration which had been expressed for that distinguished lady whose petition had been presented. He was quite sure of this—that as long as the Church of England had any history, so long would her munificence be recorded in it. The

problem to be solved was this—how, under existing circumstances, after the two recent decisions of the Judicial Committee of the Privy Council, the connection between certain Colonial Churches and the mother Church could be maintained. The mode proposed by his right rev. Friend was this:—That by legislative action they should pronounce that those Churches were in the same connection with the Established Church of England in point of doctrine and discipline as they were before those decisions. Now he thought it would be very difficult to prove that this could be the case. In order to make that clear, he would read one or two short extracts from the recent judgments. In the case of "*Long v. the Bishop of Cape Town*," p. 14, it was said—

"The Church of England, in places where the Church is not established by law, is in the same situation with any other religious body; in no better, but in no worse position, and the members may adopt, as the members of any other communion may adopt, rules for enforcing discipline within their body which will be binding on those who expressly or by implication have assented to them."

Again, in "*Dr. Colenso v. the Bishop of Cape Town*," p. 7, it is said—

"The United Church of England and Ireland is not a part of the constitution in any colonial settlement, nor can its authorities or those who bear office in it claim to be recognized by the law of the colony otherwise than as the members of a voluntary association."

Once more—

"We adhere to the principles laid down in the case of '*Long v. the Bishop of Cape Town*,' p. 10. In the case of a settled colony the Ecclesiastical law of England cannot be treated as part of the law which the settlers carried with them from the mother country."

Now, after these declarations it seemed to him quite clear that at the present moment these Churches were severed from the United Church of England and Ireland, so far as the supremacy of the Queen was concerned. Then came the question whether the Legislature of this country had power to carry the supremacy of the Queen into those colonies. But he had been informed that the Imperial Legislature of this country had no more power to deal with the Church in the colonies than they had to deal with any Dissenting body. Then if the Royal supremacy was not to bind these Churches to the Church of England what was the alternative? He firmly believed the only alternative was the voluntary connection which these Churches had formed, binding them most

solemnly to the Church of England in regard to doctrine as expressed in the Articles and Formularies of the Church. He believed that was the only real security. He had a very extensive correspondence with the Colonial Churches in all parts of the world, and during the last year he had received from all parts the most firm and reiterated assurances that their most anxious object was to secure and cement that connection with the Church of the mother country which had been so much disturbed by the recent decisions. He knew that Bishop Gray took the best legal advice he could get in England and Cape Town before he proceeded against Bishop Colenso. Moreover, he did not act solely on his own judgment, he had the consent and concurrence of three of his suffragans in respect to the course pursued. Therefore, it was scarcely right to impute any undue haste or exercise of arbitrary will to Bishop Gray. Nobody could join more heartily with his right rev. Brother who had just addressed their Lordships than he did in entreating their Lordships to deal carefully with this very grave subject. It involved the interests of millions, he might say, of Churchmen throughout the world, and if they proceeded rashly, they might do very serious harm. Whether or not the proper course to adopt would be to appoint a Committee of that House he could not say; but, firmly believing that the present matter was little understood, he thought that it would be rather premature to rush into legislation in reference to it.

EARL GREY said, he agreed with the most rev. Prelate (the Archbishop of Canterbury) in thinking that the question was one of extreme importance and difficulty. He did not intend then to enter into the general question, but there was one point to which he wished now to call their Lordships' attention with reference to the power of the Imperial Parliament over the colonies. He fully recognized the very great respect which was due to the Colonial Legislatures created in various parts of the Empire; but he maintained that if the Empire was to be kept together, the Imperial Parliament must be considered as possessing a supreme authority over these Legislatures in all cases, and as being the sole judge when it might be necessary to use this authority, for the general interests of the whole Empire. That was the doctrine of Mr. Burke, and of the great men of former days. Even

The Archbishop of Canterbury

when they most strenuously resisted what they considered to be the unjust and unwise exercise of the authority of the mother country over the colonies, they never ceased to assert the authority itself. This, he thought, had been lost sight of in later days, and in both Houses of Parliament rash language had sometimes been used in reference to it. He thought what had now been said by the most rev. Prelate was open to objection on this ground, and implied a denial of that supreme authority in the Imperial Legislature, which had not only been uniformly maintained by our greatest statesmen, but had been practically exercised by Parliament whenever a case arose which in its judgment called for its interposition. It was not so many years ago when, in a case of necessity, the Imperial Parliament thought it right to suspend the legislative functions of the independent Legislature of Lower Canada, and to give almost absolute power in that colony to a Governor and a Council nominated by the Crown. Again, no doubt was entertained about the supreme power of Parliament, when an Act was passed in this country abolishing slavery in all parts of the British dominions; and no one doubted at the present moment that if the Legislature of the Cape of Good Hope or the Legislature of Canada wished to establish slavery, they would be precluded from doing so by the terms of the Act of the Imperial Parliament, that Act by which slavery was abolished throughout the Empire. Further, he believed that in the present case it was possible for Parliament to exercise that supreme authority in a manner which, without giving any just cause of offence to the Colonial authorities, would at the same time maintain the strong connection hitherto existing between the Colonial and English Churches. No doubt, the manner of effecting the object would have to be considered with great care, so that the internal affairs of the colonies might not be unnecessarily or lightly interfered with, but when Colonial Bishops and clergy possessed certain rights in this country, Parliament, on the other hand, was justified in requiring that the conditions on which those rights were granted should be fulfilled. He, for one, should view with jealousy any system by which colonial appointments of this kind would be left free from control at home, because he knew on points such as had been referred to, passions ran high in the colonies, and he feared if the supre-

macy of the Crown was once abandoned, that little by little some of the Colonial Churches might depart from what used to be considered the vital principles of the Church of England. The right rev. Prelate who presented the petition had suggested that it might be desirable that this question should be inquired into by a Committee of their Lordships' House. He entirely concurred in that suggestion, because it seemed to him that there was at present so much doubt as to the real effect of the recent judgments on the present position of the Colonial Bishops, and as to the nature of the legislation required, though some legislation was undoubtedly necessary. He could conceive no more useful subject for an inquiry by a Committee of their Lordships' House, who would have the assistance of some Members of the right rev. Bench.

EARL RUSSELL said, he would not have addressed their Lordships on this subject had it not been for the observations which had just fallen from his noble Friend. He considered the speech of the most rev. Prelate (the Archbishop of Canterbury) so wise and temperate, and so likely to lead to harmony on this subject if anything could, that he should have thought it better to have let the matter rest with the most rev. Prelate's observations; but his noble Friend (Earl Grey) had spoken as if there was really any doubt as to the supreme power of Parliament over Colonial Legislatures. There could be no doubt that in a case of necessity the Imperial Parliament had such power; but it was a power which ought not to be exercised without a clear necessity. It was also a power which should be exercised with great caution — they must be careful not so to exercise it as to aggravate and not to assuage passions. It was, no doubt, quite natural that a lady who had shown so much liberality and attachment towards the Church of England should suppose that the law of that Church would prevail in the colonies in question, and that she was perfectly safe in giving the endowments which she had conferred. Of late years, however, considerable differences of opinion had arisen in those colonies, and unhappy disputes had taken place which had been submitted for settlement to our Courts of Law. The decision recently pronounced by the Judicial Committee of the Privy Council in one of those cases showed the danger and

the delicacy of the ground on which their Lordships were invited to tread. The right rev. Prelate himself (the Bishop of London), in bringing the subject under their Lordships' notice, quoted the authority of an eminent lawyer taking one view of the matter, while an almost diametrically opposite view was taken by no less a person than the Attorney General. There being so complete a difference of opinion between lawyers, it behoved their Lordships, he thought, to be very cautious that they did not deal with the question otherwise than with the most thorough and careful consideration. If any proposal with respect to it were made either by the Government or by a private Member of the House, it would, it seemed to him, to be only right that it should be submitted to a Select Committee, composed, to as great an extent as might be convenient, of noble and learned Judges and eminent Prelates. He must, at the same time, observe that he had always understood that, although the Crown might govern the colonies by statute, or by means of a Governor and Council, yet that when the Crown had once given to a colony a representative Constitution, it was not in its power to withdraw that Constitution. He trusted, he might add, that the observations made by the right rev. Prelate might have the effect of leading to some satisfactory solution of the question.

THE BISHOP OF OXFORD thought his noble Friend who had spoken last but one (Earl Grey) had somewhat misunderstood what had fallen from the most rev. Prelate near him, who spoke not of the legal incapacity of Parliament to deal with questions such as those under discussion, but of its moral incapacity after what had passed to remedy existing inconveniences in particular colonies by creating there, in point of fact, a Church in connection with the Church of England. In the belief in the existence of that moral incapacity he quite concurred with his most rev. Friend, on the very simple ground that when Parliament gave to those colonies Legislatures of their own, it, while still reserving to itself its supreme Imperial power to overrule the decisions of those bodies, bound itself morally not needlessly to interfere with their action. One of the questions at issue was the creation of Ecclesiastical Courts in the colonies, and in reference to these courts the question really at issue was what was meant by the Queen's supremacy. The supremacy of the Queen in spiritual

matters in this country depended on those Acts of the Legislature which transferred that supremacy to the Crown in the first instance from the Pope, who claimed the right to exercise it, and the meaning of that transfer was that every court, ecclesiastical and civil, held in this country should be held in the name and under the authority of the Sovereign. A Bishop held a court, therefore, not as a successor of the Apostles, but by licence from the civil power; and every such court was as much the Queen's court ecclesiastical as other courts were Her Majesty's courts civil. It followed, then, that every single ecclesiastical court in England from the lowest to the highest was liable to have its ecclesiastical decisions revised by the Queen's courts; and that supremacy of the Queen was not a floating unknown power, capable of being abused at one time to oppress the subject, and vanishing at another time into nothing but a creation of the law, resting within legal bounds on the law for its strength. If, then, the Queen's supremacy was to be established in the colonies in question, courts must, first of all, be created through which the supremacy of her officer—be he archdeacon or Bishop—should be exercised. To permit it to be exercised by an individual without the intervention of a court would be most un-English. The first step, under those circumstances, must be to establish courts ecclesiastical in the colonies, from whose decisions appeals might be made in the ordinary course; thus setting on foot the whole of that machinery which belonged to the Established Church—that was to say, a favoured class of religionists, to whom the nation gave certain advantages, and whom it guarded with certain strong limitations. Now, that being so, he maintained with his most rev. Friend, that, after what had taken place, it would be morally impossible for the Parliament of England to dictate to the colonies so far as to say that they must have such a favoured religious body. He, at the same time, admitted the existence of the difficulty to which the right rev. Prelate referred, and was, perhaps, even more strongly alive than he was to the necessity for some legislation with respect to it. The decision of March last went to show that there may be some question as to the validity of the marriages and other acts performed by the clergy ordained by Bishops who were said to exercise no legal jurisdiction in those colonies and to possess no power to ordain; and the Government was therefore bound to in-

troduce some measure with a view of providing a remedy for that state of things, although they were not, he thought, to blame for declining to proceed in the matter with undue haste. A good deal had been said of the importance of maintaining the connection between the Church in the colonies and the Church at home, and he (the Bishop of Oxford) felt the necessity of maintaining that connection as strongly as any man. But how could it be done? He listened with greedy ears to the remarks of his noble Friend on the cross-benches (Earl Grey) when he said that it would be easy for the Imperial Legislature to secure the continuance of this union; but, although he said how easy the way of doing so was, he did not describe it; he kept it a secret to himself. Having given the utmost attention to the whole of the "ins" and "outs" of the subject, he could see no way whatever consistently with the pledges which the Imperial Parliament had given, by which it could by any facile and easy legislation maintain the connection to which he was referring. Such, however, was his confidence in the Church of this country, which had spread throughout those distant settlements and colonies in their English character, and in the love and reverence which the daughter Churches felt for the mother Church, that he was fully persuaded nothing but an attempt to overbear their rights would sever the union at present subsisting. He believed that if Parliament would trustingly remove by law the difficulties which the law had created, and then leave the Church at liberty to maintain its own unity, none of the dangers which now menaced it would exist. The whole of the history of the Church showed that it was not by the enactments of Parliaments, but through the undying faith of the Church itself that it had maintained its unity. He contended that it would be most unfair to subject the representatives of the Church in the colonies to restraints without giving them corresponding advantages. At home the advantages to the Church as well as the advantages to the State from the union of the two were on both sides, he believed, incalculable. He had no wish to see any alteration of the fundamental relations now existing between them. The supremacy of the Crown as exercised in England was the great safeguard of the National Church against the intrusion of a foreign Power—as such he valued it most highly; but it was a wholly different thing to inflict on a

body of religionists restraints which accompanied gifts and then to withhold the gifts. In the colonies at the present time a great struggle was going on between many different kinds of religionists. Rome was planting her communion freely in every one of our colonies, and every form of Protestant dissent was multiplying itself as it could find adherents; and what would be the result if on the representatives of the Church the Imperial Legislature inflicted obligations and imposed fetters from which every communion around them was free? The body thus fettered would be unable to do its own work. But if they did not leave them free to do all that they could do for the public, they ought to know enough of the spirit of Englishmen to feel sure of this, that they would not be content to remain thus fettered. Therefore, he said, let any legislation upon this subject bear this upon its front—that it seeks to inflict nothing, that it seeks to settle for the colonists nothing at all, and that it contents itself with setting free a particular body of religionists, the representatives of the Church at home, from the trammels that belong to a different state of things—a state of which the interposition of our law had taken from them the advantages that had accompanied the restrictions. There he thought that legislation should stop. Without entering upon the question whether it were for good or evil, he must for his own part say that he deeply lamented that the colonies of Great Britain had sown the earth with democratic institutions. He had protested years ago against the steps which led to this; but now it was an accomplished fact. In taking those steps, they in effect took away the Queen's supremacy from those colonies; they were not taking it away now, it was a thing already done. He deeply regretted that the shock which had been given to the munificent founder of these colonial bishoprics was calculated to do great harm. He believed that in that noble lady's life there had been an example set to those who had the use of God's gift of wealth, that it should be spent for Him, which he believed was enough to seed a generation with the noble desire to copy her example; and therefore he felt that it was deeply to be lamented that there should have been anything in legal decisions or elsewhere which should make such a person feel that what she gave for one thing had been to a certain extent diverted to another. It was not only on her account that he lamented, but be-

cause he felt that her example shaped, in more instances than they could conceive, the tendency to follow with like acts. But this was not the real question before them. The real questions brought before the House were—first, a change having passed over a certain number of our colonies, were the grievous inconveniences consequent upon that change to be left entirely unredressed? Secondly, was redress to be postponed upon the fancied notion that after a course of time it would be possible to act more prudently than now? Thirdly, in redressing them, was an attempt to be made to establish one single class of religionists as a favoured and exclusive class in the colonies? His answer was that nothing could be gained by delay, and that their Lordships were bound, well and carefully, as statesmen and as churchmen, to look at once into the subject, and at once to give redress to the evils which could be proved. If Her Majesty's Government were prepared to say that they thought it expedient, before that House was called upon to legislate in the matter, to appoint a Committee to inquire into it, he would render all the assistance in his power towards effecting the object in view. He believed that the suggestion of a Committee was worthy of the consideration of the House. Legislation, when it reached their Lordships, would not be grappled with as it should be unless the general mind of the Church, as well as of the House, had been to a very considerable extent more informed upon the subject than was the case at present. If the evidence of the Colonial Bishops now in the country, and the evidence of the great religious societies which were investigating the matter, were to be taken by a Committee of that House, the way would be paved for the intelligent consideration of any Bill on the subject that might be brought up from the other House.

LORD LYTTTELTON said, he was not prepared to admit the soundness of the law as laid down in the two celebrated judgments which had been so much referred to, for considerable doubts had been thrown upon their correctness. But there was a distinction between the law as it actually was, and the law as it ought to be, and he believed that the judgments in question were quite in accordance with public opinion. It was distinctly laid down that the Church of England was in no sense an Established Church in our colonies, and the effect of this was that the

Royal supremacy could not exist in the colonies in the sense in which it existed in England. Although the colonies were part of the Queen of England's dominions, the Colonial constitutions and laws did not in all respects agree with ours. So, he thought, the Colonial Churches could be in perfect union and substantial agreement with the Church of England, although they were not in all respects constituted alike. It would be best, in his opinion, if the colonies had entire freedom in matters ecclesiastical as well as civil. On that broad ground, then, and without regard to the personal considerations which entered into the case, he was of opinion that the prayer of the petitioner, resting as it did entirely upon the alleged supremacy of the Crown, which he believed could no longer be maintained, could not be acceded to by their Lordships' House. He agreed with those who had expressed the opinion that some legislation preceded by inquiry was needed; and perhaps a Royal Commission would be desirable. But he was in favour of inquiry, not because he felt any doubt existed as to the general principles upon which they should proceed, but because the law at present in existence was not clearly ascertained; and he thought the better course would be to ascertain what the law was and to make it intelligible before Parliament proceeded to legislate afresh upon the matter.

LORD HOUGHTON desired to say a few words with respect to the obligations which, in his opinion, rested upon the Government. He thought they were serious and peculiar in character, and one of them was personal towards the distinguished lady whose petition was under discussion. Miss Coutts made the magnificent donations which had been referred to in the full belief that the patent granted to the Colonial Bishops was perfectly and absolutely legal. Her belief was supported by the highest legal authority, and Her Majesty's Government had no suspicion of the invalidity of the patents issued. It seemed to him, therefore, that when it was found that the Ministers who had issued those patents had no power to do so, but were acting illegally in administering them, it was incumbent on the Government to promote such legislation as would place the question of the validity of the patents on a sure foundation, to the end that a wrong should be set right, and that the petitioner should be relieved from a position of uncertainty as to whether her magnificent donations

were being devoted to the object she had in view, or diverted to serve some purpose for which she had no care, or in the attainment of which she had at all events not that gratification which she had a right to have. It might be that no legislation was possible, though on that he differed entirely from the right rev. Prelate. He believed for several reasons that legislation was possible, and for this reason above all, that he had yet to learn that a single Colonial Legislature would object to such legislation. And he believed that the supremacy of the Crown still existed in these colonies to which England had given representative Constitutions; it was made apparent by the enactments of the British Parliament on colonial subjects; but he admitted that it should be exercised only with very great discretion and under circumstances of peculiar pressure. In offering the objection to action in the matter by saying that the supremacy of the Crown was extinct in the colonies noble Lords and right rev. Prelates were conjuring up a shadow which had no substance. No Colonial Legislature had taken action in the matter. The legal difficulty was ours, not theirs. It had not been said by the Colonial Executive, "These patents which you have given are an intrusion upon us and upon our authority; we wish to have our own Ecclesiastical Courts." If such a course had been taken by the colonists, then, no doubt, the British Parliament would have to consider whether the question was of sufficient importance to demand that Parliament should come into collision with the Colonial Legislature on account of it. The right rev. Prelate (the Bishop of Oxford) had talked of fetters and chains and obligations. He protested against the use of such metaphors as descriptive of things which he as a layman regarded as great safeguards and blessings to the Church of England. Their Lordships must remember that the Church of England was not dependent on the Thirty-nine Articles, the Prayer Book, or the rubric, but that it was bound up in the State and the supremacy of the Queen, and was upheld by every layman of the Church in accordance with the lights which he possessed. The suggestion for a Select Committee was, in his opinion, a good one. It would not be wise to leave the matter entirely in the hands of the right rev. Prelates; the subject pre-eminently concerned laymen. Protesting, in conclusion, against much that had been

said during the discussion, he expressed a hope that legislation, which he was convinced would be found easy, would tend to settle the question in such a way as would bind in close communion the Church of England as established at home and in the colonies.

THE ARCHBISHOP OF YORK gave notice that on Thursday next he would move that a Select Committee of their Lordships' House be appointed to consider the connection existing between the Colonial Churches and the Church at home; and that he would also move that the petition presented in behalf of Miss Angela Burdett Coutts should be referred to the same Committee.

THE DUKE OF ARGYLL wished to say, in reference to a remark of the noble Lord (Lord Houghton), that the laity in the Church of England ought to learn to defend themselves. In the Episcopal Church in Scotland and the United States the laity and the clergy were mixed, and the laity were enabled to defend themselves. That was what the colonies required, and what, he believed, could not be maintained by law, although it might be maintained by the action of the laity.

Petition ordered to lie on the table.

Earl GREY presented Petition praying that the Endowments of the See of Adelaide may be preserved, so that the intention of the Founder and other Benefactors of the existing See in South Australia may be secured; of The Lord Bishop of Adelaide; read, and Ordered to lie on the Table.

MEDICAL ASSISTANCE AT POLICE STATIONS.—QUESTION.

THE MARQUESS TOWNSHEND asked, Whether any Instructions have recently been given to the Police relative to the Treatment of Persons in a State of Insensibility taken to Police Stations?

LORD STANLEY OF ALDERLEY was understood to say that the police had been instructed on such occasions to send for medical assistance.

PUBLIC SCHOOLS BILL—(No. 143.)

(*The Earl of Clarendon.*)

THIRD READING.

Order of the Day for the Third Reading read.

EARL STANHOPE suggested that the name of Thomas Dyke Acland, esquire,

should be omitted from the Commission, as he had committed himself to definite opinions in a public document upon the matters which would come before the Commission.

THE EARL OF CLARENDON said, the opinions expressed by the hon. Gentleman were not sufficient to exclude him, but he would yield to the suggestion.

Bill read 3^a (according to Order).

THE EARL OF CLARENDON moved to omit the name of Thomas Dyke Acland, esquire, from the List of Commissioners in Clause 15.

Motion agreed to.

THE EARL OF DERBY took exception to the powers given to the Commissioners. He had great confidence in the Members of the Commission, and did not object to their passing statutes in the event of the Governing Body not passing them; but he did not approve of the power under which the Commissioners, by their own *ipse dixit*, could alter the Constitution of the Governing Bodies themselves. If any alteration of the Governing Bodies were needed, such alteration ought to have been made by Parliament, and, indeed, although alterations were proposed they had been rejected by the Select Committee to whom the subject had been referred. The whole principle of the Bill was to secure the action in friendly concert of two independent bodies, but how could they secure the independent or amicable action of the Governing Body with the Commissioners, when the former knew that in case of disagreement the Commissioners were able to alter their whole Constitution? The power proposed to be conferred by the clause was not one which the Commissioners would be desirous of possessing. He would not at that late hour trespass further upon their Lordships' patience, and he would therefore conclude by moving the insertion in the clause under consideration of the words which would except from the provisions of the statute that the Commissioners might possess the power of altering the Governing Body.

Amendment moved, after ("applies") to insert ("save and except the Power of altering by Statute the Constitution of the Governing Body").—(*The Earl of Derby*).

THE EARL OF CLARENDON said, it

did not follow that the Commissioners would abuse the powers created by the clause simply because they were conferred upon them. Besides, the noble Earl could scarcely have forgotten that the subject was fully discussed in the Select Committee, and that he there agreed to the clause he now objected to. The real foundation of the noble Earl's objection was the fear that the unhallowed hand of Reformers should touch Eton. Their Lordships would, however, recollect that this Bill was not framed exclusively for the benefit of Eton, and it was not only the case of Eton that had to be heard. In the case of Shrewsbury there were the three trustees, who were self-elected — that was to say, they selected three persons, of whom the Corporation chose one, to fill any vacancy that might arise. The trustees of Rugby consisted of a certain number of gentlemen belonging to Warwickshire, and no body of gentlemen could have acted with more good sense than they had done, because they had selected the best master for the school, and had then left it alone. It did not, however, follow that Warwickshire would always be fruitful in sensible men, yet the noble Earl would take away the power of introducing a new element into the Governing Body. Harrow, again, was governed by six honest and substantial inhabitants of the town, and he (the Earl of Clarendon) was one of them. They had nothing on earth to do, and remarkably well they did it. He thought, however, that it would be better if they could contrive to import into them a little degree of vitality. He should scarcely suppose that any Commissioners would dare to suggest that any reform could be effected in the government of Charter House; still, it was impossible to deny that some small improvements might be introduced even into that body. Perhaps it was owing to this Bill being brought forward that it had been determined to remove that establishment into the country. Westminster School was an appendage of the Collegiate Church of Westminster, and was under the patronage of the Dean and Chapter of Westminster. The Dean and Chapter were not likely to part with their patronage, and Westminster School without a change in the constitution of the Governing Body was likely to remain in the same state it was at present. If the Amendment proposed by the noble Earl were carried, no change whatever could be effected in the government of these Schools, and the Bill would

The Earl of Clarendon

be rendered practically nugatory. Winchester was governed in the same manner as Eton. He now came to the *sanctum sanctorum*, Eton. He had no wish to be considered at enmity with that School, and therefore he would not bring forward the evidence that had been given before the Committee in relation to it; but if there was a corporate body in England that required reforming, it was the Governing Body of Eton. Any one, however, who read the evidence before the Royal Commission would see that Eton would not reform itself; and yet that Eton should remain intact all reform in the Governing Bodies of other schools was to remain unattempted. All these bodies required reforming, and not one of them was likely to commit the corporate suicide of reforming themselves, and therefore it was necessary that some steps should be taken by Parliament to effect some change in their present constitution. The noble Earl said that the Commissioners would have power under the clause before the House to make what alterations they pleased in the Governing Bodies of the various schools; but by the 19th section of the Bill it was provided that the assent of Her Majesty should not be given to any change in the statutes proposed by the Commissioners until after the scheme had been laid before Parliament for not less than forty days. He trusted that he had shown that the interests of Eton should not be upheld to the disadvantage of all the other schools; and, further, that the interests of Eton itself required that there should be some change in the constitution of its Governing Body. Under these circumstances, he hoped that their Lordships would not assent to the Amendment proposed by the noble Earl.

THE EARL OF DALHOUSIE thought that every word that had been uttered by the noble Earl who had just sat down proved that any alterations to be made in the constitution of Governing Bodies of the Public Schools should be effected by Parliament and not by Commissioners. He should support the Amendment.

VISCOUNT STRATFORD DE REDCLIFFE also approved the Amendment.

THE EARL OF HARROWBY said, he was afraid that as the noble Earl (the Earl of Clarendon) had condemned every one of the existing Governing Bodies, he intended, in the event of this Bill passing into law, that a sweeping change should be effected with regard to them.

On Question? their Lordships *divided*:
—Contents 28; Not-Contents 27: Majority 1.

Amendment agreed to.

CONTENTS.

Rutland, D.	Stratford de Redcliffe, V.
Bath, M. [<i>Teller.</i>]	Bolton, L.
Bristol, M.	Chelmsford, L.
Salisbury, M.	Delamere, L.
Derby, E.	Denman, L.
Doncaster, E. (<i>D. Bue-</i> <i>cleuch and Queens-</i> <i>berry.</i>)	De Ros, L.
Ellenborough, E.	Monson, L.
Haddington, E.	Panmure, L. (<i>E. Dal-</i> <i>housie.</i>)
Nelson, E.	Polwarth, L.
Powis, E.	Silchester, L. (<i>E. Long-</i> <i>ford.</i>)
Romney, E.	Somerhill, L. (<i>M. Clan-</i> <i>ricarde.</i>)
Verulam, E.	Stewart of Garlies, L. (<i>E. Galloway.</i>)
De Vesci, V.	Wynford, L.
Hawarden, V. [<i>Teller.</i>]	
Sidmouth, V.	

NOT-CONTENTS.

Cranworth, L. (<i>L. Chan-</i> <i>cellor.</i>)	Sydney, V.
Devonshire, D.	Camoys, L.
Somerset, D.	Clandeboyne, L. (<i>L. Duf-</i> <i>ferin and Clane-</i> <i>boyne.</i>)
Normanby, M.	Dartrey, L. (<i>L. Cre-</i> <i>morene.</i>)
Clarendon, E.	Foley, L. [<i>Teller.</i>]
De Grey, E.	Lyveden, L.
Devon, E.	Methuen, L.
Ducie, E.	Northbrook, L.
Fitzwilliam, E.	Ponsonby, L. (<i>E. Bess-</i> <i>borough.</i>) [<i>Teller.</i>]
Minto, E.	Stanley of Alderley, L.
Morley, E.	Sundridge, L. (<i>D. Ar-</i> <i>gyll.</i>)
Russell, E.	Talbot de Malahide, L.
Spencer, E.	Wrottesley, L.
Halifax, V.	

Some verbal Amendments proposed by
The Earl of DERBY, The Earl of POWIS,
and The Lord CHANCELLOR, were *agreed to*,
and the Bill was read a third time and
passed.

TOWNS IMPROVEMENT AND LOCAL GOVERN- MENT ACTS AMENDMENT BILL [H.L.]

A Bill to amend certain Towns Improvement
and Local Government Acts—Was *presented* by
The Lord LYTTLETON; read 1^a. (No. 167.)

House adjourned at Eight o'clock, till
to-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Monday, June 8, 1866.

MINUTES.]—NEW MEMBER SWORN—Thomas
Blackborne Thoroton Hildyard, esquire, *for*
Nottingham County (Southern Division).

SELECT COMMITTEE—On Trainways (Ireland) Acts
Amendment *nominated*.

PUBLIC BILLS—*Second Reading*—Land Drainage
Supplemental * [125].

Committee—Representation of the People [68],
and Redistribution of Seats [138] [R.P.];
Land Tax Commissioners' Names * [71];
Waterworks * [137]; Dean Forest (Waimore
and the Bearce Commons) * [182]; Pier and
Harbour Orders Confirmation (*re-comm.*) *
(188); Local Government Supplemental (No. 3) *
[191].

Report—Artizans and Labourers' Dwellings *
[194]; Land Tax Commissioners' Names * [71];
Waterworks * [195]; Dean Forest (Waimore
and the Bearce Commons) * [182]; Pier and
Harbour Orders Confirmation (*re-comm.*) *
[188]; Local Government Supplemental (No. 3) *
[191].

Third Reading—National Gallery Enlargement *
[124]; Dogs * [181], and *passed*.

IRELAND—DAUNT'S ROCK.

QUESTION.

MR. MAGUIRE said, he wished to ask
the President of the Board of Trade,
Whether any steps have been taken, or are
about to be taken, to remove from Daunt's
Rock the wreck of the steamship *City of*
New York?

MR. MILNER GIBSON: Sir, it has not
been represented to the Board of Trade
that the removal of the wreck from Daunt's
Rock is of such importance to navigation
generally as to justify an application of
public money to the purpose; we are com-
municating with the owners of the steam-
ship *City of New York*, and if through
their instrumentality, or by the means of
salvors and the offer of liberal salvage, the
wreck can be removed, the Board of Trade
will be glad to give any assistance in its
power.

ELECTORAL RETURNS.

QUESTION.

MR. KEKEWICH said, he wished to
ask the President of the Poor Law Board,
Whether he has sent any instructions to
the Boards of Guardians for the purpose of
recommending a scale of payment to the
clerks for the additional trouble and ex-
pense they have incurred in preparing the
Electoral Returns laid upon the table
of the House?

VISCOUNT ENFIELD, in reply, said, the President of the Poor Law Board had not sent any instructions to the Boards of Guardians for the purpose of recommending a scale of payment to the clerks for the preparation of the Electoral Returns; but the Poor Law Board had intimated to the clerks of Guardians that "a reasonable remuneration would be made for the trouble and expense incident to the preparation" of the Returns referred to. The remuneration would be paid by the Government, and not by the Guardians out of the local rates.

TENURE AND IMPROVEMENT OF LAND (IRELAND).—QUESTION.

MR. BLAKE said, he wished to ask the Chief Secretary for Ireland, Whether it is the intention of Government to proceed with the Tenure and Improvement of Land (Ireland) Bill, so as to afford an opportunity for its being legislated on during the present Session; and, if so, whether he will also state what day Government will give for the resumption of the adjourned debate on the second reading?

THE CHANCELLOR OF THE EXCHEQUER: Sir, in answer to the Question of the hon. Member, I have to state that the Government are extremely anxious to proceed with the Bill; but at present it is impossible for them to fix a day for it with the prospect of closing the debate on the second reading, inasmuch as they cannot make sure of doing that at a morning sitting. They are unable, therefore, to fix a time for this Bill until further progress is made with the Reform Bill. I may take the opportunity of mentioning that Government propose to take Supply to-morrow at twelve o'clock.

ARMY—ARTILLERY—CAST-IRON GUNS. QUESTION.

MR. WHITE said, he would beg to ask the Secretary of State for War, Whether he will have any objection to produce a Copy of the Correspondence between the War Department and Mr. Parsons from May, 1860, to the present time, relative to the plan of that gentleman for strengthening cast-iron guns, together with all drawings, tracings, descriptions, specifications, calculations, and other documents, or Copies of the same, furnished by Mr. Parsons during that time, and also the Reports made by the Ordnance Select Committee on Mr. Parsons' inventions;

Mr. Kekewich

and whether the Secretary of State for War will have any objection to furnish a statement of all the cast-iron guns that have been altered or strengthened by order of the War Department during the last ten years, in a tabulated form, giving the nature and sizes of the guns, the methods adopted in altering or strengthening them, the tests to which they were subjected, including the number of rounds fired, with the charge of powder and weight of shot, and the total quantity of powder burnt and metal thrown by, together with the observed effects of the firing upon each gun respectively?

THE MARQUESS OF HARTINGTON said, in reply, that on a former occasion he explained, or attempted to explain, that he thought it would be most objectionable, as a general rule, to produce the correspondence between the War Office and inventors; because to do so really meant nothing more than to publish full details of the inventions, with all the statements made by the inventors in reply to objections. He did not mean to say that there were not cases in which the rule of not producing such correspondence might be departed from; but the hon. Member for Brighton had stated no special grounds in this instance. There was not the same objection to the Return referred to in the second part of the hon. Gentleman's Question; and it would be for him (Mr. White) to determine whether—the War Office declining to produce the correspondence—he would move for that Return. Probably it would take a good deal of time and much trouble; but if the hon. Member should move for it, he would consider whether it could be granted or not.

METROPOLIS—ST. PANCRAS BURIAL GROUND.—QUESTION.

MR. MACEVOY said, he would beg to ask the Secretary of State for the Home Department, Whether he is aware that the Midland Railway Company, having obtained an Act in 1863 for passing a bridge over the additional burial-ground of St. Pancras, has, in excess of its powers, taken a portion of the ancient churchyard of St. Pancras for such bridge, and is causing desecration thereby, the destruction of tombs, and the removal of the dead; whether he is aware that the Midland Railway Company, in working out the tunnel allowed them by their Act of 1864, will have to cut through a mass of dead

from corner to corner of the cemetery; and, whether, the whole of the churchyard being closed under the Metropolitan Burial Act, 15 & 16 *Vict.* c. 85, he will interfere to protect the place from profanation, so injurious to public health and to the sacredness of the ground?

SIR GEORGE GREY said, in reply, that in consequence of the notice placed on the paper by the hon. Member, he had directed an inspector, under the Burial Act, to proceed to the spot and see what the proceedings were.

INFECTION FROM THE CATTLE PLAGUE.—QUESTION.

SIR JERVOISE JERVOISE said, he wished to ask the Vice President of the Committee of Council on Education, Whether his attention has been directed to the statement of the Medical Officer of the Privy Council (First Report, Cattle Plague Commission, p. 46)—

"We constantly see in our practice that the physician carries home scarlet fever to his children without taking it himself, carrying the infection in his dress or about his person;"

and what measures are contemplated to arrest this source of danger to the public health?

MR. BRUCE replied that the Government did not see their way to legislation on the subject.

CANADA—THE FENIAN RAID.

QUESTION.

MR. PEEL-DAWSON said, he would beg to ask the Secretary of State for the Colonies, Whether, since the House rose on Friday, he has received any further despatches from Canada conveying information as to the suppression of the Fenian raid upon British Territory, or the means taken to effect that object?

MR. CARDWELL: Sir, I have to-day received a despatch, of which I hold a copy in my hand, dated the 4th of June. It is from the Governor General of Canada, and the following is its substance:—

"A body of Fenians, between 800 and 900 men, well armed, crossed the frontier from Buffalo to Fort Erie on the morning of the 1st of June. Major General Napier pushed on to Chipewawa, about nineteen miles from Fort Erie, a force of artillery and regular troops, under Colonel Peacocke, of the 16th Regiment. On the morning of Saturday, the 2nd, the Volunteers stationed at Port Colborne went to Ridgway, intending to

unite with Colonel Peacocke. They came, however, on the Fenians encamped in the bush, and immediately attacked them, but were outnumbered and compelled to retire on Fort Colborne. The Fenians did not wait the arrival of Colonel Peacocke, but recrossed the river in the night between the 2nd and 3rd, to the number of about 750, when they were immediately arrested by the authorities of the United States. The United States not only exerted themselves to prevent the invaders from obtaining any assistance, but also hired vessels to enable them to patrol the river. General Grant had placed General Barry, of the United States Artillery, in command from Erie to Oswego, with thirteen companies under his command, and instructions to act according to emergencies. We have sixty-five prisoners who have been committed to the Toronto Gaol."

Lord Monck was not yet in receipt of the official military despatches. His own despatch of the 4th was written on the receipt of telegrams.

MR. WATKIN said, he wished to know whether the statement published in the newspapers to the effect that the President of the United States had issued a proclamation, and that Colonel Sweeny and Roberts had been arrested, was authentic? He wished to ask, also, whether the right hon. Gentleman had received any information on the subject of the second attempt which it was said the Fenians were about to make by St. Alban's and St. John's in the direction of Montreal?

MR. CARDWELL: Sir, I have already stated the whole substance of the despatch received from the Governor General of Canada; but I have received a telegraphic despatch stating that the President had issued such a Proclamation.

MR. WHALLEY said, he wished to ask the right hon. Gentleman a question of which notice was given for Friday last, but, the House having been counted out on that day, he was unable to put it. It was whether, in the despatches which had recently been received from Canada in reference to the invasion of the Fenians, any information was given as to the nature of such movement as far as it might have been originated or sustained by persons professing the Roman Catholic religion; and, if so, whether the right hon. Gentleman is prepared to lay such despatches on the table?

MR. CARDWELL: I cannot answer that Question without first entering a protest against such a Question being put. Before an hon. Member asks a question imputing disloyalty or treason, or anything akin to it, to any class of Her Majesty's subjects, he ought to ascertain whether there be any foundation for such an impu-

tation. As, however, the Question has been put, I have great pleasure in saying that the accounts we have received with regard to all classes of society in our North-American Provinces are in the highest degree satisfactory.

MORNING SITTINGS.

MR. DARBY GRIFFITH said, that as the first of the morning sittings was to be held the next day, a doubt had arisen in the minds of several hon. Members as to whether a Motion ought to be made to the House on the subject, or whether it was simply necessary to make an intimation across the table, as had been done in the present instance.

THE CHANCELLOR OF THE EXCHEQUER said, he believed it was not usual to make a formal Motion on the subject of morning sittings, but, as a doubt had been raised on that point, he would now move that the House do at twelve o'clock to-morrow resolve itself into Committee of Supply.

SIR FITZROY KELLY said, it was usual to give notice on the subject.

THE CHANCELLOR OF THE EXCHEQUER said, he had just given notice that Supply would be taken.

MR. SPEAKER said, the Question was that the House resolve itself into Committee of Supply at Twelve o'clock to-morrow.

MR. WHITESIDE said, he wished to know whether the Estimates for National Education in Ireland will be taken to-morrow?

MR. CHILDERS said, he must repeat what he had stated some time ago—namely, that the Estimates for Education in Ireland would not be taken until the other Education Estimates had been disposed of. Class IV., which comprised the Education Estimates, would be taken to-morrow, with the exception of those relating to Education in Ireland.

VISCOUNT CRANBOURNE said, he wished to know what other class of Votes would be taken to-morrow?

MR. CHILDERS said, he proposed to take to-morrow the Estimates relating to Education, the Revenue Departments, and the Packet Service.

Motion agreed to.

Committee To-morrow at Twelve of the clock.

Mr. Cardwell

REPRESENTATION OF THE PEOPLE BILL [BILL 68.], AND RE-DISTRIBUTION OF SEATS BILL—[BILL 138.]

(Mr. Chancellor of the Exchequer, Sir George Grey, Mr. Villiers.)

COMMITTEE. ADJOURNED DEBATE.

Bill considered in Committee.

(In the Committee.)

THE CHANCELLOR OF THE EXCHEQUER: Mr. Dodson, I now rise for the purpose of proposing the 5th clause of this Bill. [Clause 5 (Occupation Franchise for Voters in Boroughs).]

MR. DISRAELI: I rise to order. I understand that it is the part of the Chairman to propose that the clause stand part of the Bill, and I apprehend, therefore, that the right hon. Gentleman is not in order in making a Motion of that kind.

THE CHAIRMAN said, he had called the clause in the usual manner.

THE CHANCELLOR OF THE EXCHEQUER: When I rose to propose the 5th clause of the Bill I did not mean to make a formal Motion, but to speak on the clause. ["Order!"]

SIR HUGH CAIRNS: Mr. Dodson, I now rise to order. There are Amendments to be proposed to this clause, and I apprehend that the proper course—subject to your decision—is to take those Amendments in the order proposed, and when they have been disposed of, and not till then, to put the Question that the clause do stand part of the Bill. The test is this—"What should we vote for?" There is no Question before the Committee until either an Amendment is proposed, or, in the absence of any Amendment, you, Sir, put the Question from the Chair that the clause stand part of the Bill.

THE CHAIRMAN: The regular course in going through a Bill in Committee is for the Chairman to call from the Chair the clause at which we have arrived, and then to call upon the Member who first rises to address the Committee. [SIR HUGH CAIRNS: Upon what Question?] The Member who rises to speak may be about to propose some Question.

THE CHANCELLOR OF THE EXCHEQUER: There must, I think, have been some misapprehension. My object in rising was not to propose this clause of the Bill, but to explain its general object.

SIR HUGH CAIRNS: I again rise to order. If the right hon. Gentleman is

going to conclude with a Motion, I apprehend he may be perfectly in order; but the Motion with which he must conclude is either a verbal Amendment in the clause, or else a Motion that you report Progress. It will be impossible to propose the general Question that the clause stand part of the Bill until the Amendments shall have been proposed and disposed of.

THE CHAIRMAN: I called upon the right hon. Gentleman on the assumption that he would conclude with a Motion.

THE CHANCELLOR OF THE EXCHEQUER: Mr. Dodson, I speak subject to your authority, but I believe it is an agreeable usage, and one eminently for the convenience of the Committee, that when a clause of great importance is proposed in a Bill, the person who is responsible for that Bill on the part of the Government should state to the House the sense in which the clause is proposed. ["No, no!"] That was the course I myself pursued in regard to the 4th clause, and not without convenience. [MR. DISRAELI: I rise to order.] I am on a point of order. I was about to say that otherwise I should have no power of discussing the clause until we have arrived at the Question that the clause stand part of the Bill. I believe it is a perfectly regular thing to have a discussion on a clause anterior to the proposal of the Amendments. ["No, no!"]

MR. DISRAELI: What I understand is this. There are certain rules by which our business in Committee is regulated, and if the right hon. Gentleman or any other Member of the House speaks on the whole clause it leads, of course, to a debate upon the whole clause, and we make no progress whatever. In Committee those who address the Committee direct their remarks to Amendments only, of which notice ought to have been given; and I assume that the right hon. Gentleman is not going to propose an Amendment, as he has not given notice of his intention to do so. The precedent created by misconduct, when the right hon. Gentleman moved the 4th clause, is a precedent which we cannot admit. Many grave objections were taken to the conduct of the right hon. Gentleman, but of course where a Minister of the Crown is concerned one does not wish to construe with too great strictness the rules which are necessary for the conduct of business. But the speech of the right hon. Gentleman on the introduction of the 4th clause was, in reality, a speech

suit to the second reading of the Franchise Bill. Grave objections were raised, and I do not think that the irregular conduct of the right hon. Gentleman on that occasion can be now adduced as a precedent, for it was contrary to all the rules and regulations by which business in Committee is regulated.

MR. HORSMAN: I apprehend that we had better proceed according to the usual and established rules in Committee. I have never in my experience known an instance of a Minister of the Crown or any other Member, when the House was in Committee, rising to propose a particular clause. I was astonished when I saw the Chancellor of the Exchequer take that course the other day. The right hon. Gentleman made a speech for an hour, no Question being before the House, and in proposing the clause was directly at variance with the established course of procedure. The course taken on that occasion gave rise to much discussion and remark; and although, owing to the respect which we all show to the Leader of the House, no one was disposed to call my right hon. Friend to order, we felt that it was extremely inconvenient for a Minister of the Crown to get up in the middle of a Committee and say that he was about to propose a clause, and in proposing it to anticipate Amendments before they had been put from the Chair. With perfect respect to the Chancellor of the Exchequer, I venture to suggest that it would be better if you, Sir, exercising your authority in the Chair—I will not say impartially to Ministers of the Crown and other Members, but at the same time not allowing the rules of the House to be transgressed beyond a certain point—were to take care that when we get into Committee the rules for conducting the business should be strictly adhered to.

THE CHAIRMAN: I have already pointed out what is the regular course of procedure. The clause is called by the Chairman, and the Member who first rises is called on by the Chairman on the assumption that he has a Motion to bring before the House. Reference has been made to what took place on the 4th clause. The right hon. Gentleman the Chancellor of the Exchequer rose to speak first, and as he proceeded the assumption on my part was that he was about to conclude with a Motion. He could either have moved an Amendment, or he could have made a Motion such as that the

[Committee—Clause 5.]

clause stand part of the Bill ; this Motion would have excluded, if put however, Amendments.

THE CHANCELLOR OF THE EXCHEQUER: I understood you, Sir, to say that it is in my power to point out the nature of the clause, and to conclude with the Motion that it stand part of the Bill. ["No, no!"] I believe that to be a course I have taken myself upon a great number of clauses in a great number of Bills without interruption on a single occasion. Nevertheless, on the present occasion, great objection being taken, and this being a controverted matter, I will not exasperate discussion by proceeding further.

MR. SANDFORD, who had given notice of an Amendment to leave out the words "a borough," and insert "any borough with a population of not less than 100,000 inhabitants, according to the Census of 1861," said, he would for the present postpone moving his Amendment, as he thought it would be better to make the alteration he desired in the shape of a proviso added to the end of the clause.

LORD DUNKELLIN rose to move the Amendment of which he had given notice, the effect of which would be to substitute the principle of a rating franchise for that of net rental, and said, that before he proceeded to state the grounds upon which he had placed this Amendment upon the paper he thought it would be convenient, and indeed necessary, to state the precise object which his Amendment had in view, so as to place the matter in its clear and proper light before the Committee. He proposed to invite the Committee to consider the question whether rating was not the proper and most convenient basis for the borough franchise. Beyond that he did not intend to go. He did not intend to ask the Committee to decide on any particular figure at which the franchise ought to be placed; he had no wish to decide how the exact value at which tenements or land should be rated to the poor to enable their occupiers to exercise the franchise—he did not wish in any way to connect the principle with the figure. If he could persuade the Committee to admit the principle of a rating franchise, it would be the duty of the Committee itself afterwards to fix the figure at which the occupier should be rated. Speaking for himself, he freely owned that he did not think that £7 would be the proper figure to insert in the clause; he was himself prepared to consider a lower figure: and he

thought it would be more consistent with the principle of the Bill, and more in accordance with the wishes of those who were anxious to settle the question of Reform, that a lower figure should be adopted. The reasons inducing him to bring forward this Amendment were that he believed rating to be an easy, convenient, and constitutional mode of fixing the basis of the borough franchise; and he was glad to think in pursuing his present course, that he could not be charged, as the proposers of other Amendments had been, with introducing matter which had no reference to the question before the House, and which was merely introduced to delay discussion and to retard the progress of the Bill. On the contrary, he was advocating a strictly constitutional and a practically important principle. Neither did his proposal rest on any unestablished theory, but it was done with the working of which he had had practical experience in the operation of the rating franchise in Ireland. That franchise worked in an admirable manner, and was perfectly uniform in its operation. He could appeal with confidence to the experience of Irish Members during the two years that the rating franchise had been in operation for testimony to its utility and simplicity. The rating franchise was an easy franchise; it was easy for any one who was qualified to get upon the register, and, indeed, the difficulty would be to get off, because the rate book was the register, and by the rate book being the register the trouble, expense, and annoyance of registration were avoided. The rate book not only afforded a ready and handy means of ascertaining who were qualified to vote, but it was a self-acting and self-adjusting register; it was a register free from the operation of political influence, and it was one which it was the interest of every one in a borough to keep correct, because it was the interest of every man to see that he himself was not rated too highly to the relief of the poor, and at the same time that his neighbour was not rated at too low a figure, but was rated fairly so as to bear a due share of taxation. When he read in the newspapers the contradictory evidence given, and the interminable squabbles and curious disputes that took place annually before the Revising Barristers, he was more and more impressed with the advantage of the easy, simple, and uniform method which had been adopted for Ireland. The consideration of this question

The Chairman

could not be objected to as retarding Reform. He would not say now whether it was necessary to bring forward a Reform Bill this year or not, nor would he say, if the course was necessary, whether it was necessary to bring in a Bill in so hurried a manner and in so incomplete a form; but he would say that the question having been brought before them no Reform ought to be regarded as satisfactory, cautious, final, or, he might say, as even sensible, which did not deal in the first instance with the principle on which the franchise was to be based. That, indeed, was the first basis and element of Reform. What he understood to be meant by Parliamentary Reform with regard to the constituents was that the greatest number of fit and qualified persons should be admitted to the constituencies, having a due regard to their fitness and to the interest they had in the country to make them exercise the privilege of voting with caution and discretion. These ends, he maintained, would be secured by a rating franchise, and he did not know of any other means by which they could be accomplished. It was easy for any one to get upon the rate book, all that was required being the payment of the rate up to a certain date. There was an old dogma which they often heard, and always received, that taxation and representation should go together, and that was a good and sound principle; but he would suggest to those hon. Members who had been fond of repeating that dogma, that those who accepted that principle, and connected taxation with representation, ought on the other hand to associate representation with taxation. It was not too much to ask that those who voted for imposing taxation upon others should in some degree contribute towards that taxation themselves. What, then, was the simplest and best way of securing that taxation? He believed through the poor rate. The Chancellor of the Exchequer had dwelt with some force on the propriety of admitting the working classes to the franchise in consequence of the amount paid by them to the Excise in proportion to their incomes; but he (Lord Dunkellin) did not think the amount raised by indirect taxation on excisable articles was so good a test of the propriety of giving a man a vote as was the fact that he contributed to the direct taxation. He desired the Committee to remember what the poor rate meant. It no longer meant simply payment for the relief of the poor, but in many bo-

roughs it included public works, buildings, improvements, roads—in fact, all those things which promoted the welfare and affected the condition of a borough were now charged to the poor rates. A man who contributed to these expenses was directly interested in sending the best representative of a place to Parliament; and he would think twice before throwing his vote away. Again, there was no test of the prosperity of the country so sensitive and delicate as that afforded by the Poor Law; when the country was prosperous the poor rates were low, but when commerce failed and times of difficulty and danger arose, the poor rates rose too; and when the poor rates rose he who paid them would criticize the more keenly the conduct of his Parliamentary representative. All these things, he thought, tended to show that a rating register was the most convenient that could be adopted. Another reason in its favour was that it was formed on the basis of the old scot and lot franchise, the scot and lot having merged into the poor rate. That old franchise not only commended itself to them by its antiquity, but it was supported by a number of eminent authorities, all of whom were more or less worthy of attention. It was a source of great satisfaction to him to find that the hon. Member for Birmingham (Mr. Bright) was in favour of it, and he expected the hon. Gentleman would go into the same lobby with him when they came to vote upon this Amendment. Speaking at Rochdale in 1859, the hon. Member for Birmingham used these words—

“It may be asked, why keep up the conditions as to the six months, or why take only those who during that or some other period shall pay their rates? I put to every man, whatever be his theoretical notions, whether he believes it would be beneficial for the constituencies to include some score in a small borough, or some hundreds in others, of a class of which there are unhappily so many among us. I mean the exceedingly poor, some of them intemperate, some profligate, some naturally incapable, but all of them in a condition of dependence, which gives us no reasonable expectation that they would be able to resist the temptations which rich and unscrupulous men would offer them.”

He heard it said that this speech was made in favour of household rating suffrage. Very likely; but he (Lord Dunkellin) had not attempted to fix any figure at which the rating franchise should begin; he merely advocated the principle of a rating suffrage—the principle that those rated to the poor should be entitled to this privilege

[Committee—Clause 5.]

of citizenship. One advantage of the rating franchise, and by no means a small advantage, was that it by no means shut the door against a large extension of the franchise, but, on the contrary, opened the door to the intelligent, hard-working, cautious mechanic in every town. A £6 rating franchise would let in as many as would become entitled to vote under a £7 rental franchise. ["No, no!"] This might be matter of opinion, but he believed that the £6 rating would be about equivalent to a £7 5s. rental qualification; and you would then have some guarantee that the voter would be one who would give his vote with due deliberation and caution. Not only did the hon. Member for Birmingham give a rating franchise the weight of his good opinion, but at the end of the last century the principle was advocated by Mr. Fox, who said it was the safest and most proper principle on which the franchise could be based. It was also advocated by one whose authority to speak on the question would not be disputed. In the Reform Bills of 1852 and 1854 Lord John Russell admitted the rating principle; and though those Bills came to nothing, he (Lord Dunkellin) had not heard that their rejection had anything to do with their adoption of the rating principle. In the Bill of 1852 a £5 rating franchise was adopted, and a rating franchise was also adopted in the Bill of 1854, and on that occasion Earl Russell said—

"According to the old doctrine of representation, wherever the right is known in a borough, every person paying scot and lot had the right to vote, and that right, extending down to the very lowest class of householders, was accompanied by no other check than the payment of what in the ancient laws came under the general definition of "scot and lot," which in modern times has merged into the poor rate, payment of which is always insisted upon before the voter can exercise his right."—[3 *Hansard*, cxxx. 506.]

Those were the views of Earl Russell in 1854, and it was not easy to see why they were not equally applicable now. In the Municipal Corporation Act of 1835, rating was made the basis of the franchise; that was also the case in Sturges Bourne's Act, and in the London Corporation Amendment Act passed a few years ago. He therefore felt that this franchise came before the House with all the weight of authority and constitutional precedent; and also that a rating register would be found to be simple, self-acting, self-controlling, easy, cheap, and convenient. It was difficult, therefore, to understand by what

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argument he would be met by those who opposed his Amendment. The hon. Member for Northamptonshire (Mr. Hunt), when he proposed a county rating franchise, was met by the Chancellor of the Exchequer with the objection that it was an attempt to introduce a new principle into the county franchise. It was true that there always had been some difference between the franchise for boroughs and that for counties; but in boroughs there had always been a rating franchise, and therefore that objection would not apply to his (Lord Dunkellin's) Amendment. If a new principle had been introduced at all, it had been introduced by the framers of the Bill and not by him. Another objection which would probably be urged to his proposal was the variety and inequality of the rating franchise. But in 1852 and 1854, when Earl Russell advocated a rating franchise, parish rating existed; there was not the same uniformity of rating then as existed now, but in spite of this the rating principle then found no objectors. It might be true that a rating valuation differed in different places; but a rental valuation differed a great deal more. The object of legislation of late years had been to substitute union for parish rating—that was as far as possible to equalize rating all over the country and to make it as nearly the same in every place as the different conditions of different districts would admit. But no such step was possible with regard to rental. In parts of the same parish—even on opposite sides of the same street—there might be great varieties of rental. The houses on one side of a road might, from a variety of circumstances, be rented much more heavily than those just opposite to them upon the other side. One owner might be indisposed to disturb old tenants and might let them continue at the same rent, while close by another owner might try to get as much rent as could be got. It was no argument to say that because in some large boroughs different unions might assess houses at different rates, the difference was so great as to make it dangerous to fix the franchise on that basis. On the contrary, he believed that that was the simplest and the most correct course that could be pursued. But though the late course of legislation with respect to union rating had done much to exemplify and equalize it, yet it would be said that there was not one universal system of rating throughout

England. But why should there not be? He did not suppose for a moment that when a question of such importance as that affecting the franchise was involved it would be considered a valid excuse that the thing could not be done because there would be some trouble in making the assessments. For his own part, he hoped the necessary arrangements were already made, or nearly so, because on the occasion of the Highways Act Amendment Bill being brought on in Committee in 1864, the right hon. Gentleman the President of the Poor Law Board stated that the whole question of deductions and exemptions would receive his attentive consideration with a view to legislation in the following Session. Well, they had not yet seen the result of that attentive consideration; but for all that he ventured to hope that the right hon. Gentleman would be able to smooth every obstacle that might present itself in the way of a rating franchise scheme. There was another objection that might be advanced against his present proposal, and that was that it would interpose a barrier, steady and fixed, to the descent to universal suffrage. Whether that might be considered a valid objection by any hon. Gentleman sitting near him he did not know, but he owned that to him it was one of the greatest recommendations of his proposal. The assessment principle would not prevent any honest, industrious, thrifty man of the poorer classes from getting on the register, but it would prevent the idle, intemperate, careless man, whom they could not answer for, from doing so. That was a sound and intelligible ground upon which to make a stand against universal suffrage, and it was one of the reasons which should recommend the adoption of the principle to the Committee. He did not know of any other objection which could be raised to the proposal. If, therefore, he was correct in his estimate of a rating franchise—if it shut the door against no one who was deserving to enter, if it opened it to all that ought to have votes, if it was easily managed, if it would save expense, contradictions, and bad blood; if from his experience of its working in his own country he could state that it had been so successful that no one there wished to see it altered—and, in fact, the only question it suggested to Irish Members was, “What on earth do they bring in an Irish Reform Bill for?”—if it had all these advantages it would, in his opinion, be wise to extend

the principle to England. Believing, as he did, that all these advantages would be immediately felt, and that any difficulties which might stand in the way could be easily overcome, he begged to move, as an Amendment, to leave out in Clause 5, line 13, the words “clear yearly value,” in order to insert in their place “rateable value.”

MR. STEPHEN CAVE said, he rose to second the Amendment of the noble Lord, and he felt that his task would be a brief one after the able speech of the noble Lord, and the excellent letter of Mr. Baxter in *The Times* that morning, which seemed to have exhausted the subject. It was argued when a similar proposition was brought forward in regard to counties, and therefore they might expect that it would be argued again, that, though rateable value might be a good standard in voting for local purposes, because every one was treated alike, it was bad for enlarged areas of Parliamentary representation, because in them the formation of rateable value was made on varying principles, and one man might be enfranchised and another deprived of the franchise, though occupying houses of similar value. But that was an argument which would apply in great measure to gross estimated rental, which varied in every degree from rack rent to 20 and 25 per cent below. Again, it was an objection the force of which recent legislation had very much diminished. Assessments were, or ought to be, made on one principle throughout a union, and they knew that many Parliamentary boroughs were continuous with unions, while still more formed part of one union, and were wholly included in it. In these the objection at once fell to the ground. Moreover, the fact that county rates, highway rates, and others extending beyond the limits of unions, were levied according to union assessment, and the necessity, since the Union Chargeability Act, of reconstructing unions throughout the country, showed that at no distant date the principle of assessment would be assimilated in a still greater degree, and probably be identical as to all property within the county boundaries. And it might be well supposed that, were the Parliamentary franchise dependent on rateable value, the desire of each side to secure their fair share would react upon the rate books, improve the principle of assessment, and get rid of many inequalities which still deformed them. A great deal, and not too much,

had been said about the expenses of elections, but there were other expenses connected with registration before the election took place which were often onerous to sitting Members. These, he believed, would be much lessened by making the rate book the basis of the list of voters. In that way a self-acting registration would be secured, and there would be fewer squabbles before Revising Barristers, fewer objections to votes made on the chance of their not being defended, or on the chance of the Revising Barrister being unfit for his work. There would be fewer of those struggles with which all were familiar on the eve of general elections, to appoint overseers of particular political bias, the result of which sometimes appeared in the registration lists. Nothing secured accuracy so much as making a list depend upon actual payment, or liability to be called upon for payment of money. When the franchise was an incident of the rate book, it was more likely to be correctly fixed than when rental valuations were given in for the express purpose of acquiring it. There were, indeed, some advanced Reformers who desired to see votes multiplied according to taxation, and the Government had adopted the principle in their Redistribution Bill by multiplying Members of large constituencies. Without expressing an opinion upon the point as to whether this system which prevailed in local should be extended to Imperial matters, he might take it as an indication of the general feeling that the rating basis of the franchise commended itself both to those who appealed to precedent and those who advocated progress. He thought a £6 rating would be preferable to a £7 rental, not because, as had been said, the franchise would then be 5s. higher, but because the rating principle was the right one, and the municipal and Parliamentary franchise would thus be uniform. But he should not be candid did he not confess that he should prefer a £7 rating because it was higher. He did plead guilty to the opinion that the Government were reducing the borough franchise too low. Without going deeply into figures, which were, as the noble Lord had said, so difficult to follow, he might simply instance his own constituency, where, according to Government Returns—and if they were wrong they formed the only basis both for their arguments and for the Bill, and he had no reason to doubt their being substantially correct in this instance—he found

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that the working class formed more than 23 per cent of the electors, and if the Government Bill passed, they would be nearly 40 per cent, while on the opposite page Sheffield showed 26 per cent at present, and would show more than 50 per cent in future. The working classes on the borough register of all England would be raised from 128,600, or 26 per cent, to 335,000, or nearly one-half of all the electors. These results had, it was well known, taken the country by surprise, and were so little expected by Her Majesty's Government, that they had ever since been trying to discredit their own witness. Indeed, the House found itself in something like the position of the Royal Society investigating the question propounded by Charles II., according to the well-known story; and while they had been arguing why the working man should not be excluded, it turned out that he was already present in considerable force. He had never expressed an opinion in that House, though he had twice opposed the £6 franchise of the hon. Member for Leeds, that there were not people in even lower ranks than they now proposed to admit who were quite worthy of the franchise; much more so, indeed, than many of those far above them. He could fancy even paupers in the Strand Union with more correct views of public duty than some of those guardians who had lately made themselves notorious; but he viewed with apprehension the preponderance of any class, especially of the least independent. He heard the other day of carpenters striking for an advance of wages, who told their employers they were well paid and well satisfied, but were bound by their union to demand more. It seemed to him mere begging the question to talk of the various opinions of working men when they submitted to dictation like that in what were to them the most essential concerns of life. The hon. Member for Bradford, now Under Secretary for the Colonies, had said in 1863 that he could bring forward working men of Bradford who were quite capable of discussing politics, and holding their own against himself (Mr. Cave). He had no doubt he could; nay, more, although he had naturally a much higher opinion of his hon. Friend's powers than he had of his (Mr. Cave's), he had little doubt that some might be found there and elsewhere who would be no mean match for him. But one swallow did not make a summer. If they could get these men within the

pale, as it was called, they would be proud of them. Most of them, he supposed, were there already, and certainly they would not be excluded by a £7 rating. He was quite aware that no one on that (the Opposition) side of the House could support even such a moderate modification as the present without being called an enemy to Reform. The hon. Member for Birmingham had already told the country that the whole House hated Reform. If so, what power must not the masses have already to make the House swallow what it so much disliked! But if they took certain portions of the Government scheme, and especially the great lowering of the borough franchise, he supposed he was pretty nearly right. The opinions one heard in the lobbies and elsewhere—aye, in other clubs besides the Carlton—contrasted remarkably with the votes on divisions, and showed what a number of delegates there must already be in what ought to be a House of independent representatives. He readily believed that three-fourths of hon. Members opposite would gladly get rid of the whole question if they could only avoid the odium and fix it upon the Opposition. They would slay the Reform Bill, but it must be with the sword of the children of Ammon. There were two kinds of Reformers—Radical and Conservative. The Conservative wished to admit the working classes to a larger share in the government of the country without destroying the balance of power, which had, even according to the hon. Member for Birmingham, worked so well. The Radical would admit them for the purpose of destroying that balance. To use a homely similitude, the Conservative thought the proof of the pudding was in the eating; the Radical thought its excellence consisted in the multitude of cooks. What chance did this £7 franchise give of settling the question? It had been said that £14 was taken for the counties because it was twice £7; but he might with equal reason say that £7 was chosen because it was half £14, or, perhaps, because it was not £6. He confessed he would take a £6 rating, though he had said he considered it too low, if he thought it would settle the question at least for our time. But what chance was there of this? The Chancellor of the Exchequer had stated that in his opinion—and they knew how rapidly his opinions formed the ground of action—they might safely go further. The whole Government three times voted for the £6 rental of

the hon. Member for Leeds, and by so doing they did not merely, in the language of the Secretary for the Home Department, “affirm a principle;” they committed themselves to a figure. But the hon. Member for Leeds himself had already been knocked down and run over in his own borough, for the son of the head of the Government, that veteran statesman who, in Oriental phrase, would be called the grandfather of Reform Bills, refused to support his Colleague that was to be because he was not advanced enough, and yet at that very time the municipal elections of Leeds were giving an instructive lesson, which those who ran might read, though the hon. Member for Montrose had failed to read it—perhaps because he ran too fast. It was proved before the County Court of Leeds—the story would be found in *The Times* of March 8, 1865—that the Conservatives had purchased votes at 4s. each, while the other side were more liberal in practice as well as in name, for they gave 5s., and had begun to do so the year before. He wished to avoid arguments which more properly belonged to the debate on the second reading of the Bill, though it was somewhat difficult to do so. He supported this Amendment on two grounds. He supported it because he thought rating a more convenient and more certain standard than rental, more consistent with all recent legislation, as well as with ancient usage; and he supported it on the ground that he wished to admit to the franchise those of the working classes who had by the exercise of prudence and self-restraint placed themselves in a respectable position. If the present limit proved a barrier, he was quite ready to lower it; but he feared they would only create an undue preponderance of one class by consenting to reduce the qualification to the extent proposed by Her Majesty’s Government.

Amendment proposed, in page 3, line 15. to leave out the words “clear yearly,” in order to insert the word “rateable,”—(*Lord Dunkellin*,)—instead thereof.

THE CHANCELLOR OF THE EXCHEQUER: The hon. Gentleman who has just sat down has undisguisedly argued for the Amendment of my noble Friend (*Lord Dunkellin*) on the ground that it has a tendency to restrict the suffrage. My noble Friend has, indeed, said that he does not now propose to fix the franchise at the figure at which it is to stand;

but for the present I merely note the argument of the hon. Gentleman as indicating the tendency of the Amendment. And I further observe that my noble Friend himself, while disclaiming any intention to bind the House by his Motion, appeared to express his readiness to adopt as the standard of the franchise the rateable value of £6, which would materially curtail the plan of the Government.

Now, Sir, I wish to point out to my noble Friend and to the hon. Gentleman that in all they have said bearing properly on the merits of the Motion a fallacy runs through their speeches. They make a comparison between their proposed system of rateable value, and the system that now exists of a perfectly independent judicial examination before the Revising Barrister without the aid of the rate book. All through the speech of my noble Friend there was not a word to show he was cognizant of the great changes introduced by the Bill in this respect. I am not sure that my noble Friend has so much as examined the table on which the rating is to be fixed, and seen whether there is or is not in that table a column of gross estimated rental. If he is aware of the column of gross estimated rental in that table, and of the place it occupies in this Bill, it is only the more surprising that he should draw his contrast all along between the system of rateable value and the system that now prevails, and should have failed to notice the important change which we propose. My noble Friend says he has drawn his Amendment from the Irish system. What the Irish system is I leave to be explained in detail by my hon. and learned Friend the Attorney General for Ireland. In the meantime I will only say that it is totally different from the system proposed to be introduced by my noble Friend. It is different, because it is entirely uniform throughout the whole country. It is different, because it is administered by Government officers. It is different, because it depends upon a basis of rating which partakes in some degree of the system of rateable value, and in some degree of the column of gross estimated rental, but corresponds with neither. The Scotch system, as I understand it, does very nearly correspond with the column of gross estimated rental, and that system gives as much satisfaction in Scotland

as the Irish system gives in Ireland. I do not find fault with the system that prevails in Ireland, but while in its entirety it is plainly inapplicable to England, I contend that it has quite as much affinity with the system we propose as it has with the system of rateable value. That may be mere matter of opinion; I only allude to it for the sake of collateral illustration. It is secondary in its bearing on the present question, for the method proposed by the Amendment is not the Irish method. I will now go to the merits of the question.

After hearing the speech of my noble Friend I could not help feeling that I might have saved him trouble if I could have been permitted to state distinctly at the outset the issue involved in this portion of the clause. My noble Friend, in his speech, has mingled together three or four questions that are in reality entirely distinct. He has apparently assumed that he is producing by the Motion he makes a variety of results, and all these he combines one with another, but in regard to some of them it appears doubtful whether his Motion would have the effect he desires or not. One portion of the clause which he proposes to amend relates to the moderate amount of enfranchisement which the Government seek to effect—an amount which I stated at 144,000 — by the reduction of the £7 franchise, and a further estimated addition of 60,000 by the combined operation of the abolition of the ratepaying clauses and the new provisions relative to compound householders. From that moderate amount of enfranchisement we are not, under any circumstances or conditions, prepared to recede. By it we intend to stand. There are various propositions to be brought before the notice of the House. The hon. and learned Member for Guildford (Mr. Bovill) proposes an £8 clause, and to substitute for the 144,000 proposed by the Government an enfranchisement of 79,000, thus striking off 65,000. The Small Tenements Act, which draws the line, not at £6, but at ratings over £6, gives an enfranchisement of 67,000 instead of 144,000. The £6 rating of my hon. Friend the Member for Wenlock (Mr. Gaskell) would give an enfranchisement of about 105,000, falling short by 40,000 of the numbers we propose. That project which the hon. Gentleman who has just sat down has had the satisfaction of suggesting to the

House — namely, a £7 rating, would, thirty-four years after the Reform Bill, liberally conduce to introduce a new body of about 45,000 to the constituency. That is at a rate of enfranchisement including about 1,400 or 1,500 a year of the population of this country. And certainly, if the hon. Gentleman can establish such a rate of enfranchisement as that for the guidance of our own and of future times, he will, I think, be pretty secure at least against any error in the way of excess. But, Sir, whether it be 45,000 or 67,000, or 105,000, I embrace all in the same category, and I frankly state that to no one of them are we prepared to accede.

The political part of this Motion is one thing, and the practical part of it is another. But on the political part of it I would say that although my noble Friend does not profess to fix the standard of the franchise by his Motion, he yet lays down principles in his speech that would strike off 60,000 from the numbers we propose to enfranchise. We propose to abolish the ratepaying clause and introduce provisions that will enable compound householders to be registered with facility, though they may not be rated individually. To both of these provisions my right hon. Friend objects. Therefore he begins by striking off 60,000 from the number that we propose to enfranchise, and as he spoke with great favour of a £6 rating instead of a £7 rental, he would in this way strike off 40,000 more; so that he exactly bisects the effects of our proposal. [Lord DUNKELIN was understood to say that he did not touch the law relating to compound householders.] I do not speak of my noble Friend's intention; but if he would have the law respecting compound householders as it is, that means he would defeat the proposed alteration which brings in the compound householders. My noble Friend would leave the law as it is with respect to compound householders; but by the combined operation of what he says and what he proposes he would strike off 60,000, and the proposal of the hon. Member for Wenlock (Mr. Gaskell) would strike off another 40,000 from our total enfranchisement, so that a deduction of one-half from the total enfranchisement in boroughs seems to be the aim of our more moderate opponents. But having spoken, I hope, plainly and intelligibly, on that part of the subject, I come now to the practical effect of the clause, and to

the argument raised by my noble Friend for a basis of rateable value in lieu of one of clear yearly value as proposed by the Government.

And, differing and departing entirely from the method pursued in his argument by my noble Friend, who compared the thing he proposed with a thing which nobody proposed, I shall take the liberty of comparing his proposal with that proposal which we make to the House. Now, there are four questions that in this matter may be raised, which it is of vital consequence to keep separate and distinct, but which were hopelessly mingled in the speech of my noble Friend. The first is, shall the voter himself personally be rated as a condition of his obtaining the franchise? The next is, shall he before registration have to pay all rates which are at the time due from him? These two questions are absolutely and totally distinct from each other. You cannot, indeed, adopt the second provision without also adopting the first, but you may take the first without the second. Then the third question is, shall the franchise be ruled as it is ruled in this Bill—that is, upon the clear annual value, explained and presumptively ascertained by the column of gross estimated rental; or shall it be ruled by the column of rateable value? That is the third question; and that I take to be the proper object of my noble Friend's Motion. But he mixed these questions as if they had been one question all the way through his speech. [“No!”] Then, let the matter be quite understood. If I have mistaken him, I am very glad; but I speak after attentively listening to his argument. Let it be understood that we have nothing to do now with determining whether the man himself shall be rated or not, or shall have paid his rates, and that those two questions are reserved for some future period. Then, the question now is whether the value of the occupation in right of which he is to vote is to be calculated upon the column of rateable value. But there is a fourth question of very great importance, and which my noble Friend—he will correct me if I am wrong—also treated as involved in his Motion, and that is as distinct from the third question as the third is distinct from the second and first. It is the question whether the valuation made by the local authorities shall be final, or whether there shall be an appeal and a judicial process, if the voter desires it, before the Revising Barrister.

[Committee—Clause 5.]

In his Motion he takes it that there is to be no appeal to the Revising Barrister. [Lord DUNKELIN here observed that there is an appeal against the judgment of the assessment committee.] That I quite understand. My noble Friend proposes to leave the course of appeal as it is for the purposes of local taxation, but he proposes to do away with the power of appeal to the Revising Barrister for the defence of a political privilege. Then, the third and fourth of these questions are embraced in his speech and in the object of the noble Lord. I am bound to say I believe it to be at least doubtful whether they are embraced with equal effect in his Motion. That his Motion would have the effect of fixing upon rateable value as the *prima facie* ground on which the occupation must be considered and estimated is perfectly clear; but I do not know whether the noble Lord has referred to the very strong language in which the Revising Barrister is authorized by the Reform Act to insert in the list of voters the name of every person who shall be proved to his satisfaction to be entitled on the last day of July then next preceding. [Mr. WALPOLE: That is, according to the value.] I apprehend it is very doubtful whether that might not be held to make the title of the voter still subject to review by the Revising Barrister, and the Revising Barrister not finding that there are any absolute words which make the rateable value as stated in the columns of the rate book decisive for the purposes of the Act, might say, "I will take the case on the ground of the rateable value, but I will ascertain whether the rateable value has been rightly calculated by the local authorities. ["Oh!"] That I take to be an ambiguity, and if so it is an ambiguity in a matter which ought to be quite clear; I do not, however, take it to be more. But I had better deal with the Motion as it is intended by my noble Friend, and consider that we have now before us a Motion which does these two things—In the first place, it fixes that the occupation in right of which the man is to vote is to be estimated according to the column of rateable value; and, in the second place, the Revising Barrister is to be ousted altogether, and the course of appeal is to be that which is provided for the purposes of local taxation and no other. That is the intention with which the Motion is made by my noble Friend. Then so far, at any rate, we get upon clear ground; and we must put out of view

everything that has been said about the test of character afforded by the actual payment of rates and matters of that kind, which are not in any way touched by the Motion, with which at present we have no concern whatever. Therefore, Sir, I will address myself to these two questions. And, first, as to the question of rateable value which it is proposed for the first time in this country to make the basis of the political franchise. We have argued—and no person has been able to show the reverse—that rateable value is a test false in principle. Rateable value is intended to establish the net value of the property. Rateable value is the just, the obvious, the legitimate basis of any or of all operations having reference to local taxation. The hon. Gentleman opposite referred to the clever letter of Mr. Baxter in *The Times* of this morning, informing us that there are eight or ten Acts of Parliament which take the rateable value as the basis and standard of the powers they confer. Certainly, and most properly, they do; for every one of them applies to local taxation. But who pays local taxation. The right hon. Member for Oxfordshire (Mr. Henley) spoke as if the tenant ultimately and really paid local taxation. Why, it is borne by the property, and, as it is borne by the property, the test of rateable value being that which enables you to ascertain the true or net value, the value to the landlord, it is of course made the basis of local taxation. And we should be as inconsistent and incongruous in our plans if we proposed a departure from the basis of rateable value for the purpose of taxing property as I say my noble Friend is inconsistent in taking rateable value as the basis of the law for fixing the political franchise. The proper basis of political franchise, dependent on occupation, is not the net value of the property to the landlord, but is the capacity of the occupier to pay. And whether the sum be £7, £10, £14, or any other amount that is paid as rent, it is an equally just and good test of the capacity of the voter to pay, whatever may be the rateable value that is set against his occupation. The rateable value has nothing whatever to do with the point we have now in view. It goes to a different end. It is constructed for a different purpose. And, if we are really to argue this, which, after all, ought to be a practical question, with reference to the reason of the case, and are not to be governed by the purposes of hon. Gentlemen opposite who may wish to accomplish

restriction under the name of enfranchisement, and may prefer, perhaps, a colourable Motion to one directly aiming at that object—let us really follow the true reason of the case, and take the rateable value for those things to which it is applicable, and not for those things with which it has no natural connection.

But, then, I come to the question of inequalities. Now, those inequalities are of two descriptions—namely, inequalities arising from caprice or carelessness, and inequalities arising from necessity. It is not denied that both kinds of inequality exist. But, then, my noble Friend draws an ingenious comparison between the supposed owners of imaginary properties on two sides of a street. He naturally assigns to the old proprietor on the one side the graceful function of allowing his property to be let below its true value; and the new proprietor, who owns the houses on the other side, he describes on the other hand as divested of every human feeling, and intent only upon extorting from the tenants the last farthing they can pay. Well, Sir, let that pass. But my noble Friend thinks that his reference to two sides of a street makes against the gross estimated rental and in favour of the rateable value. But does it so make? He says, “Here is a man who is bent on extorting the last penny out of his fellow-creatures, and with his gigantic fortune he buys up all the houses on one side of a street.” He put a case where on one side of the street the landlord is a gentleman descended from a long line of ancestors—a class, he says, always free from the slightest taint of avarice, and has a number of houses paying him £7 a year, and a gentleman owning the property on the other side of the street has tenants in houses which pay £10, or a still lower figure, while all the time the houses at £7 are as good as the houses at £10; and then, he says, observe how unequal in its operation is the gross estimated rental. Well, but precisely the same inequality which would thus be established in the case of gross estimated rental would also exist with regard to rateable value. But if, in addition to the inequality thus established, it happens that one side of the street is in one union and the other in another, different rates of deduction being fixed in the two unions, why, then I say the inequality would be not only reproduced, but aggravated. And I challenge any man confidently who may argue in this debate to point out any single source

of error which may come into the column of gross estimated rental which will not pass on unremedied into the column of rateable value; whereas we can point out a number of errors in the column of rateable value, which are not to be found in the column of gross estimated rental at all. All this my noble Friend has wholly omitted to observe. Sir, I quoted some of these cases the other day. The hon. Member for Northampton was good enough, since the former debate, to give me a note which he had received, contradicting the statement which I made as to Bury St. Edmund’s; but I quoted from official documents, in which the statement was given in detail (and it is open to the inspection of the hon. Gentleman) that from houses of the same value situate in two different towns, the deductions amounted in one case to one-tenth, and in the other to one-sixth. Now, that is a source of error in the rateable value column additional to, and independent of, any errors which may be found in the column of gross estimated rental. Does the same hold good in the Irish system? [Lord DUNKELLIN: No. There is only one column there.] Then, if there is only one column, my noble Friend has no right to argue from the Irish system. It is for every purpose a different system from ours; and the noble Lord has been led by the use of the word “rating” into supposing that it is the same system, when for the purposes of the present argument, the fact is entirely otherwise.

Here, again, is the case of Oxford which Gentlemen may study for themselves. They have not indeed the verified documents before them, the essential particulars would have entailed a great deal of trouble; but I have taken this from the pages of the blue book, where they are given in summary. In St. John’s, Oxford, the deductions are in one parish 20 per cent, and in another $33\frac{1}{4}$; and these are not made because in one parish the materials of the dwellings are good and durable, and in another flimsy and unsubstantial, for the rates I have named are applied to buildings of the same class in both parishes. If Gentlemen will study these most useful papers they will find that the inequalities there recorded are almost always inequalities in deductions upon houses of the same classes, and that they grow wholly or mainly out of the views taken by different assessment committees. Again, take the case of Liverpool. At Everton and Kirkdale

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the deductions amount to 20 per cent ; at Toxteth they reach 25 per cent ; while in Liverpool itself there is a uniform deduction of 10 per cent—I mean in Liverpool, strictly so called ; but Everton, Kirkdale, and Toxteth, are substantially parts of Liverpool. Hence, the Motion of the noble Lord is, I do not hesitate to affirm, a deliberate proposal to establish different political franchises in the same towns. Men whose circumstances are in every respect the same, who live in the same place and under the same local government, who associate together as townsmen, inhabiting houses for which they pay equal rents, will yet be placed at different amounts in the rate book, and consequently one will obtain while the other will be debarred from the franchise, simply because they happen to reside in different unions though in the same town. Then it is said, “Let the unions make their rates more equally.” That is all very well to say, but the thing is not done, and it would be a very difficult thing to do. How are we to induce many hundreds of these local bodies to take precisely the same view of such a subject as the deductions to be made from gross estimated rental? We may make some further approximation to equality, but we shall never attain equality without introducing a central authority. If we are prepared to have a central authority, which we are not, going round from union to union, and fixing in each the basis upon which local taxation is to be paid, then, I grant, the thing may be done ; but even then it could only be done in time. Even then, what would happen? You would not get rid of the second portion of the difficulty ; for, though these inequalities which have reference to the different materials and durability and solidity of dwellings are objectionable with respect to the political franchise, for the purposes of local taxation they are inequalities that ought to be retained. If there are two rooms, the ordinary repairs of one of which amount to 5 per cent, and the other to 20 per cent, the effect will be, in the case of two men paying equal rates, that you will enfranchise one and disfranchise the other. If, on the other hand, to get over that difficulty and gross solecism, you compound in both cases and fix the deductions at $12\frac{1}{2}$ per cent, you merely change the injustice from the right hand to the left, and you commit just as gross a wrong with a regard to the purposes of

local taxation as you committed before for the purposes of the political franchise.

Again, Sir, I do not think my noble Friend remembered that there are certain descriptions of property in this country which are not rated at all. Under our Bill there is nothing to be done but to ascertain the clear annual value, and the owner would become at once enfranchised ; but according to the proposal of my noble Friend the occupier of these premises, inasmuch as they have no rateable value, could not appear upon the rate book at all, and therefore the effect of his Amendment would be to disfranchise all the owners of mines in Cornwall, for I suppose, as matter of course, that my noble Friend will seek to apply to the counties the principle for which he contends, and at the proper season to remodel the clause that has already passed in accordance with his view.

It is argued, indeed, by my noble Friend that the old precedent of scot and lot is in favour of his proposal ; but the old precedent of scot and lot has nothing to do with his argument or his plan. So far as it really bears upon the present subject, it is an argument, it is in favour of household suffrage, and a good deal of my noble Friend's speech tended, whether with his own consciousness or not, in that direction. Scot and lot had no relation whatever to amount. It was perfectly insignificant whether your rateable value was correct or incorrect ; whether you were rated at 1*d.* or at £100, was totally immaterial ; it was the simple fact of paying a rate that constituted scot and lot. I will not go back upon the Acts, such as Local Government Acts, Health of Towns Acts and others, which have made such an impression on the mind of the hon. Member for Shoreham that he hardly knew what to say, and complained that the materials which ought to have formed his speech had been anticipated by the reference made in Mr. Baxter's printed letter to their provisions. I believe there is one single case, the Beerhouse Act—rather a narrow foundation for a Parliamentary Constitution—where rateable value is the test, and where the law is, notwithstanding, one that does not relate to taxation. The general rule is that the test of rateable value should in all cases be connected with local taxation and with the distribution of local power. That is a good and rational law, but good and rational because adapted to its end ; and it would become bad and irrational if it were

carried to the purpose that is now proposed, and applied to an end to which it has no application whatever.

I come to another question of great moment; the proposal to oust the Revising Barrister. I think it very much to be regretted that this question should be raised incidentally to another matter, quite difficult and complex enough in itself; but it was a point, apparently the main if not the only point, on which the right hon. Gentleman the Member for Oxfordshire dwelt the other night. He saw what I confess I had not seen at first, that the hon. Member for Northampton intended to oust the Revising Barrister, and to fix the matter upon a basis admitting of no appeal except to local authority.

MR. HUNT: As regards the occupiers.

THE CHANCELLOR OF THE EXCHEQUER: Certainly, as regards that class of voters who are to vote in respect of occupation, and not of property.

MR. WHITESIDE: The value would determine the right to the franchise.

THE CHANCELLOR OF THE EXCHEQUER: Yes, but it would determine it in a different mode from the present, and from the mode proposed by the Bill. This question of the Revising Barrister is one of very great extent and difficulty. It is also one that I think it would be very desirable to discuss in a separate form, and not incidentally to this matter of rateable value. I admit that it would be a great object to get rid of the costs and the trouble of registration. But the benefits of that object, if you gained it, would be lost if you introduced the very same class of questions upon another arena to be decided by bodies less judicial and less competent. The effect of that would be that, though you would change the tribunal, you would increase the litigation. Again, it is a very serious matter—I do not know what precedent for it my hon. Friend has been able to find in our Parliamentary history—it is a very serious matter to propose that the political rights of the people in respect of admission to the franchise shall be placed in the hands of local government and of the local authorities. That is a very grave and most serious question, which ought to receive much more attention from us than it can receive while hopelessly mixed up with questions apparently as yet so little understood as that of rateable value. But, again, the large majority of the boroughs of this country

—of course I mean the small boroughs—are boroughs united to external parishes, united for Poor Law purposes with a great number of rural parishes in the neighbourhood. Those parishes are represented on the Board by Guardians. Every parish, however small, is represented by a Guardian. The consequence is that the Board is constituted, in an overwhelming proportion, of the Guardians of rural parishes; and the proposal is that these Guardians from rural parishes should practically fix the franchise for the boroughs. I am glad to see my noble Friend shake his head. It may be said that there is an appeal; but even if that be so, I must observe it is not enough to say you provide a good appeal. Your business is to provide a good tribunal in the first instance; but I believe I am correct in stating that in a large majority of the boroughs of this country the Guardians of the rural districts would fix the borough franchise if the Motion of my noble Friend were carried.

MR. HUNT: The right hon. Gentleman is mistaken.

THE CHANCELLOR OF THE EXCHEQUER: Then how is the Poor Law assessment made?

MR. HUNT: The assessment committee of the union and not the Guardians act in the matter.

THE CHANCELLOR OF THE EXCHEQUER: The members of that committee are the representatives of the Board of Guardians.

MR. HUNT: The Board of Guardians have to appoint them. They appoint a certain number of magistrates and a certain number of ratepayers, and therefore I should think the country parishes will not be able to override the town parishes.

THE CHANCELLOR OF THE EXCHEQUER: I do not think the hon. Gentleman has at all improved the case; because the Boards of Guardians, which is empowered to choose the assessment committee, are composed in an overwhelming proportion of the Guardians of rural parishes. I find that by a clause in the Act of 1862 upon Parochial Assessments, it is provided that the Guardians shall appoint from among themselves a Committee of not less than six nor more than twelve members for the assessment of the union, and that one-third of such committee, at least, shall consist of *ex officio* Guardians.

SIR HUGH CAIRNS: Read the next

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clause, which contains a provision for the appointment of an equal number by the Town Council.

THE CHANCELLOR OF THE EXCHEQUER: Yes, but only in those where the union has the same bounds as the borough; that is to say, in the cases to which I made no reference whatever. I am entitled to presume that I might take the meaning of the clause from the hon. and learned Gentleman's assurance. If I had taken it from his assurance, I should have had reason to regret the consequences. I repeat then, Sir, that it would be a serious thing to give the fixing of the political franchise to local persons—persons connected, as, happily I think, the great bulk of Englishmen are, with political parties, and not restrained, as a Revising Barrister is restrained, from indulging their political proclivities by judicial habits and judicial knowledge.

Now, I take another point. Supposing that, in a small borough, an assessment committee, with a view to political objects, underrated 100 voters, 100 voters would turn the scale in a small borough. Suppose an inhabitant of a borough ought to be rated at £7, but that, instead of rating him at that amount, the assessment committee put him down at £6 15s.—which they might do if the Member for Shoreham has his way, and if he forms his Government for the purpose of carrying a £7 rating franchise into law—the effect would be that this inhabitant would not have a vote. Now, this might be done in 100 cases, and the cost would be very small. It would only amount to the loss of the rate on some £20, and would it not be worth incurring such a loss to disqualify 100 opponents? Nor is it of much avail that another ratepayer might appeal against this underrating of his neighbours. For the appeal would have but little chance where the divergence from the true amount was small. ["Oh, oh!"] Now, Sir, I am not saying that every man is a rogue. Suppose, however, that (as I fear we must suppose) persons are rogues, or suppose a man who, not being a rogue, is at all events an eager or even an unscrupulous partizan on one side or the other; and I ask whether there would not be afforded to such a person an opportunity of depriving a number of opponents of their votes at a very small cost? I may be told, perhaps, that the ratepayer might appeal and have his rate raised. I do not know whether it has been decided that a

person can appeal to have his rate raised; but I can imagine a case in which it might be desirable to procure a few votes by raising the assessment. Suppose a £7 rating franchise be adopted, and that 100 persons were rated at £6 15s., you might increase their ratings to £7 5s., or even a smaller sum, thus making votes at a cost much the same as that to which I referred in connection with the contrary process. The whole amount of loss would be not more than £50 a year of the rateable value. I dare say that the assessment committee would take care not to overrate any one who would not be prepared to bear it, and 10s. a year would not be much on the assessment. That might easily be arranged, for remember that no one else but the person rated could appeal against the assessment on the ground of excess. The hon. and learned Member for Belfast will correct me if I am wrong, and I will take his correction without a word; but I think I am correct in stating that no one else could appeal in such a case against the rate. It appears to me, therefore, that you would introduce in your assessments a number of elements, some of which, apparently, are of considerable danger. Whether it would be possible now or hereafter so to control those elements that you might venture to encounter the risk, I, for one, will not pretend to say. I admit the great value of a test, if it were good in itself, which would have the effect of getting rid of a great number of questions which are now raised before the Revising Barristers. But the goodness of the test is the very thing to be established. What we contend for is not that the local authorities as such are untrustworthy, but that the local authorities require to be kept under check, and that they should not be led into temptation by being carried without such check beyond their proper and accustomed province. Now, what is the test which we propose? The gross estimated rental; that is, in our judgment, the first thing to be got at. Where are the errors in the gross estimated rental which are not to be found in the rateable value? In looking for the basis which we require we called in aid the gross estimated rental. What does our Bill do? It adheres to the words of the Bill of 1832 in providing that the franchise shall be founded on the "clear yearly value;" but in the interpretation clause it states—

"The clear yearly value as applied to any premises shall mean a sum equivalent in amount to

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the rent a tenant might reasonably be expected to pay by the year for such premises if let to him, he undertaking to pay all usual tenant's rates and taxes and tithe commutation rentcharge (if any) but no deductions being made in respect of the probable annual average cost of repairs, insurance, and other expenses, if any, necessary to maintain the premises in a state to command such rent; and for the purposes of this Act the gross estimated rental for the time being of any premises as ascertained for the purposes of the poor rate shall, until the contrary is proved, be deemed to be the clear annual value of such premises."

Now, the Committee will see by these words that we go straight to the rate-book, as straight as my noble Friend himself goes to it. The consideration which weighs on his mind weighs on ours. We are satisfied of the great advantage of getting the use and assistance of a public document made up from independent sources; but the difference between us and my noble Friend is this—we go to the right part of the rate book; he goes to the wrong part of it. We go to the point which is nearest to certainty, while the noble Lord goes to the point which is furthest from certainty. I wish seriously to call the attention of my noble Friend to the point I am now going to name, and I hope that in all I have said I have given him credit for every sincerity of purpose. I accused him, indeed, of confusing some points which should have been distinct; but, whether I was right in regard to that charge or not, at all events what he is now dealing with is the valuable principle of making use of the rate book. And I say we make use of it. If he says that he would use it more than we do, I admit the fact; but I say, and I think I have shown, that the true way of amending our procedure is not the way he proposes. Beyond this, the right hon. Gentleman the Member for Oxfordshire and the hon. Member for Northamptonshire desire to oust the Revising Barrister. Well, there are, I admit, two sides to that question, and it is one which may be fairly discussed. But the immediate question now before the House, however, is whether we should take the column of gross estimated rental, which is the column that contains the smallest risks and the fewest sources of error. Now, I put it to my noble Friend whether every object which he wishes to attain by resorting to the rateable value will not be attained much more largely and effectual by resorting to the gross estimated column. I put it to him that that, at all events, even on his own showing, must be doubtful. I put it to him and to the House that the

question as to the Revising Barrister is one which requires much consideration, and which ought to be made the subject of a separate discussion. But if my noble Friend is right, and if the time has come when we can safely oust the Revising Barrister—on which subject I give no opinion—and submit the final adjustment of this matter to the local authorities, then beyond all dispute the proper way is to refer to those authorities, not the rateable value column, but the column of gross estimated rental. For the gross estimated rental rests in the main on matters of fact, and where the law is obeyed, as it commonly is even now, and as we hope it would be universally with the aid of the provisions of our Bill, it comes close upon the exact truth. But rateable value, involving as it does many matters of opinion, and besides requiring in order to be good for its own purpose, conditions which are bad for our purpose, is a test of an inferior order which we cannot wisely or consistently adopt.

On these grounds I hope the House will reject the Motion of my noble Friend. I am not at all surprised that on the former occasion the majority of hon. Members who supported the proposal of the Government was so small; because I know very well—and every one who has had much experience in such affairs must know—that it is extremely difficult in minute and complicated questions of this kind to bring large bodies of persons even in this House at once to a close and accurate knowledge of the facts. For the last twenty years, there has been a great and growing sense of the inconveniences and the great expenditure connected with registration. We share in that conviction, and we are ready to take every means to diminish the evil. The consequence of this feeling has been a great desire to resort to an external standard. But until within the last three years there was no external standard which even in the remotest degree approached to accuracy, except the standard of rateable value, and that standard was so defective that it was found unavailable. Then came in my right hon. Friend the President of the Poor Law Board, and passed an important Act. And what was that important Act? It was a reform, not of the rateable value column, but of the important executive provisions relating to the column which gave the gross estimated rental. It laid down fixed rules for the formation of the column of gross estimated rental, and made it a

safe and secure basis for the column of rateable value. But we having long accustomed ourselves to speak of the advantage of making use of the aid which we derived from the rate book, I am not surprised, and I do not at all complain, that my noble Friend should have interpreted that to mean exclusively the column of rateable value. But I put it to him, as a candid man, that every advantage possessed by his proposition is possessed by ours, as far as the choice between the two columns is concerned; that the intrinsic superiority of the gross estimated rental column is indisputable, and in fact is almost indisputed in this House; and finally, that if he be right in saying that the decisions of the local authorities should be made final in this matter, those decisions ought to be founded, not upon the inferior test of rateable value, but on the superior criterion of gross estimated rental.

MR. HENLEY: Sir, in expressing my opinion on this matter I shall detain the House only for a few minutes. The right hon. Gentleman the Chancellor of the Exchequer has now laid down to us very clearly that the question before us is narrowed to the choice of one of the two columns. That is really and simply the question before us, and it is not a question, as the right hon. Gentleman has suggested, as to whether the local authorities should fix the amount of the franchise. Any matter of that sort, if introduced into this discussion, could only be introduced on purpose to bewilder. When the right hon. Gentleman objected to the local authorities fixing the amount of the franchise, he could only have stated that with a view of bewildering, because the simple question is whether the rateable value column or the gross estimated rental column is the better test of the value of a tenement. That is the only matter we have to deal with, and what amount of franchise should be added to that is a matter for after consideration, as is clearly understood on both sides of the House. The right hon. Gentleman said that the Union Assessment Act, which was passed a few years back, accurately defined this gross estimated rental column. Well, I differ from him somewhat in that respect. It certainly did give a definition; but what was it? Why, it confirmed the definition put into Mr. Poulett Scrope's Act, which was passed I do not know how many years ago. I prefer the rateable value column to the gross estimated rental

column, because, as everybody knows, any one can appeal against the one, whereas nobody knows anything of the gross estimated rental. They are both only evidence of the value; and I confess I was astonished to hear the right hon. Gentleman say that for every other purpose but this particular one the rateable value column was the best mode of ascertaining it. Why it should not also be the best evidence in this case, I, for one, am totally at a loss to understand. Then I do not think it was necessary for the right hon. Gentleman to bring into his argument the supposition that people would be so corrupt—whether they live in towns or in the country—as for political purposes to disfranchise hundreds by putting a wrong value on their property. I had almost said that such an argument was unworthy of the right hon. Gentleman. For what is the process that must be gone through? In the first place the wrong act must be done, then valuation list must be published in every parish, and every ratepayer has an opportunity of going to complain, not only that he himself is put too low, but that his neighbour is put too low. Is the right hon. Gentleman aware that before the valuation list can be acted upon it must be published in every parish in the union, and that any ratepayer in the union has the power to appeal against that list either on the ground that he himself is rated too low or on the ground that 100 of his neighbours are rated too low? If any injustice were attempted, do you think that that would not be done? Does the right hon. Gentleman think that those who made out the list would be so blind to public opinion as to venture so to use their power that certain political purposes might be subserved? But even supposing they got through this ordeal, any man in the union can appeal again to the magistrates; and if he is not satisfied he can carry the matter to the Quarter Sessions. Now at one or other of these stages the thing must be blown to pieces. Things of this sort can hardly be argued. Do you think that any one would be hardy enough to try on such a corrupt, miserable dodge? I can hardly conceive why the Chancellor of the Exchequer ventured to make such a suggestion. As to the case of the beerhouse, to which the right hon. Gentleman has alluded, even that is a matter of appeal; and every magistrate must know that people do appeal because they are rated too low. But, in the other

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case, it is not only that a man can himself appeal, but any other man in the union can appeal if people are rated below what they ought to be. Then how will interest go in this matter? The right hon. Gentleman says that the rural population would be so corrupt that for some extraordinary political purpose they would underrate their neighbours in the boroughs for the sake of disfranchising them. Now, I do not think that rural Guardians are so uncommonly fond of underrating their neighbours for any purpose as to impose a higher burden upon themselves. My experience does not lead me to that conclusion. But the thing which makes me prefer the rateable column is this—It is what a man has actually paid upon. I believe that the payment of money is the best test of what is real, and in these cases people would take pretty good care to see that what they paid was just on one side and the other. An ingenious person in looking through the list might no doubt detect inequalities in the one column or the other. The right hon. Gentleman has admitted two broad facts—that it is most desirable there should be some document independent of political influence to fix the value, and that for every other purpose the rateable value is the best that can be used. Admitting these two points, he has not made out to my satisfaction that this arbitrary column of gross estimated rental is so superior as he thinks. Indeed, the right hon. Gentleman's mind is not so clear upon this as it is upon most points. He gave us the other night a very pretty calculation, showing how a £14 man spent £25 upon his house, and he multiplied that to show us what his income was; but, curiously enough, the right hon. Gentleman added to his gross estimated rental the cost of repairs, which the law says is to be deducted and paid by the landlord. [The CHANCELLOR of the EXCHEQUER: Rates and taxes.] But I was so struck with what the right hon. Gentleman said that I wrote it down, and it was—

“When you come to add to the £14 annual value what is necessary for repairs, insurance, furniture, and the amount of rates and taxes, you will arrive at the conclusion that the man who lives in a £14 house spends £25 a year upon his house.”

Therefore, the right hon. Gentleman adds two distinct things, repairs and insurance, which are to be paid by the landlord. [The CHANCELLOR of the EXCHEQUER: I

ought to have said rates and taxes.] I merely named this to show that we are not any of us quite so clear as to what gross estimated rental and rateable value mean. The real actual amount paid upon is the surest test when you come into a Court of Justice to appeal; you can always make out a better case upon that than you can upon a fanciful thing which affects nobody, such as the gross estimated rental; and, therefore, I believe that the rating column is the best.

SIR FRANCIS GOLDSMID said, he should vote against the Amendment, regarding it as an attempt, in substance although not in form, to reverse the decision arrived at upon the Motion of the hon. Member for Northamptonshire (Mr. Hunt). Those who supported that Amendment avowed that it would necessarily involve a similar Amendment for the borough franchise; and the converse of that might be said with respect to this Amendment. Both Amendments were alike inconsistent with the new-born reverence for the Reform Act of 1832 professed by the Opposition, who had described it as a constitutional settlement which ought not to be lightly disturbed, while one hon. Member had gone so far as to speak of that Act as if it had existed for centuries. This new-born reverence had now evaporated, for the Opposition wanted to depart further from the Reform Act than the Government proposed to do. Although the noble Lord who moved the Amendment (Lord Dunkellin) said he would desire, if his Amendment were carried, and it should be thought to raise the franchise above a proper amount, to see £6 substituted for £7, what security would there be that the Opposition would entertain that desire? Indeed, the Seconder of the Amendment avowed that he desired to retain the £7, and no offer had even been made by the hon. Member for Guildford (Mr. Bovill) that, if the present Amendment were carried, he would withdraw his proposal for substituting £8 for £7. Where, then, would the Committee be if they adopted this Amendment? It was admitted that in counties, in respect of land, there was between rating and rental a difference of one-sixth, and in boroughs, where houses formed the chief part of the qualification, the difference might be taken at one-fourth; so that to go from a £10 rental to a £7 rating franchise would be equal to proposing a rental franchise of £8 15s. Considering that seven years ago the then

[Committee—Clause 5.

Ministry had been upset on the question of the borough franchise, it was ridiculous to suppose that the country would now be satisfied with an extension so illusory. The only plausible argument in favour of the Amendment was that its adoption would obviate the inconvenience caused by conflicting evidence in the Registration Courts, by allowing recourse to be had to the assessment column of the rate book, which was made independently of political influence; but it was forgotten that the moment this Amendment passed the assessment column would lose the very recommendation it now possessed. It was notorious that under the present law pains were often taken to collect the rates of the voters of one side in politics before the 21st of July, while their political opponents were not pressed for their rates until after that day. This clearly showed that as soon as there was mixed up with a thing not in its nature political anything connected with the Parliamentary franchise, from that moment political influences necessarily came into play. Suppose the rating franchise were fixed at £7, the assessment committee would, with respect to houses between £6 10s. and £7 10s., have the strongest possible motive to rate the houses of their political opponents low, and those of their political friends high. It was not a great sacrifice to make. The assessment committee would put such of the houses of their political friends as were worth £6 10s. or £6 15s. a little above £7; the occupiers would not appeal; no one else could appeal; and in this way the committee might add fifty or 100 of their own party to the register, and so decide the issue of an election. Then, again, we were told that if injustice were done, there might be an appeal to the Quarter Sessions. Now, could anything be worse than to oust the jurisdiction of the Revising Barrister, and go to the Quarter Sessions in any of these cases? To do so would be to expose the Court of Quarter Sessions to the suspicion, just or unjust, of political partizanship. Goethe described the chase of a dragonfly by a man who, seeing the splendid and varying hues of its wings as it darted to and fro in the sun, caught it, that he might have the happiness of always contemplating this brilliancy—

"And then he does the wings survey,
And sees a dark and mournful gray."

The converse of this held good in the
Sir Francis Goldsmid

present instance. Hon. Gentlemen were charmed by the constant and neutral political tint of the assessment list, and desired to lay hold of that neutrality and constancy, and to apply them to the electoral register. But from the very instant when the register of electors and the assessment list were connected together, the list would lose its neutral political hue, and would assume as many colours as the dragonfly's wings. Instead of purifying and relieving of conflicting elements the electoral register, you would disturb and contaminate the assessment list by the introduction of political influences. For these reasons he trusted that the Committee would reject the Amendment by a decisive majority.

MR. GOLDNEY begged to remind the Committee that the basis of the assessment list was a valuation generally made by some independent man, who lived at a distance from the locality, and therefore was likely to do justice to all parties. That valuation was presented first to the parochial officers; then it went before the assessment committee, who based the rate upon it. That rate was laid open for the inspection of all the ratepayers, and was generally fixed after the observations which were made, as the result of this inspection. The duties of the assessment committee were to correct inequalities, adding to the values of improved property, and hearing appeals. From their decision there was an appeal to the Petty Sessions, again to the Quarter Sessions, and finally to the Court of Common Pleas—the same Court as that in which appeals were heard from the decisions of the Revising Barristers. That the Court of Quarter Sessions would be influenced by political bias was, in his opinion, an idle tale; such influences would not be likely to prevail if even the magistrates were base enough to be open to them. The Chancellor of the Exchequer said, "Don't we go straight to the rate book?" But there was nothing in the Bill which required the overseer to go to the rate book at all; he was to make out, of his own mere motion, what he thought was the qualifying nature of the premises—namely, the extent of value; but it was not necessary, under the provisions of the Bill as now framed, that the intended voter should be rated at all. The great advantage of the noble Lord's Amendment was, that the overseer, if he went to the rate book, at once got there a clear, definite basis upon which to found

his list and make out the register. The question of gross estimated value was unknown until the year 1835, when it was introduced in the schedule of an Act brought in by the hon. Member for Stroud opposite (Mr. Poulett Scrope). But there was no more security for the fairness of that column than there was for the other; for he knew many cases of railways, canal companies, and others, where it was found practically impossible to fix the gross estimated value, and the usual course was to take the rateable value, and then add a certain proportion to it as the gross estimated value, merely to comply with the terms of the Act. He admitted that there might be great inequalities in the mode of rating between one borough and another, where they were grouped together, but the same inequality would be found to prevail also in the case of a rental qualification. Of two men earning the same wages one might be paying £7 or £8 rent in one place, and the other only £6 for a house of the same class in another. But there was this difference between the principles at issue—in the case of a rental qualification it would be very difficult to provide a remedy for the inequalities which might exist; but with respect to a rating qualification, with the facilities which were now open, and the tendency of feeling for a larger area of rating being adopted, it might be fairly expected that a remedy for the inequalities spoken of would very quickly be provided. Without any reference, therefore, to political objects, he believed that a rating basis was the best and simplest, and on that ground he should support it.

MR. POULETT SCROPE said, that when thirty years ago he introduced the Bill to which the hon. Gentleman had referred, he had two objects in view. The first was that there should be one uniform, fair, and accurate estimate of value on which the rating of all the property in the kingdom could be based; the other one of the greatest *desiderata* of this country—namely, that there should be something in the nature of a reliable public document accessible to all parties, which should be evidence of value in all public and private transactions in which the real property of the country was concerned. With that view he had introduced into the schedule in question a column setting forth the gross estimated rental of all property as the foundation on which property liable to the

poor rate might be assessed. Unfortunately it was determined to leave the making up of these returns in the hands of overseers and churchwardens. It was, however, soon afterwards discovered that the overseers and churchwardens were subject to no check whatever, whether on the part of the magistrates, or of any other authorities whatever, and that as long as the estimate of each parish proceeded upon the same principle, and affected all parties in it in the same manner, it was the interest of no one to object, and there was practically no check whatever. But when his right hon. Friend the President of the Poor Law Board was enabled to carry his Bill for union assessments, the power of making the assessments was placed in the hands of respectable and responsible bodies—the assessment committees—who acted in public, and who were of a higher class than churchwardens and overseers. That system was now in general operation, and it was producing something like an approximation to a document which might be relied upon for general reference, and the column of the gross estimated value was an approach to a real estimate of the value of property, and that upon which the rateable value of the property might be based. But, then, as the Chancellor of the Exchequer had mentioned, to find the rateable value you must take a great many other circumstances besides the rental. The question of repairs was one of these, and it was well known that there was always a wide difference of opinion as to the cost of repairs. Therefore if the Committee took the rateable value it would be open to a great variety of causes of appeal. It was fair to assume that there would always be a certain number of partisans in the committee of assessment, and it was natural when a few shillings would make the difference between a man being on or off the register, the members of the committees would decide according to their political opinions. He was afraid, therefore, that if they made the rate book the rule for the franchise, it would introduce public animosities and disputes where they were not before known. No doubt parties would be fed on both sides to plead before the committee of assessment, just as they were now in the Revising Barristers' courts. Then appeals would be made to the Petty Sessions and Quarter Sessions, and political disputes would be introduced there also. He was therefore in favour of taking the first column of the rate book,

[Committee—Clause 5.]

the gross estimated value, as that which afforded least margin for a difference of opinion. As to the Irish question, the reason why there was no such thing on the Irish rate books as clear annual value, was that as repairs in that country were not executed by the landlord, the rental and the rateable value were the same. [Mr. GOLDNEY: The words in the two Acts are exactly the same.] Generally speaking the Irish tenants executed all repairs, while in England the difference between the gross estimated value and the rateable value was between 5 and 25 per cent.

SIR WILLIAM JOLLIFFE wished to say a few words to explain the reason why he preferred a rateable value to gross estimated value. The hon. Gentleman who had just sat down argued as if the rate must necessarily vary; but that the gross estimated value must in all cases be quite correct. Now, it had just been stated by the hon. Member behind him (Mr. Goldney) that to his knowledge the gross estimated value was often a mere valuation taken from the rateable value, which was the fixed and certain sum, while the other was merely inserted in order to comply with the terms of the Act. But the Chancellor of the Exchequer admitted the whole case in favour of the Amendment, when he stated that for all purposes of local taxation the rating column was the real test. If that were so, then it was clear that every taxpayer had an interest in seeing that the rating column was as correct as it could possibly be made. They had every security, therefore, that the rating column was the more correct of the two, as it would undergo the greatest amount of supervision by those who would prove the sufferers if it were to prove incorrect. But the Chancellor of the Exchequer and the hon. Member for Reading (Sir Francis Goldsmid) had suggested a reason for not taking the rating assessment, which surprised him beyond everything. They were afraid that corruption would be practised in the assessment committees. They must know little of the assessment committees if they imagined that they would be influenced by such feelings. The Chancellor of the Exchequer said that the county guardians would be more numerous, and would overbear the guardians of the boroughs. But how could that be, when, whatever the reductions were, they must be made equal in all parts of the union, and it was the interest of every one that it should be

correct? If there was reason to believe it incorrect, there was an appeal first to the Petty Session, then to the Quarter Session, and lastly to the Court of Common Pleas. In fact, all those suggestions of corruption on the part of the assessment committees only proved how much the right hon. Gentleman was in want of arguments to prove his case. If they were to have the aid of the whole community in keeping correct one particular column of the taxation, in which all were interested, was not that the best possible security for a uniform system? As to the gross estimated rental column, no one cared to supervise it. But then the Chancellor of the Exchequer said that the noble Lord (Lord Dunkellin) proposed by his Amendment to oust the Revising Barrister. He did not understand that that was the noble Lord's intention or the effect of his Amendment. In Ireland the Revising Barrister was not ousted. [The SOLICITOR GENERAL: Yes he is.] [*Cries of "No, no!"*] He maintained that in Ireland the Revising Barrister held his courts, that the lists were revised by him, and that litigation went on before him at great length. The Solicitor General was altogether mistaken in the matter. In his (Sir William Jolliffe's) opinion, whether they took the one column or the other, there would still be an appeal to the Revising Barrister. Believing that much greater uniformity and correctness would be secured by adopting the principle of rateable value, he should cordially support the Amendment.

MR. HIBBERT said, he objected to the Amendment for two reasons. In the first place, he objected to the principle of rateable value instead of annual value; and secondly, he opposed the Amendment because it was proposed with the idea of raising the amount of the franchise. The system of rateable value would be unfair, partial, and unjust, and there would be a different test in every town in the country. There were scarcely two places in which the deductions from the annual value in order to obtain the rateable value were the same. In Oldham a deduction of 33½ per cent was made from the gross estimated rental of all houses at and under £10. What would be the effect of the Amendment in Oldham? If the franchise were taken at a £7 rateable value it would not only not add to the number of voters, but would actually disfranchise the number of persons now in the possession of the franchise. It

would, in fact, require a rental of £10 10s. to qualify for the franchise and would consequently disfranchise the £10 occupiers. A £6 rateable value in Oldham meant a £9 rental; and if that amount of rateable value were adopted it would only add 190 to the present town constituency in Oldham—an addition which would not be worth having; and, speaking on behalf of the working classes there, he would prefer having no Reform Bill at all to having one giving such a small instalment of enfranchisement. Such a limited proposal would be an insult to the classes interested. Not only in Oldham, but in Stockport, Ashton, Rochdale, Bolton, and all the large and growing towns of Lancashire, a £6 or £7 rating franchise would produce but an infinitesimal increase upon the existing constituency. The electoral statistics before the House showed that, so great was the discrepancy between the deductions made from the gross estimated rental in different towns, that it would be utterly impossible to arrive at any uniform system unless an Act of Parliament were passed to enforce it. In Ashton, for example, 30 per cent was deducted upon all houses under £10; in Birmingham 25 per cent was deducted on all houses at and under £10; in one part of Windsor the deduction was 25 per cent, and in other parts of the same borough it was 33½ per cent. In fact, however plausible the plan of taking the rateable value as a basis might look in theory, it would work most unfairly and unjustly in practice. He therefore trusted that the Amendment would be rejected by a very large majority, so as to prove that they were really in earnest in that question, and that they sincerely desired to admit within the Constitution those classes who, from his own knowledge, he could say were in every respect worthy of what the Government proposed to do for them.

MR. GREENE said, that happily for himself, the town which he represented (Bury St. Edmund's) did not advocate Reform. Although it sent to that House an extreme Liberal, it objected to the reduction of the franchise. But, perhaps he was more reforming than many of the constituency, for he was desirous of seeing that question settled. He was convinced that by taking the rateable value as their basis they would arrive at the best mode of dealing with the subject. The anomalies to which the right hon. Gentleman the Chancellor of the Exchequer had referred in connection

with that point at Bury St. Edmund's had already been in great measure corrected. The assessment committees could be relied upon to act fairly, because they included men representing all shades of opinion; and, moreover, there would be the power of appeal to Quarter Sessions and other tribunals against their decisions. For his own part, he should be very glad if, by adopting the principle of rating, they reduced the numbers which it was sought to add to the constituencies; and he meant to vote against that large increase of the electoral body which the Chancellor of the Exchequer proposed. He believed that a £6 rating franchise would bring the number of working class voters up to 300,000—if this Bill passed, there would be 15,000 more voters of the working class than of any other class of the constituency. Was the House prepared to hand over the Government of the country to the working classes? For his own part, he was opposed to giving them a preponderance over all other classes in the representation. Though himself one of the largest employers in the town with which he was connected, he had never had a difficulty with his workmen in his life: yet everybody knew that the working classes were not the men to be intrusted with the control of affairs, and that they acted better when they had a large infusion of other classes among them than when they were left to themselves. The hon. Member for Westminster (Mr. Stuart Mill) had been much referred to in their late debates. That hon. Gentleman had laid down a theory about coal which, no doubt, was perfectly wrong, and yet the Leader of the House took him and the hon. Member for Birmingham as his guides. The hon. Member for Birmingham received credit for having influence with the working classes of this country; but he did not believe it—on the contrary, he believed that where that hon. Gentleman was best known he was least liked. The hon. Member for Westminster said that Gentlemen on that side were the stupidest party; but that reminded him of the farmer who had a horse, called Genius, which was the worst in his whole team. When they found a man of the hon. Member for Westminster's high character in that House advocating the admission of females to that assembly, and when they found that the hon. Member for Birmingham had never brought forward a practical measure in his life, why should the smallest attention be

paid to either of them? If there was a man in that House to whom a £7 rental franchise would give a seat in perpetuity, it was himself; but he would far rather forego the honour he enjoyed as a Member of that House than vote for a proposal which he conscientiously believed to be detrimental to the interests of the country. Hon. Gentlemen opposite were, in their hearts, as dead against the proposals of the Government as he was, although they were not quite so outspoken. They desired to support their party, and were afraid to meet the £7 householders in the event of the Bill passing. The excess of liberty was the greatest tyranny, and never, in all history, had the democratic party shown itself really liberal towards those in their own station, or towards those below them. He should therefore support the Amendment, which would give an amount of liberty which he was sure they would not have, if they were governed by men of the class who sat below the gangway.

MR. McCULLAGH TORRENS reminded the House that a hundred days had already been spent in the present party campaign; it was the 18th of June, and they had come to their Waterloo. From the outset this question of the widening of the Borough Franchise had weighed heavily on the hearts of the opponents of the Bill; and throughout the whole controversy a tone of inflation had characterized every allusion to the increased enfranchisement of the working classes, which he must say did little credit to the prudence, the justice, or the generosity of the House. So far from acquiescing in the exaggerations which had been used regarding the effects of this Bill, he for one must say distinctly, though he said it reluctantly, that the measure was not received, and could not be received, as anything-like an acquittance of the debt due by Parliament to the people. He did not agree with the hon. and learned Member for Exeter (Mr. Coleridge), that the working classes were content to take this Bill as a settlement. He asked, was it credible under any circumstances to suppose that if the working classes of this country believed they were about to possess supreme power in directing the councils of this Empire that they would have remained quiescent for the last three or four months? The drums of acclamation could not be muffled in that way, and hon. Members could not believe in their hearts that millions of people would

have been induced to keep a secret like that for so long. What the majority of hon. Gentlemen opposite feared was that if the working men had a preponderance, or even an equal share in the large constituencies of the kingdom, taxation would be directed against property, that a system of confiscation would ensue, and that the greatness of the country, based on its commercial and financial security, would be overthrown. One example was worth all the arguments that could be used. Let them turn for a moment to that country which more than any other resembled our own, and which was looked upon by hon. Gentlemen opposite with aversion and distrust—that country where every skilled artizan had a vote, and which recently had been involved in the greatest trial to which any modern society had been subjected. In the hour of victory had the Government of America misused its power? Had it misdirected taxation for class purposes, or directed it against the rich? Had an estate of the conquered been confiscated? Above all, let them look at what had happened within the last few days. He would ask the warmest worshipper of monarchy, the most implicit believer in aristocratic rule, the fondest idolater of the old institutions in Europe, to show him the conduct of any civilized Government which was better than had been that of the United States within the last three weeks with respect to the Fenians. Was that a Government predominantly or exclusively elected by middle class men? Of the aristocratic element there was none. [An hon. MEMBER: That is irrelevant.] He could not overlook that interruption. When they had cheered night after night the accusations, truthless and ruthless, that the working classes were violent, venal and vile, they must not be allowed to say without contradiction that this was irrelevant. The man who was at the head of the Government of that country, so just and tolerant between class and class and between nation and nation, was a man whose youth was spent in the avocations by which a working man was obliged to earn his bread. But it behoved them, not in any spirit of preference for the institutions of any other country, but for the sake of their own, to consider whether an infusion of the industrial element, such as they saw in America, would necessarily or directly tend to lessen the strength and stability of a free Government. With regard to

the clause before the House, he thought the preference of rent to rating in the Government Bill was just, and therefore he should vote for it. He had no irreconcilable dislike to rating as the foundation of the franchise, because with many hon. Gentlemen opposite, he voted in 1850 to make rating the basis of the franchise in Ireland. The hon. Member who seconded the Amendment, however, told them plainly that one reason why he supported the Amendment was that it would curtail the extent of the proposed enfranchisement. It was impossible for him to shut his eyes to the fact that it was a movement against the franchise, to curtail the narrow concession made by Her Majesty's Government, and he felt compelled to vote against it. Supposing it was carried, they would then have an Amendment from the hon. Member for Wenlock proposing a £6 rating instead of a £7 rental franchise. But no man would take the one as an equivalent for the other; a £6 rating franchise was much nearer an £8 than a £7 rental. Hon. Gentlemen opposite had spoken loosely in the course of the discussion about the old scot and lot franchise. Scot and lot, as it originally existed, meant the liability to rating, and not rating at any particular value, and if hon. Gentlemen opposite would now, at the eleventh hour, propose that they should go back to that, he was ready to vote with them. But they did not use scot and lot in the common-sense meaning of the term. They used the phrase in an ambiguous sense. With regard to the accusations which had been made against the working classes, he believed they gave them very little concern, or only caused them to feel a diminished respect for Parliament. The mass of the working people of this country were not men who deserved the miscellaneous charges brought against them, and hon. Members could not prove that they deserved them by exaggerating their fear of what the working classes might ultimately do. If Parliament were to make any fair and reasonable concession, without desiring to give any class a preponderance in the State, the best course would be to adopt this measure, and obtain relief from these discussions, which had prevented all other business being done in that House for many weeks. If they did not embrace the present opportunity—and he said it in no spirit of

resentment or threat—what would follow would be that they would yet have to discuss much wider measures than that which was now before the House.

MR. POWELL said, he knew of no single acre in the wide continent of domestic affairs which had not been ploughed and re-ploughed, and ploughed again by the hon. Member who had just sat down, in the course of his speech. One observation he (Mr. Powell) could not pass over in silence, and that was, the complaint made of the language employed in that House with regard to the working classes. Members of that House, sometimes on one side and sometimes on the other, cast reproaches at the various classes of the English community, from the highest to the lowest; but there was one class in the social scale against which reproaches were most rarely cast in that House, and that was the working class. The working men watched the discussions which took place in that House, and he was sure they themselves must feel that their interests were highly regarded and valued by those who took part in the legislation of that House; and that whenever allusion was made to them it was not in terms of reproach and blame, but, on the contrary, in terms of praise, of respect, and of esteem. He had heard with some surprise the Chancellor of the Exchequer say that previous Reform Bills had never contained a rating suffrage for boroughs as part of their scheme. It would be remembered, however, that a rating suffrage formed part of the scheme of Lord Russell's Bill in 1852, and of the scheme of Lord Aberdeen in 1854. That scheme became eventually one of those skeletons—one of those abortions—the existence of which the Chancellor of the Exchequer had so much deplored, but for the creation of which he was in some degree responsible. In 1859 the right hon. Member for Buckinghamshire (Mr. Disraeli), circumstances having changed, departed from the proposal and desired a rental suffrage; but it was surely admissible for Governments to adapt themselves to altered circumstances. He agreed with the sentiment uttered by the hon. Member for Birmingham, that they should adhere to the ancient lines of the British Constitution. On that (the Conservative) side of the House they endeavoured to adhere to them, and they looked with some suspicion at hon. Members on the other side when they proclaimed in loud and vociferous tones the same adherence. Hon. Members opposite, when they professed

their desire to adhere to those ancient lines, carried back their minds to the period of English history when those lines were confused and not clearly defined. But whether they referred to the Constitution of this country or to the Constitution of any other country, it must be admitted that no lines of any Constitution had in any country maintained an isolated and insulated institution. The Throne could not be insulated, for if insulated from the people it must fall. The aristocracy could not be insulated, for if insulated the fate of that aristocracy could not be long suspended. The Church and the clergy could not be insulated, for if insulated the Church in her external relations must fail and her endowments must perish. If, then, the Crown itself could not stand alone—if the aristocracy could not exist by itself—if the Church and her clergy could not stand alone, neither in his belief could an isolated franchise long continue. We could not have a rental franchise for a Parliament, when we had a ratal franchise for everything else. The Chancellor of the Exchequer had made declarations in favour of a “flesh and blood” franchise; but it was consolatory to find that, after all, there was to be some kind of test added before a man was entitled to take a part in Parliamentary franchise. It was gratifying to know that there was to be a test of capacity. Whether the test was sound or unsound, he did not say; but it was a relief to know that there was at least to be an exception from universal suffrage—that there was to be some sort of test, and that that test was to be capacity of the voter to pay. The Chancellor of the Exchequer separated the nature of the property from the capacity to pay; but he doubted whether the Chancellor of the Exchequer would find a landlord in the kingdom of the same opinion. Landlords always fancied there was some relation between land and the payment of rent. Well, the capacity to pay must be placed on and tested by rental or ratal. He thought there were some advantages of a rating qualification as compared with a rental qualification. With a ratal franchise there could not be the mischievous collusion as to the amount of rent from which a rental qualification could not be exempt. There would be payments of rent which no examination or investigation, however careful, would enable us to analyze, to sift, and to test; and he believed that there were many agreements between

tenants and landlords which would, in a grave and serious degree, affect the desirability of adopting the principle of rental. There were, for instance, the arrangements which sometimes took place among landlords who were large employers of labour and possessed extensive house property. None of these disadvantages were connected with the ratal test. Some remarks had been offered as to the unequal character of the ratal suffrage. But note the difference between the rental and the ratal suffrages. The rental depended on an arrangement between one man and another man, in a series of contracts involving various minute details, which we could not follow, neither could we control those concerned in them. Even with an examination of the parties in open court we could not get at the reality of the transaction. But with regard to ratal, an Act had been passed adopting the union as the area of rating instead of the parish, and if inequalities in the rating existed they would be at once removed under the influence of the public opinion of the ratepayers of the union. It had been said on the other side that the Bill was a compromise. Those who had studied history were aware that what was called a political number had been discovered in the Constitutions of ancient States. In one case it might be three, in others ten. The only principle in this Bill that he had been able to discover was the adoption of the number seven—£7 was to be the borough franchise, £14 was to be the county franchise, twenty-one was to be the full age of a voting man. But a compromise could not last not based on any principle or any figure which included, or, so to say, enshrined, a principle. How could the compromise stand when it was denounced by its supporters before it could be carried out? During the past thirty years we had seen the effect of compromises in the Roman Catholic Emancipation Act and various other Acts of the Legislature; but we had seen them short and feeble—so short and so feeble that they made the vows of lovers appear long and strong in comparison. He could not believe that any compromise to be found in this Bill could continue. We ought to deal with the Bill, from first to last, on its merits—with reference to its effect on the interests of the country, according as we thought the franchise would work for the good or the ill of the country. And it was because he felt convinced that the

compromise must fail, and that if it were carried out for a short time agitation must spring up, and that the Bill, instead of promoting a permanent settlement of the question of Representation, would, on the contrary, lead to a fresh unsettlement and renewed disturbance, that he should oppose the Bill to the full extent of his power.

THE SOLICITOR GENERAL thought the serious nature of the alteration proposed by the Amendment of the noble Lord had not been sufficiently appreciated by the House. The question the Committee were called on to determine was whether, for the first time in the history of this country, the right of a man to the franchise should be determined by the amount at which he was rated, such amount being ascertained conclusively by the local authorities. The proposition of the noble Lord would oust the Revising Barrister from his present jurisdiction of determining as to the qualification of the voter; once the man's name appeared upon the book rated to a certain amount, the Revising Barrister would be precluded from inquiring any further. To such a change he, as a lawyer, entertained the strongest objections. The principle heretofore had been that the right of a man to the franchise should be determined not by local authorities, but left to the decision of a professional mind, unbiased by party politics, and ignorant of local squabbles. The Amendment would transfer this jurisdiction to persons from whom it would be impossible to expect the same impartiality of judgment. Let the Committee consider who were the local officers to whom the jurisdiction would be transferred? In some boroughs—as, for instance, in Lambeth—the Union Assessment Act had not been adopted, and in these the local authority would still be the overseer; in others, the Board of Guardians would be the parties to act. Would Parliament be satisfied that the overseers or Guardians should be the persons to determine finally whether a man had or had not a right to the franchise? The statement by the Chancellor of the Exchequer that overseers might be accused of partiality was regarded by some hon. Gentlemen opposite as a monstrous insinuation. But what had been said by their own Leader on this very subject? The right hon. Gentleman the Member for Buckinghamshire used these expressions—

“For the purpose of securing the advantages of having the rate book the register, you must of

course leave perfect discretion to the overseer. The overseer has an interest in raising rates, people may say; or he may be a very hot political partizan.”—[3 *Hansard*, clii. 982.]

Is not this the very allegation which is thought so monstrous in the mouth of the Chancellor of the Exchequer? [Mr. HUNT: What is the date of that passage?] 1859. The right hon. Gentleman went on to say—

“Are you prepared to leave to the overseer the absolute discretion of appointing those who are to exercise the suffrage?”

And his Question was answered by the cheers of hon. Gentlemen behind him.

“Some will say—we must have some check. But what is a check but an appeal? And if you appeal, you cannot do better than appeal to the Revising Barrister.”

He quoted these passages not for the purpose of taunting the right hon. Gentleman with inconsistency, but to avail himself of his high authority, for which he had the most unfeigned respect. That would be the cases to which the Union Assessment Act did not apply. In cases where the Act did apply comparatively few boroughs were entirely conterminous with unions. There were some cases where the borough, as compared with the union, bore a ratio of about one-fifth; but, taking the case of Abingdon, where the number of parishes within the borough was one, and parts of parishes three, and the number of parishes without the borough thirty-six, and parts of three other parishes—Abingdon would bear a proportion of one in thirty-seven of those who elected the rating committee—the Guardians of these thirty-six parishes, the country gentlemen and farmers of the surrounding district, in point of fact, would determine the right of voting for the borough of Abingdon—a state of things which, he ventured to say, would be perfectly intolerable. It was said there would be an appeal; but as the law now stood there would be no appeal at all, for an appeal was only given to a person aggrieved, and it had been judicially decided that the loss of franchise in consequence of a man's rating not having been placed sufficiently high was not such a grievance as would entitle him to a right of appeal. Although, therefore, a man might believe himself entitled to a vote, and might be willing on that account to pay additional rates, he would be absolutely without remedy if the overseer chose to disfranchise him. And if a man himself, being under-rated, could not appeal, much less could he do so if his neighbour were improperly enfranchised, because the extra rates paid

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by the others were a relief, and not a burden to him. The overseer for Lambeth consequently, if the Amendment were carried, might, as the law now stood, enfranchise or disfranchise hundreds of voters for that borough, absolutely without appeal; on the other hand, by giving facilities for appeals, new courts of revision would be created less convenient than those now existing; for, instead of the single appeal to the court of the Revising Barrister, there would then be three. He ventured to submit that the borough justices—though he was quite willing to believe they would do their duty conscientiously—would not, he thought, be a satisfactory tribunal of appeal. Suppose a bench of Liberal justices decided all the appeals coming before them in favour of the Liberals. [An hon. MEMBER: So they would.] He did not go as far as the hon. Member; but the hon. Member's opinion only made his argument the stronger. What would be said of these decisions, or what would be said of the decisions of a bench of Conservative justices if they decided for the Conservatives? The administration of justice should be not only impartial but above suspicion. No doubt there would be a final appeal to the Quarter Sessions, but even that tribunal would not be as satisfactory as the one which the Government proposed in the first instance. Again, the multiplication of Courts of Appeal would very considerably increase instead of diminish expense. At present, all the Government proposed was that the rental column of the rate book should be taken as *prima facie* evidence by the Revising Barrister. They did not make the rate book conclusive. They provided a check, what the right hon. Gentleman the Member for Buckinghamshire thought so important in 1859. Besides, if the rating valuation were not adopted for the franchise, the rate book would continue to be what it was now, a non-political document; but if they made it conclusive it would become political. It appeared to him on those grounds, if he went no further, that there was a complete answer to the proposition of the noble Lord. But no answer whatever had been given to the objection that the rating throughout the country was unequal. It might be said that it would be possible to make it equal hereafter; but every one admitted it was unequal now, and it was to be remembered that hon. Gentlemen on the Opposition side of the House had protested against

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leaving anything to the future—they said they must have the whole scheme before them. But he maintained that they were relying on the future—on an alteration in the law by which the system of rating in England should be assimilated to that which prevailed in Ireland. He asked hon. Gentlemen opposite whether it would be endured for a moment in England that a system of centralization such as that which existed in Ireland in respect to rating should be adopted in England. Would they give his right hon. Friend the President of the Poor Law Board a direct control over the rating throughout England? In Ireland there was a Commissioner of Valuation, who made an assessment of all property in Ireland, excepting what was called “fluctuating property.” The assessment so made by that office lasted for fourteen years; and in making it the average prices of corn and a variety of other articles were taken into account. In fact, he made the rate. [Sir HUGH CATRNS: No, no!] Well, he made the valuation, and it was that he was dealing with. Such a principle was unknown in this country. While it was desirable to assimilate the laws of the two countries as far as possible, he ventured to think that the assessment principle acted on in Ireland would not be admissible in England. The hon. Member for Buckingham (Mr. Hubbard), in an able review of the working of the Union Assessment Act, showed incontestibly that there was great inequality in the assessments, owing to the different systems of deduction in operation. In Exeter there were no less than twenty-seven different principles of rating, in consequence of a question as to boundaries, and the variation ranged from 12½ up to as much as 40 and 50 per cent. It was proposed that a £7 rating franchise should be adopted in the Bill. If it were, a good many of the present £10 voters would be disfranchised. He had always supposed that the £10 voter was generally believed in; that even the right hon. Member for Stroud (Mr. Horsman), and the right hon. Gentleman the Member for Calne (Mr. Lowe), if they believed in nothing else, believed in the £10 voters as the bulwark of the British Constitution; but if the £7 rating qualification were adopted, those bulwarks to a considerable extent would be undermined. They were not all lawyers in that House; and *prima facie* the rateable value presented some advantages; but the more they came to examine it the

clearer would it appear that it would be impossible to adopt it. The present Government were at first inclined to adopt it, but they found it impossible to do so. The Government of Lord Derby in 1859 were at first disposed to adopt it, but as the right hon. Gentleman the Member for Buckinghamshire had explained to the House, they found it impossible to make it the basis of the franchise which they proposed. So strong was his opinion on this subject that he could not help thinking that if a rating qualification were adopted, it would be found so inconvenient that it would be found impossible to maintain it for six months. He believed that it would give rise to the greatest discontent and inconvenience throughout the country; and he therefore hoped the Committee would not agree to the Amendment of the noble Lord.

LORD ROBERT MONTAGU said, this was not, as many Members seemed to imagine, a question between rent and rateable value. [*Laughter.*] Well, he could assure hon. Gentleman that it was a question between gross estimated rental and rateable value; but all were aware that the gross estimated rental was very different from the rent which the landlord demanded and the occupier paid. The gross estimated rental was a mere estimate which had been made by the parochial surveyor or the assessment committee, and had nothing to do with the rent which was actually received. The assessment committee determined the gross estimated rental according to what they supposed would be a fair rent for the premises, on the supposition that the tenant would pay his own rates and taxes. The gross estimated rental was always lower than the real rent. It was sometimes as much as 50 or 60 per cent less; at least it used to be so, before the Act of 1862 had come into operation. The rateable value was arrived at by subtracting from the gross estimated rental the amount necessary to keep the occupation in repair, and also to defray the annual premium for the fire insurance. It might be supposed, from the language of the Bill, that the gross estimated rental was the proposed basis of the franchise. The speech of the Chancellor of the Exchequer cast some doubt on that supposition; but it was not clear from that speech what was really to be the basis. The Solicitor General, however, had stated that the gross estimated rental was merely to be a *prima*

facie evidence of the value of the premises, but that the "real value" was to be determined by the usual haggling and argument and cross-swearing before the Revising Barrister. To this point, therefore, the Chancellor of the Exchequer in his Bill, and the Opposition by the support which they gave to the noble Lord's Amendment, clearly went together. Both agreed to take the gross estimated rental as evidence of the value of the premises. But here arose the point at issue. The Chancellor of the Exchequer would leave the determination of the question to the Revising Barrister. Now, all knew that he devoted but one day in each year to the settling of all the various cases which might arise; the evidence was hurried; his decision on the evidence was hasty. A court of revision was not like a Court of Law. The facts of the case were not clearly brought out; the Judge did not take time to consider his decision; and the judgment was not of much value. The Opposition, on the other hand, would leave the determination of the question to the justices, who met four times a year to hear complaints, to sift evidence with all their local knowledge to guide them, and to determine accurately the rateable value of the premises. Then there was an appeal from their decision to the Quarter Sessions, and a further appeal to the Court of Queen's Bench. This is what the Solicitor General had called, "leaving it to the parish overseer finally to determine whether a man should have a vote or not." The hon. and learned Gentleman had also quoted the language of the right hon. Gentleman the Member for Buckinghamshire; but since that speech was delivered great changes had taken place with respect to the electoral franchise. That speech was made on the 29th of March, 1859. Since that time the Lords' Committee on the Elective Franchise had sat, and collected most important evidence. The arguments in that speech were therefore not applicable to the present case. The hon. and learned Gentleman also seemed to forget that the Government of which he was a Member passed in 1862 the Assessment Act, which had altered the whole aspect of affairs. The hon. and learned Gentleman had argued that "a man omitted from the rate cannot appeal." It must be remembered, however, that the parish overseer or the assessment committee rated persons in order to meet the expenses for the poor; it was therefore their interest to rate every

one in the parish. It was the interest of every one in the parish to see that all were adequately rated, so that a heavier burden might not unjustly fall upon a few. And was it to be supposed that for the chance of turning the scale in an election six or seven years hence, they would every year pay higher rates than necessary, in order to omit a hundred of persons from the rate book? In the course of his argument the hon. and learned Gentleman had stated that "the borough justices had a strong political bias," and that it was therefore likely that they would make a wrong assessment. But to establish his case it would be necessary to show that all the borough justices held the same political opinions; for if the justices differed in their political opinions they would not concur in a fraud to forward the interests of one political party. Nay, more, the Solicitor General must have assumed that all borough justices—that is, all the most respectable persons of every borough in England—were Tories; for he could not be supposed to resist so vigorously an Amendment which, on any other supposition, must tell for his own party. The Chancellor of the Exchequer had said a great deal about "ousting the Revising Barristers." There was, indeed, a shadow of ground for the expression, but no more. But that ground, slight as it was, was entirely in favour of the Amendment. It had been stated in evidence by a Revising Barrister of great experience, before the Lords' Committee of 1860, that the chief business of the Revising Barrister was to determine questions of value, because "very few legal points arise." All knew how expensive and how unsatisfactory was the business of registration. If, then, the value of property could be ascertained more readily and cheaply by the assessment committee than by the Revising Barrister, and if votes depended on the "rateable value" column in the rate book, then the only business of the Revising Barrister would be to decide the "very few legal questions" which might arise. A check would also be given to the power of the political associations which now existed throughout the country if the Amendment were adopted, for the elector would come on the register without any act of his own. On this point he would quote the testimony given before the Lords' Committee in 1860 by Mr. Sidney Smith, Secretary of the Liberal Registration Association of the City of London. Mr. Smith was asked—

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"2,118.—If I understand you rightly, your opinion is that the best system of qualification is one by which the elector shall come upon the register without any agency of his own?—with the least possible trouble to himself."

"2,119.—"Therefore a rating qualification, in your opinion, would be the best; taking it simply from the rate book?—Taking it simply from the rate book, and putting all upon public officers (who thoroughly understand the law, are responsible to the State for the faithful discharge of their duty, and are adequately remunerated for doing it); that, and leaving nothing to individual exertion, is the only way by which you can permanently secure the expression of the real state of the electoral opinion."

It appeared, therefore, that the result of adopting the Amendment would be to secure permanently the expression of the real state of electoral opinion. It was proved also to the same Committee that parish rates were now kept down, in order to evade the Queen's taxes, and to reduce the county rates. By adopting the Amendment we should, therefore, be constructing a "compensation balance." The anxiety to obtain the franchise would effectually counteract the desire to defraud the taxes or reduce the county rates. In answer to Lord Llanover's question—

"797.—At present, as you are aware, the franchise is based upon value, and great difficulties are found in the registration courts, in order to determine the amount of value. Do you think that the rate book would be a better basis for the franchise than the value; do you think that, supposing the franchise were based upon rating, that would simplify the proceedings in the registration courts, rather than if the franchise were based upon value?"

Mr. Sidney Smith (Secretary to the London Liberal Registration Association) replied—

"Yes, I think so, and I think it would have another good effect, seeing that the value on the rate book is so perfectly arbitrary just now". . .

"798.—It would require completely to change the system of rating, and the enormous variation which exists now in the percentage between the real value and the rateable value would require to be made more uniform?—It would."

"799.—It would require the enforcement of the existing law?—Yes."

"800.—Would the present law be sufficient for the purpose?—So far as the value is concerned it is entirely arbitrary. A mistake takes place with those who think that it is the interest of the overseers always to get the highest amount; whereas it is not their interest . . . It is the interest of a whole parish to go as low as they can, in order to avoid the Queen's taxes; and that is systematically done all over the country. . .

"804.—From inquiry at overseers of other parishes I learn that it is very general; they say if we put it up to the real value, the Queen's surveyors will be down upon us."

"805.—Then the provisions of the Parochial Assessment Act are altogether neglected are they not?—Yes, so far as that is concerned."

The effect, therefore, of adopting the Amendment would be to correct the rating, and increase the revenue derived from the taxes throughout the kingdom. The Chancellor of the Exchequer had stated that this was the first time it had been proposed to base the franchise on rating, "and that it was false in principle." Had the right hon. Gentleman forgotten the Bill of 1852, brought in by Lord Russell, which proposed a £5 rating franchise, or the Bill of 1854, which was based on a £6 rating franchise? Did he think that those Bills were introduced without careful consideration by the noble Lord? Did he assume that a "false principle" would have been introduced into both of them, by one who had studied the subject ever since 1832? An hon. Member had endeavoured to draw a distinction between Ireland and England in this matter, observing that because the Irish tenants repaired their holdings themselves, the principle which was found to work so well in that country would not be applicable to England. But the fact that the Irish tenants repaired their own holdings did not alter the case; for in order to arrive at the rateable value it was necessary to subtract from the gross estimated rental the amount required for their repair, and it mattered not who expended that sum in the first instance. It was the rent received, and not the rateable value which was affected by that custom. There was another important point to be considered: from year to year Parliament passed Bills for various purposes; the expenses incurred in virtue of those acts were defrayed by the rates; and, therefore, if votes were given to persons who did not pay rates, power was given them to a certain extent to encourage that legislation which would increase the burden upon those who paid the rates. Take the case of the Public Health Bill which was now before the House. The expenses of that Bill were to be met by rates; the expenses of his (Lord Robert Montagu's) Sewage Utilization Act of last year were paid out of the poor's rate. But those only should have legislative influence and power over the wealth of the country, who perform the duties and bear the burdens of citizenship. Hon. Gentlemen had expressed their desire to return to "the old lines of the Constitution," and the

Chancellor of the Exchequer had this evening taken up the strain. He had alleged the precedent of scot and lot in favour of household suffrage. The hon. Member for Birmingham had made similar assertions. He had, however, investigated the truth of the statements on this point. He found in the *Firma Burgi* of Madox, who was an authority on the subject—

"It is likely that townsmen or members of the community were the persons who ought to enjoy the franchises of the town. It resteth to be inquired, who were formerly the townsmen? They were deemed townsmen who had a settled dwelling in the town, who merchandized there, who were of the house or gild, who were in lot and scot with the townsmen, and who used or enjoyed the liberties and free customs of the town. To have a settled dwelling or abode in the town made part, but not the whole of the description of a townsman. Some of the other qualifications just above mentioned, if not all of them, were requisite to complete the denomination."

And at page 380—

"Every person willing to enjoy the franchise of the town was to contribute according to his ability to these public burdens or charges incident to the community."

Practically, we have to consider who, according to the "old lines of the Constitution," were actually the constituents in boroughs. The commune or commonalty, that is to say, the corporation were the electors. The ruling inhabitants in each borough, the mayor and aldermen, who had jurisdiction and a common seal, were those who sent Members to Parliament. In *Brady on Boroughs*, it was stated that—

"'Tis manifest beyond contradiction that the commonalties of cities and burghs were the magistrates and governors, and all such as with them had the transaction of all affairs appertaining to them; and not the common, ordinary, or inferior burgesses, who were always under the government and direction of such communities or commonalties."

Communities, Communes, or Commonalties, were—

"Used to denote a select number of men joined together in mutual society and fellowship, for transacting the common business of a greater number that had dependence on that society or fellowship, and of all the ordinary and general members of the same."

So far, then, from all the burgesses having a vote for the representatives returned to Parliament, only the mayor and aldermen had a voice in their selection. Thus, for instance, Brady mentions that in the borough of Huntingdon there were only twelve electors. It had been asserted, during the debate, that the desire of

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the Opposition was merely to raise the franchise and diminish the number of electors, and that all the arguments which they had used in favour of the Amendment had been insincerely and falsely employed. He denied the charge that it was his desire to raise the franchise, or, in other words, to diminish the number of electors contemplated by the present Bill; what was sought was a rateable basis for the franchise, seeing that it would form a less variable and more certain qualification. The question of the amount of the franchise was not then before the Committee. He would not, therefore, now state whether he would or would not give his vote for a £7 or a £6 franchise. But what was it that the Ministry were seeking to do? They wished to take the power from those who now enjoyed it, and place it in the hands of another class. Those who lived in houses of £10 value and upwards belonged to all the classes and interests in the kingdom. Those who lived in houses of a less value were all of the same class. Moreover, the occupiers of houses below £10 were the most numerous class, and to enfranchise them would in effect simply be taking the franchise from all other classes. Let the House consider how much tradition had to do with the stability of our Government. Traditional rules were the only real checks against democracy. The House of Commons was undoubtedly the most powerful of the three branches of the Legislature, just as "the people" were the most powerful outside. And the Liberal party were the most powerful party in the House. What, then, prevented the House of Commons from taking all the power to itself, and putting an end at once to all opposition by extinguishing the other branches? It was a sort of traditional morality which was imbibed by statesmen, that prevented them from carrying their democratic principles to a logical issue. It was this which made them turn round and act as a check upon their too ardent friends. Now if the power be put into new hands, all this store of tradition would be at an end; the power would be exerted; their democratic principles would be carried to a legitimate issue. It was this which had produced the crisis in Victoria, on a question which had also occurred in this House. But here statesmen had instinctively shrunk from such a crisis. The Ministry were seeking therefore to destroy tradition. He desired to give the power of voting to as many of the people of this

country as the Chancellor of the Exchequer, but he would do it in a different way. In the counties there were many large towns, the inhabitants of which could only vote by possessing a county qualification. But if they were to be grouped with the represented towns, if the borough franchise were to be extended to them, then (according to a calculation he had made from a Return presented to the House in 1860), a larger addition would be made to the borough constituencies than would be effected by the present Bill. Take from the counties the population of the unrepresented towns of more than 5,000 inhabitants; the remaining village population was equal to that of the represented towns. In the name of fairness why should not the former have a pure representation? They ought not to have thrust upon them Members who had no sympathy with their industry, and nothing in common with their interests. His plan, then, would not only give votes to as many as the Chancellor of the Exchequer proposed to enfranchise, but it would bring about a purer representation of the counties. The right hon. Gentleman actually swamped the county voters by means of town voters, and deprived the counties of the representation they now enjoyed. This was amply proved by the "Returns relating to County Electoral Statistics, No. 335." As Germany settled the question of the Duchies by annihilating Denmark, so hon. Members opposite would settle the Reform question by annihilating the Conservative party. And what would happen then? Would they be unanimous and contented then? No; like Austria and Prussia now, they would quarrel among themselves for their unrighteous booty. Many below the gangway were not content with the Bill, and regarded it as a "stepping-stone," to their ultimate end, the object of all their aspirations — universal suffrage. The hon. Member for Finsbury (Mr. Torrens) and others had openly declared their real opinions and proclaimed their policy. The hon. Member for Birmingham had indeed been drilled and tutored into prudence, and had learnt to conceal his views; while above the gangway, on the other side there were many who would rise to oppose the democratic measures of those below, when the Conservative party were no longer there to take part in the contest. Why not withdraw the Bill at once, and retain your power? There was a very strong opposition to the Bill on principle, because

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the House knew that it was framed in haste before the Government had obtained their statistics, and that the figures proved the fallacy of the Chancellor of the Exchequer's assertions. There was also a smouldering discontent on the Ministerial side of the House; and, although the Opposition might be beaten that evening, yet before the Bill was passed, those who supported the Ministry would, either in the House, or in private, tell the Chancellor of the Exchequer that they did not like his Bill, and would ask him to withdraw it. He had heard what hon. Members opposite had whispered in the lobbies and proclaimed in society, and he charged them with cowardice for not saying as much in the House. [*Cries of "Name, name!"*] Yes, he would name them; their name was Legion, for they were many. The long list of Amendments on the paper proved that hon. Members had no settled principles on Reform, that their views were vague and divergent; the varying statements of the Government was the consequence of their having framed the Bill in great haste, before their ideas were matured, or the facts had been learned. He therefore advised the adjournment of the question to another year, to allow hon. Members a chance of agreeing upon principles and the Government time to consider their statistics. This constant haggling detracted from the honour of Parliament, and reduced its influence throughout the country; and the haste and insincerity with which the Government had introduced the Bill, and the obstinacy with which they had adhered to it, only lessened the credit and tarnished the reputation of the Liberal party. Considering the state of affairs abroad, was this a time to make sweeping changes in the Constitution of the country? Changes which would not be welcomed by the country; which the present electors feared and the House abhorred? Was there any pressing necessity to compel a settlement of the question this year? Was any danger to be apprehended from further postponement? There was not. The right hon. Gentleman opposite would bear out this assertion. He would quote eloquent words of the Chancellor of the Exchequer on the 29th of March, 1859—

"We cannot afford, as a mere matter of time, to pass year after year, to fritter away the principal part of each Session, in debating the question of Parliamentary Reform. I say, too, over and above the loss of time, it is a dangerous habit for the country to fall into. . . . No indivi-

dual can be constantly watching the state of his own health without injuring it; and a disposition to be continually agitating a question of organic change has not only an unwholesome effect upon us, withdrawing our attention from other important matters, but it diminishes the stability of our institutions, and tends to disqualify England for the performance of those great duties which she has to discharge both to herself and to the world." —[3 *Hansard*, clii. 1066.]

Were there not other questions to be settled beside that of Reform, questions far more pressing, far more urgent? Matters which would brook no delay demanded their attention; matters which more nearly affected the health and happiness of the people awaited their consideration. With a threatened visitation of cholera, which might sweep hundreds off the face of the land, ought we not to be passing rather a Health Bill than wasting time upon a Reform Bill?

MR. W. E. FORSTER said, he inferred from the wide scope of the speech of the noble Lord the Member for Huntingdonshire, that it had been prepared for an earlier stage of the Bill. He was surprised to hear the noble Lord's statement that the gross estimated rental was no guide to the rent. Nothing had been done since 1859 affecting rateable value, but a good deal had been done affecting the gross estimated rental, the labours of the union assessment committees having changed variety for something like uniformity, so that in about three-fourths or four-fifths of the boroughs the gross estimated rental was a good indication of the clear annual value and of the annual rent. The result of this uniformity was that, in introducing the Bill, the Chancellor of the Exchequer was able to say that he hoped in future to look to the gross estimated rental as *prima facie* evidence of the clear annual value, and hence the provision which the Bill contained. He assumed that what they were trying to do, in the attempt to make a good Reform Bill, was to arrive at the best possible definition of an occupation franchise; because hon. Members had signified their content with an occupation franchise and had not expressed a desire for a franchise of another kind. Hon. Members, then, wished to have an occupation franchise as clearly and honestly defined as possible; and he believed that all on his own side of the House wished it to be defined at as little trouble and cost as possible. He had at first shared the opinion of most of those who had at-

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tempted to solve the question, that it was the best principle to proceed by taking the rateable value; but all who had pursued the subject still further had invariably found, in the attempt to carry out this idea, that it was a delusion, that it was more cumbrous and expensive than the course proposed, and that the example of Ireland was misleading because of the exceptional circumstances of that country. In order to ascertain the clear annual value it was proposed to take the gross estimated rental as *prima facie* evidence, which it might be assumed to be under the operation of the Union Assessment Act; and power was given to a claimant to appeal to a perfectly impartial judge, the Revising Barrister, who would decide whether the clear annual value was rightly defined by the rate book or not. The Amendment, if he understood it rightly, would get rid of the Revising Barrister altogether. ["No, no!"] Suppose it did not, it would give the Revising Barrister more work than he had to do at present, because there would be disputes, not merely with regard to the gross estimated rental and the clear annual value, but also with regard to the rateable value and whether that had been properly arrived at. Some hon. Gentlemen seemed to imagine that rateable value was accuracy itself. That was a mistake. The rateable value was based upon the actual value, and perpetuated all its errors, together with those which it gathered in its course. Since, then, the Revising Barrister would have first to examine into the actual value of the property and then check the process whereby the rateable value was deduced from it, his work would be increased. But suppose the Revising Barrister was dispensed with. The list of voters would then be dealt with by the local authorities alone, and he would show what would be the result. In the first place, he believed there was a great mistake as to the number of £7 voters who would be admitted under a rating franchise. Speaking of a large number of boroughs it would require a man to pay on an average a rental of £9 a year before he could get a vote. That would bring in the *élite* of the working classes, whom it was most desirable to introduce into the constituencies. He had got the statistics relating to twenty-two boroughs taken at random from letter B, from which he had deduced calculations as to the probable working of a rating fran-

chise—he took it for granted that hon. Gentlemen would accede to a rating franchise. In one of the twenty-two boroughs 10 per cent was deducted from the gross estimated rental in order to arrive at the rateable value; in another 12½ per cent; in four it was 15 per cent; in five it was 20 per cent; and in one other it was 25 per cent. In the remaining ten the deduction varied from 5 to 15 per cent. It was agreed on all hands that a cottager who paid 3*s.* 6*d.* per week for his house, or nearly £9 a year, was a proper person to have a vote. But his landlord paid his rates, so that 3*s.* 6*d.* a week would give about £7 5*s.* as the gross estimated rental; and if 20 per cent were deducted from that the house would be brought down to £5 16*s.*; and if 15 per cent were deducted, the result would be £6 3*s.* Thus it would be seen that in ten boroughs whose initial letter was B, a cottager who paid 3*s.* 6*d.* a week for his house would not have a vote under a £7 rating franchise; in eight boroughs he would get a vote, and in four he might or might not. That being the case, it was advisable to consider who would have the power of deciding whether that man had a vote or not. That comprised what he ventured to call the suspicious part of the proposition. ["Oh, oh!"] He did not use the word invidiously—he had never been in the habit of making personal attacks upon hon. Gentlemen—but he believed unfairness would occur in connection with the decision as to who was or was not to have a vote in proportion to the extent to which political feeling existed in a borough. Local persons, not necessarily partial, but liable to be influenced by political controversy and party pressure, would frame the lists of voters in boroughs, and on the mode in which they framed them would depend whether a man who paid as little as 3*s.* 6*d.* per week for his cottage would have a vote or not. Much had been said with respect to double elections; but in this case it was proposed that men who were elected for one purpose should choose the voters for Parliamentary boroughs. Then the guardians who chose the voters were elected by what was called a plurality of votes. If it was intended to introduce that principle to test Parliamentary voting, let it be stated boldly, but he begged they would not steal in with it furtively. He asked hon. Gentlemen, most of whom were *ex officio* guardians, whether it would be fair for county

magistrates living near a borough to have the power of framing the list of voters for that borough; and whether it was fair that in an agricultural parish, contiguous to a borough, the farmers in that parish should choose the list of voters? [Mr. DISRAELI: They have nothing to do with it.] He must beg the right hon. Gentleman's pardon; but they had everything to do with it. The course of proceeding was this. The overseers made out the lists; and how were the overseers appointed? Theoretically they were appointed by the justices, but as a matter of fact by the vestries—or rather the incoming overseers were appointed by the outgoing. ["No, no!"] He contended that his assertion was true, and further stated that the overseers drew up the rating list and arranged what percentage should be deducted from the gross estimated annual value. ["No, no!"] He said it was so, but admitted that the list was submitted to, and revised by, the union assessment committee, who, however, he insisted, were elected upon the plurality principle, and were assisted in their revision of the list of voters by magistrates who had in some cases nothing to do with the borough. In three-fifths of the cases there would be a preponderance of the agricultural element. He asked, was that a fair way of drawing up a list of voters? Under any circumstances, it would have a suspicion of unfairness; and he could conceive of nothing more likely to lower the House of Commons in the estimation of the country than the adoption of the principle which was offered for its acceptance in the Amendment under consideration.

SIR ROBERT PEEL: Sir, the hon. Gentleman who has just resumed his seat has displayed all the zeal of a neophyte which is so commendable in a young Member of the Government. The hon. Gentleman the Under Secretary of State for the Colonies rated the noble Lord below the gangway (Lord R. Montagu) for having wandered from the question, but the hon. Gentleman himself wandered away from the question when he indulged in a series of remarks upon the office and character of an overseer, which does not seem to bear much on the subject at issue; but I must remind the hon. Gentleman that it was the Chancellor of the Exchequer who set us the example of wandering away from the question, by pressing into the consideration of this question other subjects that were

utterly foreign to it. Without further preface, I must say that I agree with the Chancellor of the Exchequer so far as to admit that the Amendment of the noble Lord does go to the root of the question. The Amendment opens up a field for criticism upon the whole Bill, and raises the whole issue upon which, in a very pointed and grave manner, the Chancellor of the Exchequer has repeated the solemn pledge which he gave to the House and the country that Her Majesty's Government are prepared to stand or fall by the Bill now before the House. [The CHANCELLOR of the EXCHEQUER: Hear, hear!] I am glad that the Chancellor of the Exchequer cheers that sentiment. I hope that the decision we are about to come to will show the House and the country what is really the opinion of the Committee upon this subject. I, for one, have always supported the Government on this question. I have voted for it night after night, and would support any Government that should bring in a Bill for the reduction of the franchise. But after the statement of the Chancellor of the Exchequer, I wish to put this point to the House of Commons. What is the question it really has to consider? What is the duty of this Committee of the House of Commons now? To my mind the duty of the Committee is paramount—it is not to consider what are the views of any particular Minister on this subject, or what the position of that Minister would be in certain contingencies, but what will be the result of the measure upon the country—whether the arrangement proposed by the noble Lord (Lord Dunkellin) does not involve considerations better than the scheme of the Government for the general good. No doubt there are many others who entertain similar views respecting the situation, and I am anxious to point out to the Committee the course which I proposed to take on the present occasion. I followed with great attention the speech of the Chancellor of the Exchequer, who admitted the importance of the Amendment, and divided it into two heads—namely, political and practical—but I was sorry to notice in his remarks traces of an excited and irritated manner for which there seemed to be no good reason. ["No, no!"] If I in any way misrepresent my right hon. Friend, I am sorry for it. Perhaps hon. Members who say "No, no!" were not present when the Chancellor of the Exchequer spoke. The impression produced on me by his speech

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certainly was that for some reason or other which I could not understand, he spoke with unusual animation and irritation. ["No, no!"] Well, the Chancellor of the Exchequer charged the hon. and learned Gentlemen opposite (Sir Hugh Cairns) with having given an erroneous assurance, and went on to say that it was quite evident that the noble Lord (Lord Dunkellin) had not read the Bill, and that he had hopelessly jumbled up his arguments. That, surely, is rather excited language. ["No!"] Well, then, it is a very calm way of putting the case. It is a very calm and judicious mode of conciliating Members of the Liberal party, similar language having been used to many others who sit on this side of the House. I will now pass from that and will assume either that the case of the Chancellor of the Exchequer was a very bad one, and that he felt it required a little extra polish and varnish, or that he was carried away by the enthusiasm with which, I am happy to say, he always deals with a subject. My right hon. Friend divided the Amendment into two heads—the political and the practical. I will take the practical first. He said that the noble Lord the Member for Galway (Lord Dunkellin) did not understand the question, but forgot to add that the noble Lord did not fix any limit or name any figure at which the franchise should be put, merely advocating the general principle of rating. And I must say that to my mind the noble Lord put the case before the Committee in a very able and intelligible way. It is quite clear that there can be no intrinsic merit in the figures £7 and £14, because we know that before the Returns were prepared which so misled them, the Government had proposed, or intended to have proposed, a different figure from the £7 and £14 franchises. Now it is my wish carefully and earnestly to consider this question, because I should deeply regret to take upon this subject any step which I might afterwards have reason to think I ought not to have taken; but I certainly have come to the conclusion that the arrangement which the noble Lord proposes as a basis for the borough franchise has a great advantage over the proposal of the Government. It has been stated two or three times over, and it cannot be stated too often, that the rate books are drawn up without any question of political bias—that they are perfectly fair towards the occupier, and that the occupier's interest is not to exaggerate the value of

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his holding; for the result would be that he would subject himself to additional taxation. Clearly, on whichever side of the House we sit, we are all interested in making Parliamentary government as effective as possible, and therefore let us consider this question fairly and above-board, with the single object of amending the franchise. I say that I have always hitherto supported the Government, and am in favour of reducing the franchise: but do not bring party feeling into the consideration of a question in which all parties are interested alike. This Amendment, in my opinion, does not in any way tend in the direction of a party movement. ["Oh, oh!" and *cheers*.] Here, again, I am met with interruptions. I do not know why they should be directed against an observation of that kind, for this I can say, without fear of contradiction, that for more than fifteen years during which I have had the honour of a seat in this House, I never recollect an Opposition which lent itself less to the arts of Parliamentary tactics than has the powerful party on the other side of the House upon this occasion. ["Oh, oh!" and *cheers*.] I say this as a supporter of the Government. ["Hear, hear," and *laughter*.] Why, nearly all the opposition to this Bill has come from this side of the House. And I think that the narrow divisions upon the Motions of the noble Earl the Member for Chester (Earl Grosvenor), and of the hon. Gentleman the Member for Northamptonshire (Mr. Hunt), must have convinced the Government that the danger they have to apprehend arises not from Conservatives but from the ranks of the Liberal party. Now, I have not spoken before during the present debates; but I am sorry to say that, as time has gone on, I have marked a growing dislike throughout the country for this particular measure. I speak certainly of the borough I have the honour to represent. I can assure the Committee that I have voted over and over again for the Government where I really and honestly believe that the opinions of the constituency which I represent would have gone in the contrary direction. Now, I would observe that a rating test, which is now under consideration, as it was last week in regard to the counties, would be of infinitely greater value in borough than in county registration. And here I would make a remark upon the speech of the Solicitor General, who, I should say, did not seem to know exactly what had been done by his own

Colleagues in the matter. I was surprised to hear the hon. and learned Gentleman talk of going out of the way in the discussion of this question—I wonder whether the hon. and learned Gentleman was not going out of the way when he went on to rate the borough justices as he did. I did not expect to hear a Law Officer of the Crown do that. The only excuse he gave was that every one in this House was not a lawyer, and therefore did not understand the subject. The hon. and learned Gentleman said that rating throughout the country was most unequal; but, at all events, I think a rating would be more equal than a rental qualification. The Solicitor General appeared to have forgotten that there was a recent Assessment Act passed by the present Government which tended in a very great degree to promote a uniform principle of assessment throughout the country. Then a rating test is the legal test in Ireland, and I know to my own knowledge it works well and satisfactorily. Now, the principle of the Union Assessment Act and the rating test which is already the law in Ireland would be equally applicable to counties as to boroughs; and for reasons which must be obvious, I think it a very important consideration that the determination of a low qualification of £7 should be altogether withdrawn from the sphere of political animosity and agitation in boroughs. I voted with the Government the other night against the Motion of the hon. Member for Northamptonshire; but I am sorry to say that, upon consideration of the Amendment of my noble Friend—looking to the importance, in my view, of the rating qualification in boroughs, and believing that there is risk of the manipulation of the register, which should be guarded against by every means, and that the Amendment of my noble Friend is more likely to provide safeguards than the proposal of the Government—without further occupying the time of the Committee or going into any figures, I must say I shall be glad to see the Amendment adopted. Having said so much with regard to the practical head of the question, I would touch for a moment upon the other portion of the subject referred to by the Chancellor of the Exchequer—I mean the political portion, and that is the gravest part of the affair. This Amendment, I maintain, is very much the result of the conduct of the Government towards the Liberal party. I heard the other

night one of the staunchest Liberals in this House, say he had been treated by the Government on the night of the division upon the Amendment of the hon. Member for Northamptonshire in a manner which he could not forget; and many other Liberals who sit in this quarter make the same observation. [*Cries of "Name, name!"*] I answer, as my noble Friend answered before—their name is Legion. I say this Amendment is caused very much by the action of the Government, and so was the Amendment of my noble Friend the Member for Chester, and that of my gallant Friend the Member for Wells, and of the course adopted by the right hon. Member for Kilmarnock (Mr. Bouverie.) The Chancellor of the Exchequer has over and over again said that the present Government sitting upon these seats is the Government of Lord Palmerston without Lord Palmerston. Now, to his mind that may be a distinction without a difference. I have heard my right hon. Friend say so. The Chancellor of the Exchequer shakes his head. If he denies it I will, of course, at once retract: but this I will say—it is quite certain that the wisdom and the discretion of Lord Palmerston are no longer on these Benches to guide the decisions of the Government. We have felt that on more than one occasion. When I stated just now that there was great dissatisfaction felt by many hon. Members on this side of the House with the conduct of the Government I was met by marks of dissent, as if that were not the case. Only last week what occurred? The right hon. Gentleman agreed to a proposal made by an hon. Gentleman opposite; and what was said by hon. Members on this side? I will quote the remarks of three eminent Liberals in support of my statement. The hon. Member for Birmingham (Mr. Bright) said he looked upon the changes in the Chancellor of the Exchequer's views with some suspicion. The hon. Member for Edinburgh (Mr. McLaren) said that the Chancellor of the Exchequer had struck a fatal blow at the utility of the Bill; and my hon. Friend the Member for Brighton (Mr. White), with that stanch and bold front which he always shows, said the Chancellor of the Exchequer had acted in a spirit of deplorable concession without regarding the feelings of hon. Members below the gangway. If that does not indicate very great and unfortunate differences of opinion on this side as regards the conduct of the Government, I really do

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not know what does. Now, I want to put the matter to the Chancellor of the Exchequer in this way:—As regards the pressing on now of this measure, time appears to be against you. I think we should not have sufficient time, even if you carry this clause, to go on with the entire Bill this Session. At the commencement of the Session I looked with hope and confidence to union and strength on the part of the supporters of the Government to facilitate the progress of this measure, which I have as much at heart as any man. I say for seven or eight years I have been decidedly in favour of a reduction of the franchise, and, whatever Government comes into power, I will always support any Bill which leads in that direction. Well, having said so much, I do hope the Chancellor of the Exchequer will have a little consideration for the opinions of those who are in the habit of acting with him. At this late hour I will not venture to trespass further on the time of the Committee, except so far as to say that I am disposed—reluctantly, I admit—to support the Amendment of my noble Friend, because I honestly and conscientiously believe that it is better for the public interest than the proposal of the Government. I prefer doing that to giving, as I must otherwise be obliged to do, an insincere vote to bolster up a scheme which this House and the country have sufficiently proved to the Government is not one which would be palatable to the public or in any way promote the interests which we are desirous of serving.

MR. BRIGHT: Sir, the Committee will agree with me when I express a hope that the right hon. Baronet the Member for Tamworth feels himself much happier and greatly relieved after the opportunity he has had of pouring out the story of his personal griefs. The right hon. Baronet began by charging the Chancellor of the Exchequer with a manner unfriendly and irritating. Now, when the Chancellor of the Exchequer addressed himself to the speech of the noble Lord who sits near me (Lord Dunkellin), I venture to say that the idea that the Chancellor of the Exchequer was irritating in his language, if it has entered the mind of the noble Lord at all, has entered it since the matter has been pointed out to him by the right hon. Baronet—for I will undertake to say that nothing could possibly be more fair—that nothing was more generous—than the view which the right hon. Gentleman took of

the speech of the noble Lord the Member for Galway county; because he gave him full credit for his sincerity in wishing merely to amend this Bill in this clause, and he shut out of view, if not altogether, almost entirely, any suspicion that he might have that the object of the noble Lord was to limit the franchise. Now, I think that the question as between rating and rental, as a mere matter of practical advantage, has been discussed almost as much as it can be with profit to the Committee. I doubt if anything new or better can be said on either side upon it than has been said by the speakers who have addressed the Committee. I take the liberty of expressing my opinion that the real object of this Amendment, in the shape in which it is presented to us, and the real cause why it obtains so large, perhaps it may be so unanimous, a support from the other side, is that it meets the proposition of the Government to extend the franchise to all householders in boroughs who pay rent to the amount of £7 in value by a proposition which will raise that limit to about £9. I will not charge the noble Lord with that intention; but I will say this—that during the whole time that I have been in this House, while the noble Lord has been in the House, and that is now a good many years—I do not know how many—I have never known him take before so deep an interest in any matter connected with England and Wales as that which he has shown to-night with regard to this particular question—and, on the whole, I suspect that it is not necessary for the representative of the county of Galway to undertake to teach either the people or the representatives of England and Wales what is right with regard to a practical question of this nature. The noble Lord, if he comes forward to ask the House of Commons not to extend the franchise so widely as the Government proposition would extend it, is doing that which not only he but any Member of this House has a perfect right to do; but I take the liberty of saying that I do not think that he is the highest authority on the question of rating in boroughs. He tells us—and I believe with great truth—that the system which prevails in Ireland is perfectly satisfactory. I do not dispute that in the least. I believe, however, that the system which has been proposed in this Bill would be found to be equally satisfactory, and that if it were put to the population of the boroughs—both to

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those who are at present electors and to those who are proposed to be made electors by this Bill—that there would be a vast majority of them who would approve of the proposition of the Government. But I believe the noble Lord did not understand one part of his subject, or, at any rate, he failed to make me believe that he understood it. He quoted some passage from a speech of mine which did not appear to bear much on the question; and he quoted the opinions of much more eminent men, for the purpose of showing how admirable it was or would be to take the rate book and make it the basis of the register. Well, in the Bill which I prepared with great trouble some years ago, and which I did not bring before the House in the Session of 1859, because the right hon. Gentleman opposite (Mr. Disraeli) had a Bill which for the moment stopped the way—in that Bill I proposed that the rate book should be the basis of the register; but then I proposed that everybody whose name was in that rate book should be placed on the register, and it was not with me, nor was it with any of those men whom the noble Lord quoted as authorities, that it was ever intended that the rate book should determine a register based upon the rateable value; because in that case, as far as regards the extension of the suffrage, you might make the suffrage high or low; but clearly if you apply that test to any particular figure you limit the franchise very much beyond what it would be limited if that figure were taken as the clear annual value. The noble Lord said that he was going upon the old constitutional basis. I venture to say that he can find nothing in the old Constitution of this country which will show that the rateable value, as he now proposes we should accept it, has ever been employed to determine the number or the quality of the electors of this country. The proposition is wholly unknown before, and is introduced now for the first time; and I cannot understand how any Member of this House who is not anxious to limit the franchise further than it would be limited by the £7 rental qualification can resist the conclusive and exhaustive argument which has been offered to the Committee by the Chancellor of the Exchequer. The hon. Gentleman the Member for Shoreham (Mr. Cave) who seconded the Amendment was very candid and very fair, because he said that he approved the Amendment, not only because he considered that this mode was better, but he

approved also of the limitation of the franchise which it would effect. I would ask hon. Gentlemen opposite whether their unanimity is not caused mainly by that fact? If the noble Lord the Member for Galway had intended that the franchise should remain as extensive if his Amendment were carried as it would be by the proposition of the Government being sustained by the Committee, he would surely have told us that if his Amendment were carried he proposed to substitute the figure 5 for the figure 7 in the clause of the Bill. A £6 rating qualification, which has been suggested, would certainly not be as extensive a franchise as the £7 rental qualification proposed by the Bill. Well, then, the real question at issue—and I shall keep the Committee but a few minutes upon it, because it was much discussed at an earlier period of the Session—is this, whether they will agree to £7 value as it stands in the Bill, or to a £7 rateable value, as is proposed in fact by this Amendment, and which will be substantially a franchise close upon, if not precisely, a £9 value. [“No, no!”] I venture to say that if this Amendment be carried, and if a £7 rateable value be introduced, unless there be a determination on the part of the Committee to insert the figure 5 instead of the figure 7, the aim and great object of this Bill will be entirely defeated. The claim of the working men, which even the right hon. Baronet (Sir Robert Peel) seems as if he would not wholly reject, will practically be rejected. I may say, therefore, and I say it with the most entire belief in its truth, that whatever any Member may convince himself of, the actual meaning of every vote that will be given to-night in favour of the Amendment of the noble Lord will be that the franchise shall not be given to £7 householders, but shall merely be extended to householders of £9 in value. On a former occasion in discussing this question I took the opportunity of stating figures with regard to about thirty of the select and choice working men of the town in which I live—the men who are such great favourites with the right hon. Baronet the Member for Hertfordshire (Sir Bulwer Lytton). I shall not detain the Committee more than a minute upon it, but it is a fact illustrative of the point before us. The hon. Member for North Lincolnshire (Mr. Banks Stanhope) in a recent speech said, that of the managing men of the co-operative societies of Roch-

dale he understood the greater number of them were outside of the borough; and I rather think the right hon. Gentleman the Member for Buckinghamshire intimated something of the same kind. Well, when I was down in Rochdale I understood somebody was making a minute investigation, but as he did not find the fact to be so I suppose he was not able to report it to his employers. Of the whole thirty-three men who manage these committees—I think there are actually only thirty-two, because one of them is on two committees—there are only six of them out of the borough, and of these only one certainly, the other two possibly, might have a vote if they were inside the borough. Therefore that point of the case is disposed of. At present there are seventeen of these men within the borough who have no votes. With a £7 franchise, as proposed by the Bill, out of those seventeen eleven would be enfranchised. Bear in mind they are the very select men of the 5,000 working men's families in Rochdale, and that they manage—and manage admirably so far as I believe—a business of nearly £500,000 a year. With a £7 franchise, eleven out of the seventeen would be enfranchised, while, if you had an £8 franchise as proposed by the hon. and learned Member for Guildford (Mr. Bovill), that eleven would be diminished to only two. If this rating proposition of the noble Lord were adopted, and the word “seven” remained, in that case I believe there would not be one single man of those seventeen who would be enfranchised. Now, let me for a moment tell the Committee what those men have done in matters of which I had not before the opportunity of speaking. They are 5,500 in number; they apply every year $2\frac{1}{2}$ per cent of their profits to educational purposes—they spend £700 per annum in this way; they have established a library in the town of upwards of 6,000 volumes, and they keep open and support ten separate news-rooms at their different branches in and about the town, to which libraries and news-rooms entrance is free to all the members of the co-operative societies. A distinguished officer of the Government who went to that library with me, after examining the collection of reviews, magazines, newspapers, and periodicals of various kinds, told me he was quite certain the collection was more extensive than that which was taken in at the Athenæum Club, of which he was a Member. [“Question!”] I am not sur-

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prised that the hon. Gentleman there calls question; but if this is not the question, there is no question before the House. Are you prepared to extend the franchise to eleven out of these seventeen, according to the proposition of the Bill, or to only two out of the seventeen, according to the proposition of the hon. and learned Member for Guildford? or are you prepared to deny it to every one of them, according to the proposition of the noble Lord, if the word “seven” remain in the clause? Now, these are the choice men of their class—the select men as they may be called:—they are men of whom any country may be proud, and yet it is proposed to shut the door of this House in their faces, and to deny them entrance here, not in their own proper persons, but in the persons of their representatives. What will be the effect of such a proposition as this upon the minds of those men—of these 5,000 whom they represent, and the hundreds of thousands who form the population of the great manufacturing towns? At present it is to my mind one of the most lamentable things in our country, that the great body of the working class are absolutely divorced from our political interests and institutions. Since these discussions commenced a few weeks ago, a Member of this House has showed me a letter which he had received from a gentleman with whom I am well acquainted—one of the largest cotton-spinners, manufacturers, and merchants in Lancashire—a gentleman who might long ago have been in this House had he not had so much business thrown upon him that it was impossible for him to have given up the time which his presence here would have demanded. In this letter this gentleman stated to my hon. Friend that he regretted to find that amongst his workmen there was growing up a much stronger interest in American politics than in the politics of their own country. I met him not long ago, after reading that letter, and asked him if he really meant what he had written to represent the literal fact. He said it was the literal fact, and he stated as a proof of it that in his mill there were nearly as many American newspapers to be found as newspapers published in this country. Hon. Gentlemen may think that has nothing to do with this question; but I take the liberty of telling them that in my opinion a state of society like that, and a state of opinion like that, amongst a population such as we have in Lancashire and Yorkshire represents anything but a healthy

state of things, and demands the attention of this House. What do the great employers of labour say who are here? Take the opinion of the hon. Baronet the Member for the West Riding (Sir Francis Crossley), one of the largest employers of labour in the kingdom; take the opinion of my hon. Friend the Member for Oldham (Mr. Platt), perhaps the largest machine maker in the world, and employing several thousand men; take the opinion of such men in Lancashire and Yorkshire, and they will tell you they have a deep interest in changing the state of feeling there, and extending the right of voting to the persons they employ. They all know—all of us who employ labour know—that one great effect of passing this Bill would be to increase the desire for education, to stimulate self-respect, and we know, moreover, that all the social relations of our great population would thereby be very much improved. The noble Lord the Member for Huntingdonshire (Lord Robert Montagu) spoke of the state of things at this moment in Europe—a state of things calculated to fill all our minds with grief, and to make all of us, I hope, congratulate ourselves that we have done something of late years to estrange ourselves from the complications of European politics. But the noble Lord argued that because there was this state of things in Europe, therefore this Bill could not wisely be proceeded with. I should argue from it exactly the reverse. War throughout Europe may end very differently from the idea now entertained by the Kings and Emperors concerned or looking on. It may end in a fever of revolution in Germany; it may end in the promulgation of opinions which are not favourable to constituted order, and no man knows to what country and to what extent those opinions may spread; and I, living amongst a very dense population, believe, and I think every employer of labour in this House will believe, that every interest in this country would be safer, more comfortable and more happy in every particular, if some 200,000, 300,000, or 400,000 persons were added to those who now possess the electoral franchise. I am not speaking of this now solely in the interests of the working men, but I regret from the bottom of my heart to see the constant endeavour, as it appears to me, to dig a gulf of eternal separation between the great body of the working classes throughout the kingdom and its institutions. You may rely upon it that this setting the most numerous,

and, after all that can be said, the most necessary class in it constantly against every other class is bad in every way, and it is especially perilous and more likely to be fatal when it is a policy advocated by a great and powerful party in this House. Every man of you knows that this Bill, if it were passed, and this clause more especially of all parts of the Bill, would give the greatest satisfaction, not only to the 200,000 who would be admitted to the franchise, but to millions now excluded, and who would consider themselves in some degree represented by those whom, when passed, it will admit. There have been, as I know, between 400 and 500 public meetings held in the country—[“Where?”]—at every one of which resolutions in favour of this particular clause have been adopted. Hon. Gentlemen ask Where? Why, on the table of the House there have been petitions laid, signed by the chairmen of above 180 public meetings; and I am not overstating it, for I know the facts, when I say that more than 450 public meetings have been held approving of this Bill, and especially approving of this clause which we are now discussing; whilst there has been no public meeting in any part of the country that has been held to protest against this measure. The people are not like the hon. Baronet behind me (Sir Robert Peel), in favour of extending the suffrage, and yet voting against a proposition to extend it. They know what they want, and they support the measure which is offered to them. Your constituents have not held, and there has not been held in the whole country, any public meeting at which the Bill has been stigmatized as dangerous to the institutions of the country, or even dangerous to the Conservative party. The noble Lord says the Amendment will not be carried. I can give no opinion upon that, for I am not versed in Parliamentary computations; but if the Amendment be carried, if the Bill be rejected, if the Government be overturned—that is a point, of course, which, as Members of this House, we are called upon to consider in emergencies of this kind—here, too, I may add that when the right hon. Gentleman was in office, hon. Members opposite told us it would be a great calamity to have a change of Government—I am at liberty to say the same thing now if I please, but it is not necessary for me to say it—I say, if you vote for this Amendment, and carry it—if you reject this Bill—if

you overturn this Government—if you come to this side of the House (a very likely thing to happen, and one which we are obliged to consider)—this question will still remain. Do not imagine you can come here, and that the right hon. Gentleman the Member for Buckinghamshire can get up at that table and defy the Liberal party in England. Do not imagine that he can stand up here and tell the people of England that the measure of their political franchise is full—or that he can stand there and tell the people of England, as the Duke of Wellington did in the other House more than thirty years ago, that he could almost trace a Divine origin for our Constitution, and no alteration was required in it. Depend upon it, the right hon. Gentleman will not attempt to follow such an example. This question, I say, will remain—to break up his Government, it may be—to weaken every Government that sits on that Bench until it is settled—to create excitement everywhere throughout the country, and to afford an opportunity at every meeting for the discussion of those fundamental principles of the Constitution which it is advisable not to have too freely discussed in this country. And all this you are going to bring about because the noble Lord the Member for Galway has imported into this House a proposition to suit the county of Galway—a proposition that is wholly foreign to anything that has ever existed in England and Wales, which is utterly unknown in this country, and for which there can be no foundation found in the kingdom of Scotland. Now, I ask hon. Members in all sincerity whether it is worth their while to take a course which will entangle them in so many difficulties, the whole measure of which they cannot at the present moment well comprehend—I ask them whether it would not be better frankly to accept this Bill—to give to the people of England an assurance of their confidence in them, and to do an act of generosity by them. I believe that there never is anything more wise on the part of a monarch, or on the part of a Parliament, than to place confidence in the people for whom they are called upon to legislate. And from what we know of the people of England and of their great and good qualities—which no one here will wish to depreciate—I will undertake to say that if you will treat them with generosity and justice now they will make an ample return by rendering

Mr. Bright

obedience to the law and loyalty to the Throne.

SIR HUGH CAIRNS: I feel that, after the speech of the hon. Member for Birmingham, and after the rebuke which he has administered to the noble Lord who has proposed this Amendment (Lord Dunkellin), I owe an apology to the Committee that I, an Irish Member, should presume to take part in the discussion of an English question. I will endeavour to make my peace with the hon. Member for Birmingham, and with the Committee at the same time. To the hon. Member for Birmingham I will say—I would address him in a whisper, only I am afraid it would not reach his ears—that if none but English Members had discussed and voted upon this Bill, we should not to-night have been in Committee upon it. To the Committee my excuse must be a promise. I will promise them to do what the hon. Member for Birmingham has not done—namely, to confine the few observations I shall make to the subject under discussion. I shall not contend with the hon. Member as to whether the manner of the Chancellor of the Exchequer was fair and courteous and generous to his opponents; that undoubtedly is a matter of opinion, but time would be wasted if we were to enter upon such an argument. Neither will I enter the lists with the hon. Member for Birmingham on the subject of the details he has given us with regard to Rochdale. But the hon. Member referred to what was said by the right hon. Baronet the Member for Hertfordshire, and by the right hon. Gentleman the Member for Buckinghamshire. Now, the statements of those right hon. Gentlemen were not their own; they were statements which are contained in the blue book of the Government. The statements contained in that book may be very erroneous, but we have no other materials before us than what it contains. It tells us that the better class of the working men of Rochdale live outside the boundaries of that borough, and that that is the reason why so few of that class are upon the register.

Now, Sir, I entirely agree with the Chancellor of the Exchequer that it is extremely desirable that we should know the exact issue raised by this Amendment. Notwithstanding all that the hon. Member for Birmingham has said upon the subject, no man in the Committee knows better than he does that the real issue before us is not the amount of the fran-

chise in boroughs—that question will be as open to every Member of the House to discuss and to argue, if this Amendment is carried, as it is at the present moment. Neither does the question before us relate to the subject which occupied a considerable portion of the speech of the Chancellor of the Exchequer—namely, whether the ratepaying clauses with regard to boroughs should be retained. That is a question which will not arise until we come to the part of the Bill which deals with that subject. I may also put aside a chimera conjured up by the Chancellor of the Exchequer, and by which many Members of the Committee were evidently very much affrighted. The right hon. Gentleman said that if this Amendment was carried, there will sometimes be property in boroughs not rated at all, and that therefore it would be necessary to provide a separate franchise for that description of property. But I am not aware that there is any borough in England which has in it either mines or forests, and mines and forests were, I presume, the property to which the right hon. Gentleman referred. I think, therefore, we may approach this discussion without being much disturbed by the suggestions of the right hon. Gentleman. The real questions we have to discuss, as I apprehend them, are these. In the first place, as to the question of principle. The local taxation of this country is founded upon occupation—occupation is founded upon rateable value. If there can be one principle which commends itself to one's reason more than another, it is this—that the question of the burden and the question of the benefit should be adjusted by the same standard. The burden is the burden of paying taxes, and the benefit is the advantage derived from having a vote for the representation of the people. The principle, therefore, raised by the Amendment is a simple one—it was admitted even by the Under Secretary of State for the Colonies to be a very plausible one—it is this, that the weight of the burden and the right to the benefit should be ascertained by the same mode. Now, I do not think it is too much to say that upon those who contend against this principle lies the burden of adducing reasons why it should not be adopted; and what we have now to see is what reasons of this character have been adduced against it. In the first place, if the Committee will permit me, I will remind them of what the origin of the

rateable value was, and what was its real meaning. The Chancellor of the Exchequer told the noble Lord the Member for Galway that he appeared not to be aware that the column headed “gross estimated rental” was something quite new in the history of the question, and that it had been unheard of until it appeared in the Government blue book. Now I hold in my hand the Act of 1836, and if the Committee will allow me I will read a few lines of one of the clauses that affect this question. The Act provides that the rate shall be given in a form given by the schedule, and that that form shall contain an answer to all the headings contained in the schedule. And, with respect to the column of the “gross estimated rental” which the Chancellor of the Exchequer taunted the noble Lord the Member for Galway with not having discovered, the Act of 1836 contains the identical same column with the present Bill; and not only that, but the schedule is copied from the Act of 1836 down to the names of the occupiers. What are the objections to ascertaining the annual value by the same mode as that in which it was proposed to be arrived at in 1836? There can be no objection raised on the ground that there is a want of uniformity in the law of ascertaining the rateable value, because similar property is valued in a similar mode in every district. But then, it is said, and the Chancellor of the Exchequer urges the argument with great ingenuity—“What right have you to deduct the cost of repairs—it is a question for the landlords, and not for the tenants, and has, therefore, nothing to do with the occupation value? The element of repairs ought not to enter into the question at all.” I can understand you to say that a man pays so much rent to the landlord, and that the landlord pays the rates and taxes. Take the case of a tenant who takes a holding by the week, pays 3s. 6d. or 4s., of course the landlord pays the rates and repairs. I can understand you to say that payment by the man should be the test of his right of voting. That is intelligible. But I cannot see why you should say we will deduct the rates and taxes which the landlord pays, but we will not deduct the annual average sum for repairs. The argument is perfectly inconsistent. I cannot understand the argument that you should make a reduction with respect to local rates and taxes, and not with respect to repairs. But then it is said that there is an inequality in the de-

duction, and that it would be unsafe to allow it. Now, in the first place, I ask the Government, do they contend that local taxation is an equal deduction under all places and circumstances? Anything more unequal than local taxation, or than the rates for the poor in two adjoining parishes, can hardly be imagined. Take the case of two men renting houses for which they pay £11. One man is allowed 25s. for local deductions, and another only 15s. The man who is allowed 25s. loses the franchise, while the man who is allowed 15s. stands in the rate book at £10 5s., and receives the franchise. With regard to these repairs, what is the course taken for the deductions for the annual rateable value? The Chancellor of the Exchequer gave us the instances of Oxford and Exeter, but they were unfortunate illustrations. The whole drift of the contest is that the Act of 1862 has materially altered the regulations and practice with regard to assessment. It is said that in that Act there is a particular enactment to the effect that if the overseers are of opinion that the assessment does not correctly show the rateable annual value they are to revise the valuation—that is, wherever the Act applies. Now it is a very curious thing that the instances which the Chancellor of the Exchequer has selected for his examples are those in which the Act of 1862 has not yet been applied. The Act has been applied, as we know, in a great number of parishes and unions in the kingdom, but it has not been applied at Oxford, it has not been applied at Exeter, and they are the two conspicuous cases which the Government bring forward as instances why the rateable value cannot be trusted. Now, let us have one thing or another. Do not appeal to the Act of 1862 as having altered the basis of legislation; or, if you do appeal to it, apply it to all the unions, and do not single out those where it has not been applied up to the present time. I think it is a very wise precaution to take to provide that the very wholesome Act of 1862 should be made compulsory on the unions which have not yet adopted it, and that would remove the most singular anomalies that have been mentioned. With regard to the other instances in the blue book where the Act has been adopted, what do they come to? We have no knowledge whatever that any scale with respect to the other unions of assessment of rateable value is an unfair scale. We are told that in some unions a

different deduction is made on houses over £8 from those under £8, and that in other unions there are different deductions made in certain parts of a town from those made in other parts. But these may be perfectly fair deductions. Having regard to the particular classes of houses in different neighbourhoods, the difference in materials for repair, and the difference in wages and in other incidental circumstances, may make a different rebate a very proper course to be taken. It is a gratuitous assumption on the part of the Government that these are unfair deductions. How do we stand as to the gross estimated rental? The Government are greatly enamoured of it, and they consider that it forms so excellent a standard that it may be safely adopted as a *prima facie* standard. But those who have any experience of the working of measures of this kind know that if you adopt anything as a *prima facie* standard you adopt it as a standard for pretty well every purpose. I look into the blue book and I find that the gross estimated rental is in some places the rackrent, and that this rackrent is explained as the rent leaving out of consideration local rates and taxes; in other places it is the rent taking into the computation those local rates and taxes. In other places I find a deduction of 5 per cent is made—on what principle I do not know—before the gross estimated rental is arrived at. In other places I find that 10 per cent is deducted, and that there is no principle upon which such deduction is made. I wish to point out to the Committee a matter of considerable importance with regard to the system of gross estimated rental. The Government throughout assume that rateable value is arrived at by first taking the gross estimated rental and then making a deduction. I venture to say that this is a very questionable proposition. I do not find any Act of Parliament stating that this is the mode by which you are to arrive at the rateable value. I know what the practice is, and I will tell the Chancellor of the Exchequer, on authority that has satisfied me, that if I take the case of London, in almost all the parishes of London so far from there being a process by which the gross estimated rental is arrived at and then reduced, and the operation is exactly the opposite. The surveyors and valuers go out and value the premises for rateable value. They ascertain and determine that which they are

accustomed to ascertain and determine; and I understand that the person who determines the gross estimated rental is a clerk in the counting-house or office, who proceeds to add, on some imaginary principle, 10, 15, or 20 per cent, as the case may be, to the rateable value as ascertained by actual inspection. Do not let us delude ourselves by thinking that gross estimated rental is anything in the great number of cases but purely fictitious. I believe that in practice the real column is the column of rateable value, and that the column of gross estimated rental is the fancy column. It is sometimes added and sometimes not. I appeal upon that point to the authority of the right hon. Member for Oxfordshire (Mr. Henley). One word more about the gross estimated rental. The Government are very much enamoured of that column, and of that test with regard to that rental. I cannot help reminding the House of some curious information we have in the blue book. It is impossible to go through all the cases at this hour, but I will mention one or two. One is the case of Ashton-under-Lyne, where there is a very curious case about which there is a curious history. What the blue book tells us in regard to Ashton is, that there are nearly 100 more £10 votes on the list than there are £10 occupiers in the borough. That is very odd, and you wonder how it could happen. But there is a note in the blue book to explain it. It is stated that there is a large number of houses in the borough at a fixed small rental. It appears that in Ashton there is an excess of eighty-nine voters over the £10 occupiers. There are two manufacturing firms employing a large number of hands and owning a great number of small houses, into which they put their workmen, and these are locally known as "voting houses." Many of these houses are of a class which in other parts of the town are rated at £8 or £9 a year. Now, these are estimated at £9 10s. in the gross estimated rental column; but the men pay £10, and prove that amount before the Revising Barrister. Of these eighty-nine surplus voters sixty possess houses belonging to these two firms. We are told that if the gross estimated rental is wrong, you can appeal to the Revising Barrister; but nobody can find out what the gross estimated rental is, whereas the rateable value column is perfectly clear and correct, and there can be no dispute as to what the house is rated

at. There are other cases. The case of Rye has been referred to to-night, and other cases might be put were the hour not now so late (twelve o'clock). And that is the column of gross estimated rental which the Government say is so superior in accuracy to the column of rateable value. As to the matter of precedent and authority, with the exception of the Reform Bill of 1832, every Act that we have on the subject of borough taxation, every Act that we have on the subject of borough voting, goes upon the principle of rateable value. I refer to Mr. Sturges Bourne's Act, to our Local Government Acts, our Health of Towns Acts, and all Acts of that kind relating to local administration and local taxation. The only Act which ever adopted the principle of clear yearly value was the Reform Act; and the House is aware that never was there such a qualification in a borough before the year 1832. What we have therefore in the nature of precedent and authority is the other way. I appeal to the head of the present Government and to other persons who were Members of the Government which in 1852 and 1854 brought into this House Bills founded on the principle of rating, and that too at a time when the system of rating was subject to all those imperfections from which it has been relieved by the Act of 1862. Something has been said about the Bill of 1859 not having been framed on the principle of taking the rateable value; but there was a very simple reason for that; and if those hon. Members who have referred to that measure had only considered it for a moment they would have seen how utterly inapplicable it is to the present argument. The principle of that Bill was to maintain the £10 franchise for the boroughs undisturbed, and either to assimilate other franchises to it or make what have been called lateral extensions of the franchise. But you must have disturbed the borough franchise as it then stood if you had adopted the rateable value; and that would have been incompatible with the principle on which the Bill of 1859 was framed. Now I come to the Irish Act; and really I must ask the House, as an Irish Member, to allow me to offer one or two observations on that subject. The Chancellor of the Exchequer said the Attorney General for Ireland would explain all about it, but he himself did not explain how it did not bear on the point under discussion. The words in the Irish Act and the words in

the English Act with regard to the rateable value of houses in boroughs are identically the same. The Irish Act provides that the test of the franchise for boroughs shall be that the claimant shall be rated on the Poor Law list at the sum of £8 rent. That Act was passed, be it remembered, in 1850, when there was no general valuation in Ireland at all. We have heard the Government repeating again and again to-night that the Irish case has no application, because there exists in Ireland a general valuation. Yes, there is a general valuation now; but it was not in existence in 1850, when the Act was passed. And, moreover, in 1850 the rateable value was ascertained by the local bodies; it was the authority of the parishes and the unions which then ascertained and decided the rateable value. And, therefore, in 1850, you had in Ireland the very state of things which you say would be an objectionable state of things in this country. But what happened in 1852? Then my noble Friend (Lord Naas), as Chief Secretary for Ireland, presented to the House and the House passed the Valuation Bill of that year. And what are its words? This is the test of the rateable value for houses which it prescribes—

“The rent for which, one year with another, the same might in its actual state be reasonably expected to let from year to year, the probable average annual cost of repairs, insurance, and other expenses (if any) necessary to maintain the hereditament in its actual state, and all rates, taxes, and public charges, if any (except tithe rent-charge), being paid by the tenant.”

These are the very same words that are used in the English Act of 1836, with this simple difference—which is no difference in substance, but only one in form—namely, that in Ireland you assume that the tenant pays the whole of the local rates and therefore pays less rent than in England; and then you deduct the repairs and the insurance, and that brings you exactly to the same figures. Therefore the Irish precedent is exactly the same as the English; and the fact that in 1852 there was a general valuation does not alter the case at all. And now a word upon the relative advantages of the two systems—of the gross estimated rental and the rateable value—in regard to appeals. I desire to speak with respect of Revising Barristers—they are very good persons in their way; but do not let us run away with a mistaken idea of what the argument is with reference to them. They are generally young men. They are themselves no more

judges about the value of houses than they are as to the theory of the foreign exchanges; and although I am unwilling to follow the example set by those who impute motives to those who decide questions of local rating, yet it is just possible—I do not say it is likely—that Revising Barristers might have slight political proclivities. At least you must not set them down as infallible. But, apart from that, observe what you have to do as to gross estimated rental if you have an appeal in order to set right any error in it. You have to give three weeks' notice of your appeal, and you only get, in almost every case, one day in a year on which the Revising Barrister attends in your neighbourhood, and only for a very few hours during that day. He has a great crowd of cases to dispose of, and it may be that a man in humble life, who thinks that the column of gross estimated rental is wrong, will have to attend this Court to have it rectified; and this not because it will save him anything, but because perhaps in the course of the next six years he may be able to vote for a Member of Parliament. And when this person goes to the Revising Barrister, the Revising Barrister knows no more than the man in the moon about the value of the house; he must have the assistance of surveyors, architects, and valuers; and who are to pay for it all? Do you think that a poor man will have the means of paying for these skilled witnesses? And, moreover, every one who has had any experience of judicial contests where the value of houses is concerned, and has ever heard the conflicting testimony often given about the value of property, will be able to judge how satisfactory evidence of that description is. Well, that is the kind of appeal which the Government propose. Let me ask the House to contrast with this the appeal as to the question of rateable value. It is said that we propose to oust the appeal to the Revising Barrister; and certainly there would be no appeal to the Revising Barrister on the question of value, but there would be an appeal to him on every question of law. In Ireland there is no appeal to the Revising Barrister on the question of value, but there is an appeal on every question of law. And when we are speaking of local tribunals, I must remind hon. Gentlemen that in Ireland on the question of rateable value, the first appeal no doubt is to the public valuer, but from him there is another appeal to the Court of Quarter Sessions,

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which consists of local magistrates, and generally of that dreadfully obnoxious class, the county magistrates, who are well known to decide every question against justice and right. In the first place you have three controlling checks, if you adopt the rateable value, which almost make it certain that no appeal will be required. The first check against the rating being too high, would be the certainty that the tenant, when he finds that he would be called upon to pay more than he ought, will take care to have it set right. The next check against having the rating too low is, that if one man out of a hundred is rated too low, the rest of the parish would suffer, and therefore you may be perfectly sure that the rest of the parish will take care that no man or number of men will be rated too low. I do not stop to deal with the argument of the Solicitor General that there is no appeal if a man is rated too low; the Act says there is an appeal to anybody who is aggrieved. It may be that there was no grievance last year in a man being rated too low, but if his franchise depends on his being sufficiently rated, he would have a grievance and an appeal if he were underrated. Then there is this third check, that if one parish seeks to place its rate at a lower figure than the rest of the union, the rest of the union, and not only that, but the rest of the county with regard to the county rate, will be up in arms against that diminished rating. In these three checks you have as great a certainty as there can be that the rating will be at a proper level, and that everybody will be rated as he ought to be. And you must remember how the demand of half-a-crown operates on a man more strongly than the desire to possess a vote at some future period. What happened at the time of the Reform Bill? You passed an Act requiring 1s. to be paid for registration, and you had to reverse that in the course of a few years, because it was found that men were so indifferent to the franchise that they would not pay 1s. in order to possess it. One word more on the subject of appeal. There is this difference between the Revising Barrister and an Appeal to the magistrates. The Revising Barrister has not got the responsibility of saying what the rating should be, but simply decides whether a vote should be struck out or retained. But magistrates at sessions or a committee of assessment have the duty cast upon them of saying what the rate should be, and a sense of responsibility is more likely to control

their judgment and induce them to arrive at a proper conclusion. Both on principle and precedent, therefore, the argument is in favour of the Amendment of the noble Lord. I regretted very much to hear from the Chancellor of the Exchequer with regard to this Amendment that the Government had determined not to recede in any way from any of the arrangements in this clause with regard to the borough franchise. The Chancellor of the Exchequer made that statement just after the discussion was launched, and after hearing a very small part of the argument on the subject. That course, I take the liberty of saying, is hardly consistent with due respect to this House. In the course of the discussion on this Bill the Government have viewed every attempt to alter it as personal to themselves, and they have in that point of view determined to resist every Amendment. After the second reading the Government said, "You may go into Committee; but the House must distinctly understand that the Bill must come out of it exactly as it went into Committee, or we, the Government, will have nothing to do with it;"—in fact, we were only allowed to go into Committee *pro forma*. Sir, I for one protest against this mode of conducting the business of this House on the part of the Government. The Chancellor of the Exchequer to-night told us, before the argument on either side was heard, before the House had intimated any opinion, that the Government had made up their mind on this point and that they would not recede from any part of the clause. That reduces the discussions of this House and in Committee to a matter of mere form. I appeal from the decision of the Government to the judgment of the Committee. We meet here to discuss and argue, to find out from the opinion on one side and the other, what is really the best proposition to introduce on questions of this kind; but on the part of the Government it appears to be a foregone conclusion, whatever the force of argument which may be brought to bear on either side of the question. I trust the Committee will maintain the right of the House not merely to discuss but to decide; for the decision of this question rests, not with the Government, but with the House of Commons. And I trust that the Committee will feel that the weight of the argument is in favour of the noble Lord's Amendment, and that they will not fail or hesitate to support it.

[Committee—Clause 5.]

MR. OSBORNE (who rose amid loud cries for a division) said, he should respect the hour of the night, and the feelings of the Committee, and endeavour to concentrate what he had to say in the shortest possible compass. And, at the outset, he must say that he could not agree with an observation that had been made by the hon. Gentleman the Member for Birmingham relative to an Irish county Member bringing forward this Motion. He had always understood that Irish Members stood in the same position as English Members, and he thought it would be a very bad argument to submit to the House and the country that they ought to draw that broad distinction between Irish and English Members, but rather that they ought to encourage them to take part in English subjects, as he (Mr. Osborne) wished to encourage English Members to take part in Irish questions. What, however, was more natural than that an Irish Member, who had seen the good effects of the rating franchise in Ireland, should endeavour to apply it to his English fellow-countrymen? They had had no explanation about that franchise, as he had hoped, from the Irish Attorney General. It consisted of an annual revision of the franchise, and every fourteen years a general re-valuation. They got rid of the expense of registration, and to a certain extent of the Revising Barristers' Courts, the costs being partly defrayed, however, by the Consolidated Fund (which was a very favourite Fund in Ireland), and partly by municipal and county rates. It was an admirable system, and worked well in Ireland; but though it worked well in Ireland, they were bound to consider how it would work in England. In the first place, they would have a total change of system—they must have a central authority sitting in Somerset House, there must be Government valuers, and he asked whether boroughs would allow such interference with their own affairs, taking the valuation from the hands of the local guardians? Now, to any one who knew and understood of what sort of stuff or material the English boroughs were made, must know that it was an absurdity on the face of it to suppose that they would submit to Government valuation or Government officers; and, although he thought this a very fair question for discussion, and he could find no fault with the noble Lord for having brought it forward, he could not, however, give him his support. What happened under the pre-

Sir Hugh Cairns

sent system? In the town he had the honour to represent, the houses on both sides of one street were perfectly equal in rateable value, yet the renting value was totally different. A great deal depended on the mere construction of a house—whether it was an old or a new one; and although these houses were the same in the rental, they were not in the rateable value. Allusion had been made to the proceedings of the important Committee of the House of Lords that sat in 1860 with reference to Poor Law rating. Now, Revising Barristers had been talked of rather contemptuously that night; but one of them had given very important evidence, in which he stated that the difference between the rating and the rental varied from 5 per cent to 40 per cent. Then, how could such a change as this be proposed? The fact was notorious that in the large manufacturing towns there was great diversity between the rating and the rental—that a house of £5 rental was rated in Liverpool at £4, in Bradford at £6 10s., in Bolton at £6 15s., in Halifax at £6 15s., while in Manchester and Salford houses with a rental of £8 were rated at only £6 10s. He now came to a much more important point. His right hon. Friend the Member for Tamworth (Sir Robert Peel) had spoken about the tactics pursued with reference to this Bill. His right hon. Friend spoke of the Under Secretary for the Colonies (Mr. W. E. Forster) as a neophyte; but he (Mr. Osborne) thought that the Member for Tamworth must be a neophyte, judging by the remarks he had made. What were the tactics that had been pursued? They were Fabian tactics. His new allies might hail the right hon. Baronet with the words "*unus qui nobis cunctando restituit rem.*" The real object of bringing forward this Motion was to delay the Bill of the Government. Was it not patent to every one in the House that this Motion was levelled with this very object, and under the specious pretence of discussing this subject the real object was to get rid of the Government and of the Bill? He did not wish to say anything obnoxious to his hon. Friend the Member for Galway. He would say this, however, with respect to that hon. Member, and to other hon. Members, that if they would tell him which way they were going to vote, he would tell them what they wanted. That hon. Member was one of the first promoters of the "Cave" movement, though the "Cave" seemed now to have dwindled

to a "close borough." ["Oh!"] He knew the subject was an unpleasant one, but he wished to remind hon. Gentlemen that by these tactics they were forcing moderate men to a conviction, that if they threw out this Bill they would be doing an unwise act; and that if they rejected this Bill by rejecting this clause, they might ultimately get a rating suffrage, but it would be accompanied by a household suffrage.

MR. MACEVOY, who also rose amid loud cries for a division, said, he had voted for the Reform Bill in all its stages, and he had voted for Lord Derby's Reform Bill, and therefore he could not be accused of being hostile to Reform. Having listened to the whole of the debate, he confessed he had heard nothing to alter the opinion he had always entertained that the rating franchise was the better franchise. The noble Lord the Member for Galway had, however, proposed a rating franchise of such a kind as to be open to many objections. If the noble Lord would consent to his (Mr. MacEvoy's) suggestion—namely, to alter his Amendment so as to make the rating on "a uniform valuation of lands and tenements"—the words of the Irish Act—he (Mr. MacEvoy) would willingly support him. If any hon. Gentleman thought that this Reform Bill would pass both Houses of Parliament without such an Amendment as he proposed, that individual must be very sanguine. The proposal of the noble Lord was objectionable in this respect—that in every union in England there was a different system of rating. If, however, the noble Lord altered his Amendment according to his suggestion, he (Mr. MacEvoy) would support him.

MR. C. P. VILLIERS, who also rose amid cries of "Divide!" "Adjourn!" said, he would not detain the House more than a few minutes; but having, as he might say, been the author of the Union Assessment Act, and knowing the purpose it had in view, as well as having watched its operation since it passed, he hoped to be allowed to say a few words. The consideration of that Act had an important bearing upon the Amendment before the House, and if the House intended to decide upon that upon its merits, it was necessary that the Act should be understood; but, judging by the course the debate had taken, and by the impatience then shown, he doubted whether that was the intention of the House. It would seem, indeed, as if the hon. and learned Member for Belfast

(Sir Hugh Cairns) had shown less of his wonted skill in the speech he has just addressed to the House, by attempting to argue the question as it was actually proposed to the House, instead of following the example of Members on his own side who have preceded him, and who have thought it advisable to change the issue and refer to the general subject of Reform; and he must have felt what was evident, that, in consequence, he failed to speak with his usual success. He had laboured to show that what was called rateable value was a safer guide as to the value of an electoral qualification than what is now termed in the rate book the gross estimated rental. It was clear, however, that he had been depending upon information supplied to him by others, who felt the inconvenience of the case being correctly stated, and that he had not examined the subject for himself. The way in which the House is being misled on this matter is, by assuming that the rate books are still made out as they were formerly, and that the Act has produced no difference in the respect in question. Now, one of the purposes of the Union Assessment Act was to correct the many irregularities assumed to exist still. It was alleged in both Houses of Parliament, upon the occasion of the Reform Bill of 1860 being discussed, that there was no reliance to be placed on the value of tenements, as entered in the rate book for the purpose of being rated, because the values were constantly changing without any revision of the entries made in the book; and that, in consequence, it was difficult to learn how many persons would become qualified, really, by any definite pecuniary qualifications such as was proposed by that Bill; and doubtless, under the system of parochial assessment at that time, there was considerable truth in the observation, and several Members on that account expressed the hope in the House that, before any other Reform Bill was introduced, some step would be taken to secure a more accurate valuation of rateable property. It was, as he said, amongst the immediate objects therefore of the Assessment Act to provide for an accurate estimate of property subject to be rated. The fact was, that formerly property, though constantly changing in value, it was left in the rate book as it had been entered at any time previously, and the error which there might be in that estimate was necessarily followed out into what was entered as the rateable value,

[Committee—Clause 5.]

which was only a deduction from the gross estimated rental, and which deduction was made then far more capriciously than it is at present. The inaccurate valuation of property under the old system had been proved in numerous instances, and the disproportion to the real value, as ascertained by inquiry under the Act, was almost ludicrous. In the City of London, for instance, he had been informed that in some cases the assessment committee had been obliged to estimate the value of the property to be rated at 400 per cent higher than it appeared in the rate book; and throughout the whole country errors in the valuation of the grossest description had been found to have existed, and to such an extent that he had been informed that the Returns called for by the Poor Law Board would show that an addition to the annual value of rateable property of the country had already amounted to £26,000,000. The Act had now provided for an annual revision of the valuation lists in every union, and a report each year is made to the Poor Law Board of the annual proceedings of the assessment committee. It was therefore now rendered nearly impossible that the entries in the rate book of the estimated rental of the property should be false or inaccurate again; and yet the hon. and learned Member had been so instructed, as to say that the rental of properties as estimated and entered in the column provided for that purpose in the rate book, was purely fanciful and fictitious and could not be relied upon, though he told the House, in the same breath, that the entry of what was called rateable value, which is only a deduction from what he terms the fanciful valuation, was what could be depended upon, and on that account he would vote for the Amendment. His only excuse for this statement appears to be that he relied upon what he had heard the right hon. Gentleman the Member for Oxfordshire say upon this matter, and who certainly had made some singular statements about it, though the learned Gentleman must have observed, that though the right hon. Gentleman was generally considered a reliable authority on such matters, yet that no other Member, who was in the habit of considering these things, had had the courage to endorse the statement of the right hon. Gentleman—namely, that nobody ever thought of looking at the estimated rental column as a means of learning the value of a property, but simply at the column for the rateable value. Now anybody might learn that that, as a matter

of necessity, must be at variance with the facts. Again, the right hon. Gentleman has told the House that there could be no appeal made against the entry of the estimated rental, though there was one provided by law against the rateable value. Surely the right hon. Gentleman knows well, that now that there is equally a right to dispute the rental valuation, as the rateable value, and that there could be no dispute about the amount entered of rateable value, that would not involve the question of the correctness of the estimated rental. The right hon. Gentleman has hardly the same excuse that other Members might have about this Act, for he gave peculiar attention to it in its passage through this House, and endeavoured to resist its passing; and, to frighten the House as to its consequences, predicting that it would cost the country millions of money, and be attended with no advantage—whereas, as he had shown, that its operation has disclosed a system of negligence, inaccuracy, favoritism, and jobbery in the system of assessing rateable property as it existed before the Act, that it was almost difficult to imagine, and that without in any way increasing the burden of the rates to the occupiers who paid them, it had brought many millions more of rateable value to charge. His (Mr. Villiers') statement, therefore, was that, under the operation of this Act, it was to the carefully considered valuation lists of the unions, showing the different values liable to be rated, to which everybody wishing to be well informed would turn, to know precisely the value of any property; and that its accuracy was more to be relied upon, because the property was valued now according to the mode prescribed by Act of Parliament, because competent persons were appointed to determine upon the value, and because every publicity was given to their valuation after being estimated, and every facility was given for having the valuation re-considered. The House, therefore, has before them now, and the public will have to-morrow, the very opposite statements made by the hon. and learned Gentleman, and the right hon. Gentleman the Member for Oxfordshire and myself, and judgment will be given in the country generally as to which is correct. He might, indeed, here mention to the House that his right hon. Friend the Chancellor of the Exchequer, having some doubt as to the manner in which the assessment committees had discharged their duty, de-

sired to have their valuation lists referred to the authorities at Somerset House, in order to ascertain how far they tallied with the returns made by the Property Tax Commissioners; and it was found that in that department the valuation lists of the unions had already been called for by the Commissioners, and that they were able then to vouch for their great accuracy, and that they had called for them in order to test their own returns, and that there was no discrepancy between the two that could not reasonably be accounted for, and that in some cases the estimate of property was put higher in their valuation lists than in the Returns of the local Commissioners; and yet these were the Returns that the House was asked to reject as too fanciful and incorrect to determine the qualification of the voter, and to adopt the notoriously uncertain criterion of the value which was left after various deductions had been made to fix its rateable value; and this House was asked to act upon this principle in a matter affecting purely English interests by the noble Lord the Member for Galway. He did not wish to impute to the noble Lord that he would tell the House what he did not believe, but that noble Lord must allow him to believe that he had not made much inquiry into the matter as it affected this country, and that though he may be correct in what he has said about Ireland, yet he could not allow him, judging by his speech, to be much of an authority on what takes place in such matters in this country. There is really no excuse at this moment for the statement that the entry of rateable value is a more accurate estimate of what a property is worth to the occupier than the gross estimated rental, for this reason, that there is actually at this time a very general complaint of the want of rule and uniformity in making the deductions for repairs and other things, in order to arrive at the rateable value, and that all kind of influences are said to be at work in some places to make the deductions greater than they should be. It has already been once brought before the House upon a Motion made by the right hon. Member for Buckinghamshire, and he (Mr. Villiers) had been applied to to introduce a Bill to fix on a proportion for the whole country, to be deducted from the estimated rental, to prevent the variations that occur in different unions at present, and nobody probably knows better than the right hon. Gentleman the Member for Oxfordshire, that the

only confusion that now need exist in county rating is owing to the want of uniformity in the reduction made from the rentals in the different unions. What, then, is the inference to be drawn from the Amendment now proposed to the Bill? why, that it is not because the voter's qualifications can be more accurately obtained from the rateable value, but because of its supposed effect, either in raising the qualification for the franchise, or, that by defeating the Government upon this point, that this much dreaded Bill will be withdrawn, or that the Government will resign. In fact, since the speech of his right hon. Friend the Chancellor of the Exchequer, the discussion, with one or two exceptions, had turned, not upon the Amendment of the noble Lord, but upon the general policy of the Bill, and nothing had been heard but the most unpopular sentiments from Gentlemen opposite. [*Cries of "No, no!"*] Hon. Gentlemen might say "No, no!" but he had been sitting there the whole of the evening, and knew what he was saying. He could point to one speech in particular that had been made, and which had been vociferously cheered, and about which there could be no doubt—he referred to the speech of the hon. Member for Bury St. Edmund's (Mr. Greene). He had openly avowed that he abstained from entering into the question of the difference between estimated rental and rateable value, declaring at the same time, for himself and those around him, that they would do all in their power to get rid of the Bill, and that they viewed with dread the Government scheme for enfranchising the working classes. Those sentiments were loudly cheered, because he conveyed correctly to the House what was the real object of the Amendment.

MR. GREENE rose to explain; but Mr. Villiers for some time declined to give way. At length, the hon. Member said, that the right hon. Gentleman had, he was sure, unintentionally misrepresented what had fallen from him. He did not say that the Gentlemen around him took the means which he seemed to suppose to get rid of the Bill. He stated that he himself was opposed to the franchise proposed by the Government, but that he believed the principle of rating was the best on which to proceed.

MR. C. P. VILLIERS said, he had listened distinctly to the speech of the hon. Gentleman owing to the boldness with which he announced that he was opposed

to the purpose of the Bill itself, and certainly he concluded from what he had said, that he regarded the Amendment as a means of getting rid of the Bill; but, he maintained that from the time of the introduction of the Bill to the present time there had appeared to him but one object on the part of those who were in opposition, which was to get rid of the Bill any how. They had had a succession of Amendments proposed all with the knowledge and the belief that the Government would, if carried, withdraw the Bill, and, as a matter of course, go out themselves. The noble Lord the Member for Chester (Earl Grosvenor), and the hon. and gallant Gentleman the Member for Wells (Captain Hayter), could have no doubt as to the results of their Amendments if they had been carried, cordially supported as they were by the party opposite, who desired to change the Government; and now they had this Amendment of the noble Lord the Member for Galway, seconded by an hon. Member (Mr. Cave), who has avowed his intention of raising the qualification proposed by the Government, that whenever any Amendment was proposed the hearts of hon. Members were so full against Reform that through their mouths they would state the truth, and the debate from beginning to end has exhibited only what has always been and always will be the case he believed—namely, an unwillingness on the part of this House to reform itself. If there was any difference in the character of the resistance to this Reform Bill with what had been exhibited before, it was in its having been somewhat less bolder, and that the methods taken to defeat it had been more insidious and deceptive; but, everything that had been attempted had been, as it appeared to him, for the purpose of defeating Reform, of which the present Amendment was only a fresh proof.

[The right hon. Gentleman and the preceding speakers could be with difficulty followed, the Committee showing the greatest impatience to proceed to a division.]

LORD DUNKELLIN: I am anxious to say a word in answer to the question put to me by my hon. Friend the Member for Meath (Mr. MacEvoy). I do not think it would be competent for me now to alter the terms of my Amendment. It would be inconvenient to the House, for I understand that it could not be done without withdrawing the Amendment which has been discussed all the evening

and substituting the words now for the first time proposed. I therefore cannot accede to the request of my hon. Friend. At the same time, I think the tendency of legislation is towards the equalization of assessment; and, as far as I am concerned, that is a principle of which I approve. I do not know whether I have any influence with friends around me. I can only say that the principle is one of which I approve, and I hope that will be sufficient to get the vote of my hon. Friend. ["Divide!"] I ask the indulgence of the House—not to reply to what has been said in answer to me, because with very few exceptions the arguments used have not been against my Amendment; they have drifted into every other subject; comparisons have been instituted between the first column and the third column, and I venture to say that in the battle which has taken place the first column has not come off best. The right hon. Gentleman who has just sat down has used that old stale argument, so utterly unworthy of him—"You are not really in earnest in the Amendment you propose; what you mean to do is to throw out the Government and the Bill." As far as I am concerned, I do not suppose that the discussion of a clause in a Bill affects any vital principle of this Bill. ["Oh, oh!"] Is it a vital principle? Where do you find it? If it is a vital principle it has been made so since this Amendment was proposed, and since the feeling of the House was discovered this afternoon. I say that the Amendment does not affect a vital principle of the Bill, and I do not suppose if the majority were in my favour, and against the Government, they would treat it as such. One word as to what the Chancellor of the Exchequer has said. And here I may take leave to say that I, for one, do not take exception to nor do I endorse the complaints made of the manner of the right hon. Gentleman. I have no fault to find with him as regards the manner in which he criticized my statement, though I own that I do not admit the force of his arguments. His arguments went to this extent—that I had brought forward a subject which I had not studied and did not understand. Perhaps I am not as familiar with it as many country Gentlemen; but my right hon. Friend himself, I think, was a little confused about assessment committees, and the right hon. Gentleman who spoke from those Benches fell into the same slough

and floundered about not very gracefully. I will leave it to the Committee to decide whether, if any ignorance has been shown upon the subject, I am the only person who displayed it. The hon. Gentleman the Member for Birmingham took exception to my bringing forward this Motion as Member for Galway. I object to the hon. Member for Birmingham or anybody else trying to limit discussion in this House. Remembering that, although I only represent an Irish constituency, I am not altogether unconnected by property with England, there is nothing unreasonable I conceive in my bringing forward a question which calls for consideration and deliberation. And I must say that the taunt comes badly from the hon. Member for Birmingham, because, when on different occasions he has interfered in Irish discussions and propounded doctrines not always acceptable to the majority of the persons whom he was addressing — not always showing that deep knowledge of the subject so much insisted on to-night — so far from having it thrown in his teeth that, being an English Member, he ought to confine himself to English questions, his remarks have been received with respect, and his opinions treated with consideration. I will only add, as so many arguments have been addressed to myself personally, and so many imputations indulged in as to my desire to throw out the Government by a side-wind, that I can conscientiously say I have no such feeling. But I have seen no cause, and I have no reason to induce me to change the opinion which I advanced in the early part of the evening.

THE CHANCELLOR OF THE EXCHEQUER: I need hardly assure the Committee that I am not here as claiming the privilege of a reply, or intending to traverse the field over which this debate has ranged; but there was one observation which fell from the hon. and learned Gentleman the Member for Belfast (Sir Hugh Cairns) which absolutely calls for notice and explanation from me. He entirely and rather grossly — though, I am sure, unintentionally — misstated what I said at the commencement of the debate, alleging that I had declared that we would not entertain any change of any kind in any of the provisions of this clause; and on that statement he founded a denunciation of the unbecoming and improper conduct of the Government. I did not state anything in the slightest degree resembling that.

But as the point is of consequence, and not a mere matter of feeling, I will revert to what I did state, and I will tell the House exactly how the matter stands — because the hon. and learned Gentleman is perfectly right in stating that this clause is one the carrying of which depends on the House, and not on the Government, and we subscribe to that not only as a fact, but as a principle. I think, however, the hon. and learned Gentleman will be also of opinion that the matter is one upon which the Government are entitled to entertain their own convictions, to form their own intentions, and to take the course which they think for their own honour and the advantage of the country, and to decline to take any other. What I did at the commencement of this debate, following the speech of my noble Friend (Lord Dunkellin), was to endeavour to make a separation between the political part of the subject and the practical part — the political portion relating to the amount of enfranchisement contemplated by the Government under this clause, and the practical portion relating to the subject of rateable value. With regard to the political part I stated that the Government could not be brought to a curtailment of the amount of enfranchisement, moderate as they considered it, which they had proposed in the Bill as it stands. With regard to the practical part, I certainly did endeavour, like my noble Friend, to handle it as a question entirely apart from the politics of the Bill, and from the general objects and constitution of the measure; but I am bound to say, having heard the debate, that I entirely failed in that object. I do not retract or modify a word that I said with regard to the purpose of the Amendment or of the speakers on the Amendment. Of the Amendment itself I speak in different terms. I do not say that my noble Friend is not entitled to use any language or to pursue any course which he thinks fit; but I say that the course which has been taken is to make use of this Amendment for the purpose of raising the standard of enfranchisement and limiting the amount which the Government think necessary. I am entitled, therefore, to look to the effect of the Amendment and to say that it is in my judgment an Amendment striking at the plan of enfranchisement proposed by the Government. So viewing it, I cannot enter into any engagement that we will accept an adverse vote, or

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regard it as otherwise than incompatible with the progress of the Bill.

Question put, "That the words 'clear yearly' stand part of the Clause."

The Committee *divided*:—Ayes 304; Noes 315; Majority 11.

Question proposed, "That the word 'rateable' be there inserted."

AYES.

Acland, T. D.
Adair, H. E.
Akroyd, E.
Allen, W. S.
Amberley, Viscount
Anstruther, Sir R.
Antrobus, E.
Armstrong, R.
Ayrton, A. S.
Aytoun, R. S.
Bagwell, J.
Baines, E.
Barclay, A. C.
Baring, hon. T. G.
Barnes, T.
Barron, Sir H. W.
Barry, C. R.
Barry, G. R.
Bass, A.
Bass, M. T.
Baxter, W. E.
Bazley, T.
Beaumont, H. F.
Berkeley, hon. H. F.
Biddulph, M.
Blake, J. A.
Bonham-Carter, J.
Bouverie, rt. hon. E. P.
Brady, J.
Bright, Sir C. T.
Bright, J.
Briscoe, J. I.
Brooklehurst, J.
Bruce, Lord C.
Bruce, rt. hon. H. A.
Bryan, G. L.
Buller, Sir E. M.
Butler, C. S.
Buxton, C.
Buxton, Sir T. F.
Calcraft, J. H. M.
Calthorpe, hn. F. H. W. G.
Candlish, J.
Cardwell, rt. hon. E.
Carnegie, hon. C.
Castlerosse, Viscount
Cave, T.
Cavendish, Lord E.
Cavendish, Lord F. C.
Cavendish, Lord G.
Chambers, M.
Chambers, T.
Cheetham, J.
Childers, H. C. E.
Clay, J.
Clement, W. J.
Clive, G.
Cogan, W. H. F.
Colebrooke, Sir T. E.
Coleridge, J. D.
Collier, Sir R. P.
Colthurst, Sir G. C.
Colville, C. R.
Corbally, M. E.
Cowan, J.
Cowper, hon. H. F.
Cowper, rt. hon. W. F.
Craufurd, E. H. J.
Crawford, R. W.
Crossley, Sir F.
Dalglish, R.
Davie, Sir H. R. F.
Dawson, hon. Capt. V.
Denman, hon. G.
Dent, J. D.
Dilke, Sir W.
Dillon, J. B.
Dillwyn, L. L.
Duff, M. E. G.
Dundas, F.
Dundas, rt. hon. Sir D.
Dunlop, A. M.
Edwards, C.
Eliot, Lord
Ellice, E.
Enfield, Viscount
Erskine, Vice-Adm. J. E.
Esmonde, J.
Evans, T. W.
Ewart, W.
Ewing, H. E. Crum-
Eykyn, R.
Fawcett, H.
Fildes, J.
FitzGerald, Lord O. A.
FitzPatrick, rt. hn. J. W.
Foljambe, F. J. S.
Fordyce, W. D.
Forster, C.
Forster, W. E.
Fort, R.
Fortescue, rt. hon. C. P.
Fortescue, hon. D. F.
Gaselee, Serjeant S.
Gavin, Major
Gibson, rt. hon. T. M.
Gilpin, C.
Gladstone, rt. hon. W. E.
Gladstone, W. H.
Glyn, G. C.
Glyn, G. G.
Goldsmid, Sir F. H.
Gower, hon. F. L.
Goschen, rt. hon. G. J.
Graham, W.
Grenfell, H. R.
Greville, A. W. F.
Greville, Colonel F.

Gray, Sir J.
Grey, rt. hon. Sir G.
Gridley, Captain H. G.
Grosvenor, Capt. R. W.
Grove, T. F.
Gurney, S.
Hadfield, G.
Hamilton, E. W. T.
Hanbury, R. C.
Hankey, T.
Hanmer, Sir J.
Hardcastle, J. A.
Harris, J. D.
Hartington, Marquess of
Hay, Lord J.
Hay, Lord W. M.
Hayter, Captain A. D.
Headlam, rt. hon. T. E.
Henderson, J.
Henley, Lord
Herbert, H. A.
Hibbert, J. T.
Hodgkinson, G.
Hodgson, K. D.
Holden, I.
Holland, E.
Howard, hon. C. W. G.
Howard, Lord E.
Hughes, T.
Hughes, W. B.
Hurst, R. H.
Hutt, rt. hon. Sir W.
Ingham, R.
Jackson, W.
James, E.
Jardine, R.
Jervoise, Sir J. C.
Johnstone, Sir J.
Kearsley, Captain R.
Kennedy, T.
King, hon. P. J. L.
Kinglelake, A. W.
Kinglelake, J. A.
Kingscote, Colonel
Kinnaird, hon. A. F.
Knatchbull-Hugessen, E.
Laing, S.
Layard, A. H.
Lamont, J.
Lawrence, W.
Lawson, rt. hon. J. A.
Leatham, W. H.
Lee, W.
Leeman, G.
Lefevre, G. J. S.
Lewis, H.
Lloyd, Sir T. D.
Locke, J.
Lusk, A.
Mackinnon, Capt. L. B.
Mackinnon, W. A.
M'Lagan, P.
M'Laren, D.
Maguire, J. F.
Marjoribanks, D. C.
Marshall, W.
Martin, C. W.
Martin, P. W.
Matheson, A.
Matheson, Sir J.
Merry, J.
Milbank, F. A.
Mill, J. S.
Miller, W.
Mills, J. R.
Mitchell, A.
Mitchell, T. A.
Moffatt, G.
Moncreiff, rt. hon. J.
Monk, C. J.
Monsell, rt. hon. W.
Moore, C.
More, R. J.
Morris, W.
Morrison, W.
Murphy, N. D.
Neate, C.
Nicol, J. D.
Norwood, C. M.
O'Beirne, J. L.
O'Brien, Sir P.
O'Connor Don, The
O'Donoghue, The
Ogilvy, Sir J.
Oliphant, L.
Onslow, G.
O'Reilly, M. W.
Osborne, R. B.
Otway, A. J.
Owen, Sir H. O.
Padmore, R.
Palmer, Sir R.
Pease, J. W.
Peel, A. W.
Peel, J.
Pelham, Lord
Peto, Sir S. M.
Philips, R. N.
Platt, J.
Pollard-Urquhart, W.
Portman, hon. W. II. B.
Potter, E.
Potter, T. B.
Power, Sir J.
Price, R. G.
Price, W. P.
Pryse, E. L.
Proby, Lord
Rawlinson, Sir H.
Rearden, D. J.
Rebow, J. G.
Robartes, T. J. A.
Robertson, D.
Rothschild, Baron L. de
Rothschild, Baron M. de
Rothschild, N. M. de
Russell, A.
Russell, H.
Russell, F. W.
Russell, Sir W.
St. Aubyn, J.
Salomons, Mr. Ald.
Samuda, J. D'A.
Samuelson, B.
Saunderson, E.
Scholefield, W.
Scott, Sir W.
Scrope, G. P.
Seely, C.
Seymour, A.
Seymour, H. D.
Shafto, R. D.
Sheridan, H. B.
Sherriff, A. C.
Simeon, Sir J.
Smith, J. A.

Smith, J. B.
Spears, A. A.
Staapole, W.
Staniland, M.
Stanley, hon. W. O.
Stansfeld, J.
Steel, J.
Stone, W. H.
Stuart, Col. Crichton-
Sullivan, E.
Sykes, Colonel W. H.
Synan, E. J.
Talbot, C. R. M.
Taylor, P. A.
Tite, W.
Torrens, W. T. M'C.
Traill, G.
Trevelyan, G. O.
Verney, Sir H.
Vernon, H. F.
Villiers, rt. hon. C. P.
Vivian, H. H.

Vivian, Capt. hn. J. C. W.
Waldegrave-Leslie, hn G
Waring, C.
Warner, E.
Watkin, E. W.
Weguelin, T. M.
Western, Sir T. B.
Whalley, G. H.
Whatman, J.
Whitbread, S.
White, J.
Whitworth, B.
Wickham, H. W.
Williamson, Sir H.
Wilmington, Sir T. E.
Wyld, J.
Wyllivill, M.
Young, R.

TELLERS.

Brand, hon. H. B. W.
Adam, W. P.

NOES.

Adderley, rt. hon. C. B.
Agar-Ellis, hon. L. G. F.
Andover, Viscount
Annesley, hn. Colonel H.
Anson, hon. Major
Archdall, Captain M.
Arkwright, R.
Baggallay, R.
Bagge, W.
Bagnall, C.
Bailey, Sir J. R.
Baillie, H. J.
Baring, hon. A. H.
Baring, H. B.
Baring, T.
Barnett, H.
Barrow, W. H.
Barttelot, Colonel
Bateson, Sir T.
Bathurst, A. A.
Beach, Sir M. Hicks-
Beach, W. W. B.
Beaumont, W. B.
Beective, Earl of
Beecroft, G. S.
Bentinck, G. C.
Benyon, R.
Beresford, Capt. D. W. P.
Biddulph, Col. R. M.
Bingham, Lord
Blennerhasset, Sir R.
Booth, Sir R. G.
Bourne, Colonel
Boyill, W.
Bridges, Sir B. W.
Bromley, W. D.
Brooks, R.
Browne, Lord J. T.
Bruce, Lord E.
Bruce, Mr. C.
Bruce, Sir H. H.
Bruen, H.
Buckley, E.
Bulkeley, Sir R.
Burghey, Lord
Burrell, Sir P.
Butler-Johnstone, H. A.
Cairns, Sir H. M'C.

Campbell, A. H.
Capper, C.
Carington, hon. C. R.
Cartwright, Colonel
Cecil, Lord E. H. B. G.
Cholmeley, Sir M. J.
Clinton, Lord A. P.
Clinton, Lord E. P.
Clive, Capt. hon. G. W.
Cobbold, J. C.
Cochrane, A. D. R. W. B.
Cole, hon. H.
Cole, hon. J. L.
Conolly, T.
Corry, rt. hon. H. L.
Courtenay, Lord
Cooper, E. H.
Cox, W. T.
Cranbourne, Viscount
Crosland, Colonel T. P.
Cubitt, G.
Curzon, Viscount
Cust, hon. C. H.
Dalkeith, Earl of
Dawson, R. P.
Dering, Sir E. C.
Dick, F.
Dickson, Major A. G.
Disraeli, rt. hon. B.
Doulton, F.
Dowdeswell, W. E.
Du Cane, C.
Duff, R. W.
Duncombe, hon. A.
Duncombe, hon. W. E.
Dunne, General
Du Pre, C. G.
Dutton, hon. R. H.
Dyke, W. H.
Dyott, Colonel R.
Earle, R. A.
Eaton, H. W.
Eckersley, N.
Edwards, Colonel
Egerton, Sir P. G.
Egerton, hon. A. F.
Egerton, E. C.
Egerton, hon. W.

Elecho, Lord
Fane, Lt.-Colonel H. H.
Fane, Colonel J. W.
Feilden, J.
Fellowes, E.
Fergusson, Sir J.
Finlay, A. S.
Fitzwilliam, hn. C. W. W.
Floyer, J.
Foley, H. W.
Forde, Colonel
Forester, rt. hon. Gen.
Foster, W. O.
Freshfield, C. K.
Gallwey, Sir W. P.
Galway, Viscount
Gaskell, J. M.
George, J.
Getty, S. G.
Gilpin, Colonel
Goddard, A. L.
Goldney, G.
Goldsmid, J.
Gooch, D.
Goodson, J.
Gore, J. R. O.
Gore, W. R. O.
Gorst, J. E.
Grant, A.
Graves, S. R.
Greenall, G.
Greene, E.
Gregory, W. H.
Gray, Lieut.-Colonel
Grey, hon. T. de
Griffith, C. D.
Grosvenor, Earl
Grosvenor, Lord R.
Guinness, B. L.
Gurney, R.
Hamilton, Lord C.
Hamilton, Lord C. J.
Hamilton, I. T.
Hamilton, Viscount
Hardy, G.
Hardy, J.
Hartley, J.
Hartopp, E. B.
Harvey, R. J. H.
Hervey, Lord A. H. C.
Hay, Sir J. C. D.
Heatecote, hon. G. H.
Heatecote, Sir W.
Heneage, E.
Henley, rt. hon. J. W.
Henniker, Lord
Herbert, hon. P. E.
Hesketh, Sir T. G.
Heygate, Sir F. W.
Hildyard, T. B. T.
Hogg, Lt.-Colonel J. M.
Holford, R. S.
Holmesdale, Viscount
Hood, Sir A. A.
Hope, A. J. B. B.
Hornby, W. H.
Horstall, T. B.
Horsman, rt. hon. E.
Hotham, Lord
Howes, E.
Hubbard, J. G.
Huddleston, J. W.
Humphery, W. H.

Hunt, G. W.
Innes, A. C.
Jerviss, Captain
Jolliffe, rt. hn. Sir W. G. H.
Jolliffe, H. H.
Jones, D.
Kekewich, S. T.
Kelk, J.
Kelly, Sir F.
Kendall, N.
Ker, D. S.
King, J. K.
King, J. G.
Knight, F. W.
Knightley, Sir R.
Knox, Colonel
Knox, hon. Major S.
Lacon, Sir E.
Laird, J.
Langton, W. G.
Lascelles, hon. E. W.
Leader, N. P.
Lechmere, Sir E. A. H.
Legh, Major C.
Lefroy, A.
Lennox, Lord G. G.
Lennox, Lord H. G.
Leslie, C. P.
Liddell, hon. H. G.
Lindsay, hn. Colonel C.
Lindsay, Colonel R. L.
Lopes, Sir M.
Lowe, rt. hon. R.
Lowther, Captain
Lowther, J.
Lytton, rt. hn. Sir E. L. B.
MacEvoy, E.
MacKenna, J. N.
Mackie, J.
Mainwaring, T.
Malcolm, J. W.
Manners, rt. hn. Lord J.
Manners, Lord G. J.
Marsh, M. H.
Meller, Captain
Miller, S. B.
Miller, T. J.
Mitford, W. T.
Montagu, Lord R.
Montgomery, Sir G.
Mordaunt, Sir C.
Morgan, O.
Morgan, hon. Major
Mowbray, rt. hon. J. R.
Naas, Lord
Neeld, Sir J.
Neville-Grenville, R.
Newdegate, C. N.
North, Colonel
Northeote, Sir S. H.
O'Neill, E.
Packe, C. W.
Packe, Colonel
Paget, R. H.
Pakington, rt. hn. Sir J.
Palk, Sir L.
Parker, Major W.
Patten, Colonel W.
Paull, H.
Peel, rt. hon. Sir R.
Peel, rt. hon. General
Pennant, hon. Colonel
Percy, Maj.-Gen. Lord H.

Y

Pim, J.
Powell, F. S.
Pritchard, J.
Pugh, D.
Read, C. S.
Repton, G. W. J.
Ridley, Sir M. W.
Robertson, P. F.
Rolt, J.
Royston, Viscount
Russell, Sir C.
Sandford, G. M. W.
Schreiber, C.
Sclater-Booth, G.
Scott, Lord H.
Scourfield, J. H.
Selwin, H. J.
Selwyn, C. J.
Severne, J. E.
Seymour, G. H.
Sheridan, R. B.
Simonds, W. B.
Smith, S. G.
Smollett, P. B.
Somerset, Colonel
Stanhope, J. B.
Stanley, Lord
Stanley, hon. F.
Stirling-Maxwell, Sir W.
Stronge, Sir J. M.
Stuart, Lt.-Colonel W.
Stuckley, Sir G. S.
Sturt, H. G.
Sturt, Lt.-Colonel N.
Surtees, F.
Surtees, H. E.
Sykes, C.
Taylor, Colonel
Thorold, Sir J. H.

Thynne, Lord H. F.
Tollemache, J.
Tomline, G.
Torrens, R.
Tottenham, Lt.-Col. C. G.
Tracy, hon. C. R. D. H.
Treeby, J. W.
Trevor, Lord A. E. Hill-
Trollope, rt. hon. Sir J.
Turner, C.
Tyrone, Earl of
Vandeleur, Colonel
Verner, E. W.
Verner, Sir W.
Walcott, Admiral
Walker, Major G. G.
Walpole, rt. hon. S. H.
Walrond, J. W.
Walsh, A.
Walsh, Sir J.
Waterhouse, S.
Welby, W. E.
Whiteside, rt. hon. J.
Whitmore, H.
Williams, Colonel
Williams, F. M.
Wise, H. C.
Woodd, B. T.
Wyndham, hon. H.
Wyndham, hon. P.
Wynn, Sir W. W.
Wynn, C. W. W.
Wynne, W. R. M.
Yorke, J. R.

TELLERS.
Dunkellin, Lord
Cave, S.

morrow, at six o'clock in the evening. The order for the morning sitting, cannot, I understand, be rescinded, but no Government business will be taken.

TRAMWAYS (IRELAND) ACTS AMENDMENT BILL.

Select Committee on Tramways (Ireland) Acts Amendment Bill *nominated*:—Lord NAAS, Mr. MONSELL, Mr. GEORGE, Mr. SULLIVAN, General DUNNE, Mr. SHERRIFF, Captain JERVIS, Mr. CORRY, Mr. LAING, Sir COLMAN O'LOGHLEN, and Mr. GEORGE CLIVE; Five to be the quorum.

House adjourned at Two o'clock.

HOUSE OF LORDS,

Tuesday, June 19, 1866.

MINUTES.]—PUBLIC BILLS—*First Reading*—Administration of Justice Chancery Amendment (169); Dogs * (170); National Gallery Enlargement * (171).
Second Reading—Princess Mary of Cambridge's Annuity * (158).

ADMINISTRATION OF JUSTICE CHANCERY AMENDMENT BILL.

PRESENTED. FIRST READING.

THE LORD CHANCELLOR *presented* a Bill to amend the administration of Justice in the Court of Chancery. At present, while the Master of the Rolls was an equity Judge, and next in rank to the Lord Chancellor, an appeal lay from his judgment to the Lords Justices. He proposed that when a vacancy should occur among the Lords Justices the Master of the Rolls should become a Lord Justice, and that a new Vice Chancellor should be appointed in his place.

Bill read 1^a, and to be printed. (No. 169.)

MINISTERIAL STATEMENT.

EARL RUSSELL: The first Order of the Day having been read, I wish to make a statement to your Lordships. The first Order is that relating to the Princess Mary of Cambridge's Annuity Bill. As that is a matter concerning the welfare of the Royal Family, I trust what I have to say will not interfere with the progress of that

MR. AYRTON: I apprehend, Sir, that, after the statement which was made by the Chancellor of the Exchequer at the commencement, we have no other course but to report Progress. ["No, no!" and "Agreed!"] I therefore move that you do report Progress.

Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again,"—(Mr. Ayrton,)—put, and agreed to.

House resumed.

Committee report Progress; to sit again *To-morrow*.

Several hon. MEMBERS having apparently put questions as to the course of public business consequent on the division,

THE CHANCELLOR OF THE EXCHEQUER said, that he would state to-morrow the course which the Government would take. [Several hon. MEMBERS: When? At the morning sitting?] To-

Bill, which, if it be not contrary to form, I hope your Lordships will pass through all its stages this evening. I have now to state to your Lordships that Her Majesty's Ministers have taken what took place in the House of Commons last night into their serious consideration, and they have thought it necessary to communicate to Her Majesty the result of their deliberations. I shall, therefore, immediately after we have dealt with the Bill to which I have referred, move that your Lordships adjourn until Monday next.

LORD REDESDALE said, it would be, very convenient if it could be so arranged that the Private Business should be proceeded with during the short recess. Their Lordships might also meet for the purpose of hearing appeal cases. It could, of course, be distinctly understood that the House met merely for the transaction of private and legal business.

EARL RUSSELL thought it would, perhaps, be better to take the course suggested by the noble Lord the Chairman of Committees.

THE LORD CHANCELLOR suggested that the House should meet on Thursday at the usual time in the morning for the purpose of taking appeals.

EARL RUSSELL said, he thought that would be a convenient course.

House adjourned at a quarter past
Five o'clock, to Thursday next,
half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, June 19, 1866.

MINUTES.]—SELECT COMMITTEE—On Tramways (Ireland) Acts Amendment, Mr. Leader and The O'Connor Don *added*.

PUBLIC BILLS—Ordered—Paupers (Scotland)*
First Reading—Paupers (Scotland)* [197].
Report—Rochdale Vicarage* [38].

SUPPLY.

Order for Committee read.

PUBLIC BUSINESS.

MR. CHILDERS, in pursuance of the announcement made by the Chancellor of the Exchequer that no Government business would be taken in consequence of the vote

of last night, proposed that the order for Supply be postponed until to-morrow (this day).

MR. BAILLE COCHRANE remarked that a number of Notices of Motion had been placed on the paper on the understanding that Supply was to have been taken on that day. Those Notices would have stood as separate Notices of Motion, perfectly independent of any Committee of Supply, as Tuesday was a Notice day devoted to private Members, had hon. Members been sooner aware that the House was only to meet *pro forma*, and he now desired to know whether they could be brought on when the House resumed at six o'clock.

MR. CHILDERS said, that the hon. Gentleman was entirely mistaken. The Notices of Motion to which he alluded were not ordinary Notices standing for Tuesday; they were all Notices given as Amendments to the Motion that the Speaker leave the Chair in order that the House might go into Committee of Supply. Not one of them was given as a Notice of Motion for Tuesday. The Chancellor of the Exchequer on the night before intimated that no Government business would be taken that morning at twelve o'clock, and he (Mr. Childers) was simply discharging his duty in proposing that Supply be deferred until to-morrow (Wednesday).

MR. BAILLIE COCHRANE: Can the ordinary Notices come on at six o'clock?

MR. SPEAKER: Certainly, there has been no derangement of the business of the day.

Committee deferred till To-morrow.

COURT OF CHANCERY.

QUESTION.

MR. H. B. SHERIDAN said, he wished to ask Mr. Attorney General, Whether there is any plan in contemplation by which the business, already very heavy, which has to be attended to by the Chief Clerks and other officials of the various Chancery Courts, and which is likely to be augmented to a very great extent by the pending applications under the Winding-up Acts can be aided and assisted; and whether, if any aid is to be afforded by the appointment of extra officers, it is in contemplation to seek the assistance of the leading Accountants who are appointed by such Courts in winding-up cases?

THE ATTORNEY GENERAL said, in reply, that he believed the Court of Chancery had power to regulate the number of

its ordinary clerks in accordance with the pressure of business. He had not the least reason to suppose that any extraordinary measures were contemplated such as those suggested by the hon. Member for Dudley.

THE RINDERPEST IN HOLLAND.

QUESTION.

MR. NORWOOD said, he would beg to ask the Vice President of the Committee of Council on Education, Whether he is aware that the provinces of Groningen and Friesland, in Holland, have been and still are free from the Rinderpest, and that stringent precautions are taken by the authorities there to prevent its introduction ; and, whether the attention of the Committee is directed to the advisability of an immediate relaxation of the prohibition of the import of cattle from Groningen and Friesland ?

MR. BRUCE, in reply, said, he believed it was true that cattle in these two provinces had been and still were free from the rinderpest, and that precautions had been taken to prevent its introduction into them. Applications had been made to Her Majesty's Government for permission, and they had in consequence directed inquiries to be made to see whether importations could be allowed from those provinces without any danger, and upon the result of those inquiries the decision of the Government would depend.

FRENCH IRON-CLAD FLEET.

QUESTION.

MR. HENRY BAILLIE said, he wished to ask the Secretary to the Admiralty, Whether the Government have received any information relative to the preparations of the French Iron-clad Fleet for immediate service ; whether they know the number of ships of which that Fleet consists ; and whether any preparations are being made to maintain our Fleet upon an equality with that of France ?

MR. BARING : Sir, the Admiralty have received no information of the preparation of the French iron-clad fleet for immediate service. I am therefore relieved from the necessity of answering the other two Questions put by the hon. Member.

OFFICERS OF THE INDIAN ARMY.

QUESTION.

SIR JAMES FERGUSSON said, he rose to ask the Under Secretary of State

The Attorney General

for India, Whether he is prepared to name the day on which he will state to the House the intentions of the Government with reference to the grievances complained of by Officers of the Indian Army ?

MR. STANSFELD said, in reply, that he had been prepared to make the statement on Friday last, but had been prevented from doing so. The noble Lord the Member for Taunton (Lord William Hay) having placed a notice upon the paper on the same subject, he thought it would be best to wait till that Motion came on for discussion.

MINISTERIAL STATEMENT.

MOTION FOR ADJOURNMENT.

THE CHANCELLOR OF THE EXCHEQUER : Sir, in consequence of the vote of the House at an early hour this morning, the Cabinet assembled to-day. They took into their consideration the nature of that vote, and the condition in which it leaves the 5th clause of the Reform Bill. They likewise took into their consideration the nature of the debate by which that vote was preceded, and I may add the character of the divisions and discussions which had marked the previous history of the Bill. The result was that they found it their duty to make a communication to Her Majesty ; but, under present circumstances, the House will be aware that such communications cannot be conducted without the lapse of some little time. I do not think we could be in a condition to state the result of that communication to the House in less than three or four days, at the very least ; and consequently, I shall propose a Motion which I hope will meet the approval of hon. Members — " That this House, at its rising, do adjourn to Monday next." The usual Motion will be made that Committees have leave to sit notwithstanding the adjournment of the House ; and I shall also propose that the Orders of the Day be read, with a view to their postponement. With regard to the Notices of Motion appearing on the paper, for to-day, I can only trust that in the state of abeyance in which the functions of the executive Government are placed until the time I have named, Gentlemen will be good enough not to persevere with those Motions. I think that is all that it is necessary for me to state to the House. And though on former occasions it has been practicable to proceed with greater rapidity, I trust the House will

perceive that the Motion which I make is justified by the circumstances.

Motion agreed to.

House at rising to adjourn till *Monday* next.

COMMITTEES.

Leave given to all Committees to sit notwithstanding the Adjournment of the House.

PAUPERS (SCOTLAND) BILL.

On Motion of Mr. CUMMING BRUCE, Bill to diminish the expense and delay in decisions as to the Settlement of Paupers in Scotland, ordered to be brought in by Mr. CUMMING BRUCE and Mr. PATTON.

Bill presented, and read the first time. [Bill 197.]

House adjourned at half past Six o'clock, till Monday next.

HOUSE OF LORDS,

Thursday, June 21, 1866.

MINUTES.]—PUBLIC BILL—*Third Reading*—Princess Mary of Cambridge's Annuity * (158), and passed.

Their Lordships met; and having gone through the Business on the Paper, without debate—

House adjourned at Four o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF LORDS,

Friday, June 22, 1866.

Their Lordships met at half past Ten o'clock—

William Meredyth Baron Athlumney in that Part of the United Kingdom of Great Britain and Ireland called Ireland, having been created Baron Meredyth of Dollardstown in the County of Meath, was in the usual manner introduced—

and having gone through the Business on the Paper, without debate—

House adjourned at Four o'clock, to Monday next, Eleven o'clock.

HOUSE OF LORDS,

Monday, June 25, 1866.

MINUTES.]—PUBLIC BILLS—*First Reading*—Tenure (Ireland) (No. 2) * (175).
Withdrawn—Tenure (Ireland) * (64).

Edwin Richard Windham Earl of Dunraven and Mount Earl in that Part of the United Kingdom of Great Britain and Ireland called Ireland, having been created Baron Kenry of Kenry in the County of Limerick, was in the usual Manner introduced.

AUSTRIA, PRUSSIA, AND ITALY— THE WAR.—QUESTION.

LORD RAVENSWORTH said, he wished to put a Question to the noble Earl opposite (Earl Russell), of which, as it related merely to matters of fact, he had not felt it necessary to give previous notice. It was stated in the morning papers, with regard to the conflict going on in Germany, that the Hanoverian army, having been hemmed in by the Prussians, had been compelled to lay down their arms. Later in the day a paragraph, taken from the *Moniteur*, had been published to the effect that the Hanoverian army, having eluded the pursuit of the Prussians, had succeeded in reaching the territory of Meiningen. He wished to ask, Whether the Government had received any authentic information showing what amount of truth was contained in these contradictory statements? He might also take that opportunity of asking whether any official intelligence had reached the Government as to the results of the very considerable action which appeared to have been fought by the Austrians and Italians somewhere between the fortresses of Peschiera and Verona?

EARL RUSSELL was understood to say that the Government had of course seen the statements published in the newspapers; but beyond these they were not in possession of any authentic or reliable information.

THE MINISTERIAL CRISIS.

EARL RUSSELL: My Lords, on Tuesday last, in requesting that your Lordships should adjourn to to-day, I stated to the House that in consequence of what had occurred the previous night in the other House of Parliament, Her Majesty's Ministers had thought it necessary to make

a communication to Her Majesty. I have now to state that, in consequence of the vote at which the House of Commons arrived on Monday night, and which Her Majesty's Ministers considered as equivalent to a Vote of Want of Confidence, Her Majesty's Ministers tendered their resignations to Her Majesty. I have received an answer to that communication stating that Her Majesty hesitated to accept those resignations, and that, in the present state of affairs—upon the Continent especially—Her Majesty hoped they would not persist in tendering their resignations. I have since had further communication with Her Majesty; but it is necessary that Her Majesty's Ministers should personally have an audience of Her Majesty, and Her Majesty has fixed half past twelve or one o'clock to-morrow at Windsor Castle for the purpose. And, therefore, in the present state of affairs, I have only to ask your Lordships not to go into any public business until six o'clock to-morrow, when I shall be prepared to make a statement of the conclusion at which Her Majesty has arrived and of the grounds on which Her Majesty's Ministers have acted.

PRIVATE BILLS.

Ordered, That the Time limited for the Second Reading of certain Bills by the Order of the House of the 23rd of April be extended from Friday, 29th June, to Friday 6th July.

TENURE (IRELAND) (NO. 2) BILL [H.L.]

A Bill to consolidate and amend the Law of Tenure in Ireland—Was *presented* by The Lord SOMERHILL; read 1st. (No. 175.)

House adjourned at a quarter past
Five o'clock, till to-morrow,
half past Ten o'clock.

HOUSE OF COMMONS,

Monday, June 25, 1866.

MINUTES.]—NEW WRIT ISSUED—*For* Hertford Borough, *v.* Sir Walter Minto Townsend Farquhar, baronet, deceased.

SELECT COMMITTEE—On Public Health, Sir Charles Russell *discharged*, Mr. Knight *added*. PUBLIC BILLS—*Second Reading*—General Police and Improvement (Scotland) Act (1862) Amendment * [171].

Report—Local Government Supplemental (No. 2) * [150]; Pier and Harbour Orders Confirmation (No. 2) * [170].

Third Reading—Dean Forest (Walmore and the Bearce Commons) * [182], and *passed*.

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COAL.—ANSWER TO ADDRESS.

Answer to Address [12th June] *reported*, as follows:—

I have received your Address, praying that a Commission may issue to investigate the probable quantity of Coal contained in the Coal Fields of the United Kingdom, and to report on the quantity of such Coal which may be reasonably expected to be available for use:

*Whether it is probable that Coal exists at workable depths under the Permian, New Red Sandstone, and other superim-
bument strata:*

To inquire as to the quantity of Coal at present consumed in the various branches of manufacture, for steam navigation, and for domestic purposes, as well as the quantity exported, and how far and to what extent such consumption and export may be expected to increase:

And whether there is reason to believe that Coal is wasted either by bad working, or by carelessness, or neglect of proper appliances for its economical consumption:—

And, I have given directions that a Commission shall issue for the purposes which you have requested.

THE MINISTERIAL CRISIS.

THE CHANCELLOR OF THE EXCHEQUER: Mr. Speaker, my noble Friend at the head of the Government and I have obtained Her Majesty's permission to acquaint the House that in consequence of the vote which was given on Monday last, and in consequence of those anterior circumstances to which we referred, we, Her Majesty's Advisers, tendered to Her Majesty the resignation of the offices which we held. Her Majesty was pleased to consider that it was not desirable for her to accept those resignations without further consideration. Her Majesty, in consequence, made early arrangements for undertaking her journey to London, inasmuch as she was of opinion that with the view of dealing with a question of such a nature it was necessary that personal communications should be held. Her Majesty at the time I speak of, I believe, on her

way to Windsor, and she has been pleased to appoint that my noble Friend and myself should have an audience of Her Majesty to-morrow at one o'clock. Under these circumstances, Sir, it will be my duty to ask the House again to adjourn until to-morrow evening; and with a view to the general convenience I think it will be desirable that we should, with the permission of the House, name the hour of six o'clock for meeting. Of course, under these circumstances, it is not the intention of the Government to proceed upon any business which is likely to become a matter of debate; but there is a Motion which it is desirable should be made. It is a Motion by way of a Vote on account for the Revenue and Packet Services. The object of taking that Vote is to enable certain payments to be made which fall due at the close of this month, and which are absolutely required from us by the engagements under which we stand with the sanction of the House; and we think, therefore, that it will not be according to the pleasure of the House, any more than to the usage of the public service, to delay these payments. We shall take that Vote to-night; but we do not propose to proceed with any other public business.

SUPPLY.

Order for Committee read.

MR. CHILDERS said, that since his right hon. Friend had addressed the House he had found that it would be an inconvenient thing to take a Vote—even on account—of which notice had not been given. He would, therefore, with the leave of the House, give notice of his intention to bring the Vote forward to-morrow.

ADJOURNMENT.

MR. CHILDERS moved that the House, at its rising, do adjourn till to-morrow, at Six o'clock.

Motion agreed to.

House adjourned at a quarter before Five o'clock.

HOUSE OF LORDS,

Tuesday, June 26, 1866.

MINUTES.]—PUBLIC BILL—*First Reading*—Dean Forest (Walmore and the Bearce Commons)* (178).

THE MINISTERIAL CRISIS.

EARL RUSSELL: My Lords, I rise for the purpose of stating to your Lordships what has occurred with respect to the subject to which I alluded on a former evening. In accordance with the announcement which I then made to your Lordships, the Chancellor of the Exchequer and I went this day to Windsor and had an audience of Her Majesty, and that we returned to London bearing with us the final decision of Her Majesty. I have now to inform your Lordships that the resignations which we unanimously agreed to tender have been accepted. Some time has elapsed since I asked your Lordships to suspend public business. I will accordingly state what has occurred in the interval. Her Majesty, on receiving the tender of resignation which Her Ministers offered on Tuesday last, in the first place, was pleased to say that she wished the Cabinet to reconsider their decision; that it appeared to Her Majesty that the Government had only been defeated on a point of detail in regard to their measure; and, further, that the present state of the Continent made it very inexpedient that a change of Government should take place at this time. By the latter statement Her Majesty intended to convey that, persons who had been for some time in communication with foreign Powers, whose policy was known to those foreign Powers, who had maintained an intimate alliance with both France and Russia, the neutral Powers in the present war—that such persons might have an advantage over any others who, newly entered upon office, and however able and experienced, must necessarily be strangers to the correspondence that had been carried on. With respect to the first of these objections—that the defeat of the Government took place upon a matter of detail, I beg to say that I had no occasion or opportunity, nor, let me say, any wish, to make any statement with regard to the Bill for the extension of the suffrage and the re-distribution of seats. But I will state what has been the position in which we have found ourselves since Her Majesty was pleased to desire me, on the death of Lord Palmerston, to accept the office of First Lord of the Treasury. When I accepted that office, I found that the pledges which had been frequently given by various Administrations—by my own Administration, by that of Lord Aberdeen, by that of Lord Derby, and by that of

Lord Palmerston, were pledged that had not been redeemed, and that a reproach existed—and it will continue to exist—upon any party in this country that did not take any opportunity which might seem practicable to solve this question, which, if left unsolved, must be productive of great inconvenience, and even evil, to the country. My Lords, it appeared to me—and I have always acted upon that opinion, whether in office or out of office—that it was not wise to bring forward the question of Reform unless the circumstances were such as to lead to the hope that it would be seriously entertained. We believed, from the representations that were made to us, and from the reports of proceedings at the elections which took place during last year, that we had a favourable opportunity to settle this question. It appeared to us that a considerable suspicion and distrust existed in the public mind owing to former measures of Reform having been produced and then, for one reason or another, defeated or dropped; and we therefore thought it our duty to declare at an early period that, whatever might be the measure on which Her Majesty's Government decided, by that measure we should stand or fall. After this we sifted and examined all the information we had procured, and we considered the principles on which any measure of the kind should be based. And it seemed to me, my Lords, having had a part—a considerable part—in the framing and introduction, and subsequently in the carrying, of another measure of Reform—it seemed to me that Earl Grey was perfectly wise when he declared with regard to that measure that he wished it to be large in order that it might be safe. Now, my Lords, it seemed to me that on the present occasion we ought to consider whether it would be advisable to prepare a measure which would pass easily through Parliament by a compromise of the views of different parties, or whether an attempt ought not to be made to introduce a measure which would last undisturbed, at least, as long as the Reform Act of Earl Grey has done. It appeared to us that if we treated the measure merely as a matter of party convenience, to be agreed upon between different political persons, we should incur the certain risk in three or four years of a new agitation; that those who had been unjustly excluded would ask to be admitted to the privileges of the Constitution; and, probably, we should find that we had not effected that settlement which it was our

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wish to accomplish in approaching this question. The course would undoubtedly have been an easier one for us. We might have obtained a temporary triumph. But we considered it was our duty not to bring in a Reform Bill unless we had reason to hope that the measure would pass, and, when passed, would endure for a considerable time. That being the principle upon which we proceeded, it seemed to us advisable to bear in mind two objects. One was to make the measure so sufficiently large as to give contentment to the people who were seeking an extension of the franchise in counties and in boroughs. The other was so to frame the measure as not unnecessarily to give alarm to the numerous persons who are opposed to any social disturbance, and very sensitive to danger to the Constitution from unnecessary interference with the settled institutions of the country. From time to time Motions have been made for the extension of the franchise in counties owing to the operation of the Chandos Clause in the Reform Bill of 1832. A number of petitions for the extension of the franchise in boroughs have also been presented. With regard to the counties the proposals made were for a £10 franchise instead of £50, and in boroughs for a £6 yearly value instead of £10. I have a few figures which will show what would have been the result of these proposals. In the measure introduced by the Government of Lord Palmerston it was estimated that 260,000 persons would have been admitted under the £6 yearly value franchise. Under the £7 franchise only 156,000 would have been admitted, showing a difference in the two proposals of 104,000. By the former Bill of 1852, a franchise of £5 rateable value would have admitted 230,000, being a difference of 74,000. It appeared to me that that was a compromise already made with those claiming the franchise, and that it was not for those who objected to the undue extension of the franchise to say that it was carried too far. We cut off more than 100,000 of those who would have been enfranchised under the former proposal. Therefore, having made that proposal, I must say that those who belong to the unrepresented people, and who stated that they would be satisfied with nothing less than a £6 yearly value for boroughs and £10 yearly value for counties, showed the utmost moderation, for they declared themselves at once satisfied with the franchise proposed by the Government. So far on one

side the compromise was accepted. Those, however, who had objected to the Bill of 1861, as including too great a number, were not at all satisfied by the diminution of 100,000 which we proposed. I am not going to occupy your Lordships' time with what I think would not be properly the subject of debate in this House—namely, the mode in which the Bill was received in the House of Commons, and the various Amendments which were proposed to evade and to obstruct it. But, perhaps, I may say that the course adopted has hardly been in accordance with the promise voluntarily made by the noble Earl opposite (the Earl of Derby), that he would not countenance any attempt factiously to defeat the Bill of the Government, but would treat it in a fair spirit. Now, if the noble Earl had kept entirely aloof from any declarations made by any of the Members of his party in the House of Commons, I should have had nothing to say on the matter, but only to lament that the precept which the noble Earl had laid down had not been acted upon. I have, however, seen constantly in the newspapers that there were meetings held at the house of a noble Marquess opposite (the Marquess of Salisbury) of the Conservative Members of the House of Commons, and I have always seen that the Earl of Derby arrived at a quarter past two to address those meetings. Now, my Lords, I do not know—or, if I did know, I should not wish to criticize—the words of advice which may have been given by the noble Earl on those occasions, to persons who would listen to a person of his great authority with deference and respect; but this I must say, that, either when the noble Earl spoke to them in favour of fairness and straightforwardness in dealing with the Bill they must have been very bad pupils, or else he did not give to them their lesson in accordance with the declaration he had made in favour of fair dealing and straightforwardness. The fact is that the Bill has been met at every turn—I am not going to use any epithets—by surprises or unexpected tactics. The Amendment to the second reading was defeated by a majority of five votes. Subsequent divisions took place upon various important points of the Bill, in which the Government had sometimes a fair majority, and once the vote of the House of Commons was carried against us. At last came the Question on which there was a majority of eleven against the Government. Now, that division was,

Her Majesty has been pleased to observe, upon a point of detail; but if it had been merely a point of detail—if it had been merely a question, for instance, between rating and rental, Her Majesty's Government might easily have consented to that Amendment, and endeavoured, by reducing the rating qualification, or by some other means, to have convinced the House of Commons that the test of rating was not a proper test as a qualification for the franchise. But, my Lords, coming after so many attempts to obstruct, delay, and defeat the Bill, we could not but consider that it was hopeless for us to proceed further with it. Of course we should have been ready to postpone the Bill, after the franchise clauses had been agreed to, to another Session of Parliament. But that would have been useless, seeing that there was such a determined spirit of hostility to the Bill in the House as to demonstrate that there was no chance of its passing. The Government, therefore, resolved to tender to Her Majesty their resignations. My Lords, I cannot think that we proposed an extension of the suffrage which was too great, or that we proposed to carry further than was necessary the bestowal of the right of voting upon the working men of this country. We acted according to our sincere convictions, and in the same way as Lord Grey's Government had acted in regard to the same subject. That Government made Schedule A, which related to the disfranchisement of small boroughs, a vital point in the Bill, and we considered that the franchise we fixed for counties and boroughs was a vital point in the Bill we brought in. Therefore, we held that the point upon which the last division took place was not one merely of detail; and, having duly considered whether it could be set right by any further Amendment, we determined, as I have said, to tender our resignations. The other ground upon which Her Majesty declined to accept our resignations without further deliberation was the present state of foreign affairs and the war which is now raging on the Continent. Now, it will be admitted by your Lordships, and the other House of Parliament will admit, that, however we regard the matter, it is inconvenient to take the management of foreign affairs from the hands of a Government which had been established so long, and place it in the hands of others at a moment like the present. We deemed, however, that it was our duty to maintain our honour as public men uninjured,

and that no consideration of public convenience at that time, however grave that consideration might be, would justify us in incurring the blame of forfeiting pledges we had given to the country and to Parliament to bring in a Reform Bill which we might expect to carry. My Lords, I have now stated the reasons which induced Her Majesty's Government to tender their resignation; and, as I have already told your Lordships, that resignation has been accepted. I have now only to make two further remarks. One is that I trust, whatever Parliament may do, they will fairly consider and will not treat with contempt or contumely the claims of the working classes to be admitted to the right of voting. I trust they will act in the spirit in which I spoke to a large deputation. When one of its members pointed out to me that universal suffrage existed in the United States, and in many, if not all, our colonies, I replied to them that this country has been famed for many centuries as a free and happy country, possessing noble institutions, and that our object should be not to copy the institutions of other countries, but to improve our own. That, I conceive, should be the object of your Lordships and the object of any person who should be called to fill the office of Her Majesty's Advisers. I should say the pursuance of that object was especially a duty at this time, considering the present condition of foreign countries—because we cannot forget the influence that was exercised over all Europe by the French Revolution of 1830, or overlook the circumstance that the Minister of a German Power has proclaimed universal suffrage as the basis of a Parliament in Germany. If you grant the suffrage freely and generously to the people of this country, attached as they are to their English institutions, they would rather accept such a boon from you than that you should offer them a Constitution framed upon a foreign model. But if you alienate the people from the Crown and the aristocracy by refusing them the enfranchisement to which they are entitled evils must be for many years experienced. We have made the attempt—unfortunately as it appears—but we have made the attempt to perform the duty of reconciling that which was due to the great and established institutions of this country with that which was due to the growing influence, the increased wealth, the increased intelligence of the people, and which was due also to

their manifest forbearance and respect for the law. I am sure that that is an object that the Legislature should aim at. Any agreement between political parties will not produce a lasting state of things with regard to the representation of the people in the House of Commons, unless you work in the open day, before the eyes of the people, and persuade them that you are acting honestly by them. I have only now to make one further observation, and that is to express my gratitude to Her Majesty for the confidence she has been pleased to bestow upon us, and to bear my testimony to Her Majesty's anxiety to perform all the duties of her high station. Not even considerations of health which I have often felt it my duty to urge upon Her Majesty's attention have permitted her to abstain from performing the functions which belonged to her as Sovereign of the people of England. I trust that under the blessing of Divine Providence Her Majesty may be able to perform those duties, and that she may be preserved to the enjoyment of many, many happy days.

THE EARL OF DERBY: My Lords, it was my anxious wish, upon entering your Lordships' House, to listen with respectful attention to whatever statement the noble Earl the late First Minister of the Crown might make as to the ground of the resignation of Her Majesty's Ministers, which he has just announced to your Lordships. And although the noble Earl has referred to every possible phase of the subject, and even to some subjects which are hardly matters of Parliamentary inquiry or Parliamentary discussion, I do not intend to follow him in any one of them. I do not intend to discuss the merits of the Reform Bill, or the manner in which Her Majesty's Ministers have dealt with it, or the judgment they have brought to bear on that question. I should not have said a word, but should have left the noble Earl to his volunteer defence of the course pursued by himself and his Colleagues, had he not thought fit, in the course of his remarks, to speak with considerable freedom of matters personal to myself and Friend. The noble Earl has thought fit to cast considerable blame upon me, and to impugn the course which—as he concludes upon my suggestion—has been pursued in the House of Commons. My Lords, these are charges to which I cannot listen in silence, especially on an occasion of such magnitude and importance as the present. I may say I agree with the noble Earl that a change of Govern-

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ment, from whatever hands to whatever hands, at a period when there is so much disturbance abroad and so many important subjects requiring consideration at home, is and must be a misfortune; but I venture to tell the noble Earl that it is no fault of those who are in opposition, but that it is the fault of Her Majesty's Government themselves, that we are reduced to the painful necessity of considering the probability of a change of Government at this time. The noble Earl has said that at the commencement of the Session I assured him that no underhand dealings should be resorted to and no unfair opposition offered to the Bill. I will repeat what I then said. I said that if the Bill should be one of a reasonable and moderate character, such as the Conservative party could with honour and consistently with their conscientious convictions accept as a settlement of a question which it was desirable to settle, to come to some conclusion upon, I would exert what influence I had with the Conservative Members of Parliament to the end that the noble Earl should meet with no unfair opposition; on the contrary, I said I should be happy to further the progress of such a Bill. I say that pledge has been kept, and kept to the letter; and when the noble Earl talks about private meetings of Members of the Opposition, and speaking of such meetings as utterly unusual, makes it matter of complaint that the Opposition should meet and consider measures which the Government have submitted to Parliament, and receive an opinion upon them from those in whom the Opposition have confidence, I say he makes a statement which from a person of the noble Earl's political experience is somewhat startling, and which shows how much the noble Earl is at a loss to find something wherewith to charge his political opponents. My Lords, I have upon several occasions met those with whom I have had the honour of acting politically for twenty years past, and, to the best of my judgment, I have expressed such opinions and given them such advice as I conscientiously believed to be sound with regard to the measures submitted to them in Parliament; and as long as I have the honour of being associated in public life with and enjoying the confidence of a great party, I shall deem it one of the fundamental duties imposed upon me by that position not to leave my party to straggle like sheep, each man according to his individual fancy, but to offer its Members every means for con-

sultation and frankly and fairly to bring before them, for the purpose of inducing political co-operation, the views which I entertain. The noble Earl spoke of the advice which he supposes I gave to the Members of the Opposition at certain private meetings. I do not know how he became possessed of his information as to what advice I gave. I do not know whether the noble Earl employs any person to ascertain what takes place at private meetings; but in whatever way he obtained his information, this I know—that I never advised those with whom I have had the honour of consulting, to meet this Bill with anything but a fair and reasonable opposition. The noble Earl has spoken as if it had been his political opponents who defeated the Government in their intentions with respect to the Reform Bill. Why, as a matter of fact every Amendment—or obstruction, as he pleases to term an Amendment—has been made, not by his opponents but by those whom he reckons in the ranks of his political supporters. I will say to the noble Earl at once that it is the injudicious and dictatorial course which has been pursued by the Government that has alienated from him men who might have been conciliated—men who might have been led but who could never have been driven—and that to that he owes the position in which he now finds himself. He has upon his own showing of the grounds on which he has placed his resignation, been defeated, not by his opponents, but by his political friends. It is not usual to refer to proceedings in the other House; but as the noble Earl has made use of the phrase "factious opposition" let me remind him what were the Amendments to which he has referred. The noble Earl came down at the opening of Parliament, and announced to us that immediately after Lord Palmerston's funeral—that is to say, at the latter end of October—Her Majesty's Government sent out to obtain statistical information upon which to found a Reform Bill, and at the time that speech was made that statistical information was not in the hands of the Government. [Earl RUSSELL dissented.] I wish to be corrected if I am in error; but it was certainly stated in the Speech from the Throne that when that information had been obtained it should be placed upon the table of the House, as the basis for future measures. Early in the year—that is to say, when about a month of the Session had expired, Her Majesty's Government brought forward a partial

measure dealing with the extension of the franchise, and with nothing else; but, at the same time, they gave out that other important propositions would be made in the future with regard to the representation of the people. A noble Earl, who was a strong partizan of the Government, a Liberal, and who has proved his political opinions upon more than one occasion (Earl Grosvenor), proposed that before the House was called upon to pass a partial Bill they should see the whole scheme of the Government with reference to Parliamentary Reform. Was that a very unreasonable demand? It was rejected, but it was rejected by a majority of five only. When you are dealing with a matter of such gravity and importance—which settles or unsettles the whole balance of the Constitution—which alters the character of the House of Commons, and by altering its character alters its relations to this House and to the Throne of the country—I say it was fair and reasonable—nay, it was absolutely necessary—that before Parliament was called upon for a judgment upon any part of it, they should see the whole measure and be able to look at it with an enlarged and comprehensive view. And Her Majesty's Government admitted the reasonableness of the proposal; for after having defeated the Motion by a majority of five—undoubtedly not a very large majority—after having said that it was not their intention to introduce during the present Session any measure of Reform except the Franchise Bill, upon the ground that Parliament would not have time to consider it—they six weeks later, under pressure, brought forward a measure so crude, so undigested, so ill-considered, that it was at once—I will not say it was laughed out of the House—but it never was and never has been up to this moment a matter of serious discussion. The clauses and provisions of the Bill have been universally condemned; and I am not using too strong a phrase when I say ridiculed by every person who has taken them into consideration. The Government had originally no intention to bring it forward, and the result of its being hastily introduced at the demand of the noble Earl's Friends in the other House naturally displayed in the crudeness and absurdity, I will call it, in its provisions, which was more excusable than it would have been under other circumstances. The next division was upon the question, whether the disfranchising or the enfranchising clauses should be taken first; and upon

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that division the Government had the largest majority, I believe, they ever obtained—I believe a majority of something like forty. Then came the question of incorporating into the Bill provisions having for their object the prevention of bribery. As to the wisdom or otherwise of incorporating such provisions in a Bill of this character, I will give no opinion; but, at all events, the noble Earl cannot speak of them as a Motion proposed for the purpose of defeating or delaying the Bill. The subject occupied half a night's debate. Her Majesty's Government on that occasion suffered a defeat; but they did not appear to consider it of sufficient importance to induce them to alter their conduct in any way. They contented themselves with challenging the hon. Member who proposed and carried the Motion to bring forward his clauses, and said that they would discuss them in Committee. The next question was, I think, the Reduction of the County Franchise. I should say, however, that upon the first reading of the Bill only was there any discussion. Upon the second reading of the Franchise Bill, upon the second reading of the Re-distribution of Seats Bill, and upon going into Committee on the Consolidated Bill, there was no division and no attempt to impede the progress which Her Majesty's Government was anxious to make. In Committee the first question raised was that of the county franchise. Members of the House of Commons entertained different opinions upon the subject; and I presume that Members may be permitted to exercise their judgment upon those matters, and are not to submit absolutely to the *ipse dixit* of any particular Minister, however old and experienced a hand he may be in dealing with Reform Bills. But what was the question? The Government proposal was a £14 occupation franchise for the counties, and £20 was proposed to be substituted as the proper amount. But the question upon which the House divided was whether rating or rental should be the basis of the franchise; and the Government carried their point, that the franchise should be based on rental. To the last hour, indeed, that clause remained in the Bill, precisely in the form proposed by Her Majesty's Government. Now, unless you want to stifle debate altogether, you cannot maintain that there was any obstruction in the course that was adopted on that occasion. May not the House of Commons have its own deliberate opinion as to the

relative merits of a rating or a rental qualification, and as to the advisability of fixing the standard at £14 or £20, without at once being subjected to these accusations? How can the business of any Government be carried on if every question raised is to be turned into a Vote of Confidence, and if the House of Commons is to be told that every detail must be accepted in the form it is proposed, that it must submit to have all the opinions of the Government thrust down its throat, and that if any objection is offered to such a proceeding Parliament must be prepared for the result? What was the last question? The noble Earl talked a good deal about the rights of the working men; but I have shown that, as far as the county franchise is concerned, the Bill stands precisely as it was when first introduced. The amount of the borough franchise never was discussed and never divided upon. The noble Earl brings forward those charges against the House of Commons, and I want to know how he justifies them. The question may have been—was—a fit subject for discussion; but I say it never was discussed, and I say it would have been perfectly competent to the noble Earl or his Colleagues if they had thought fit, when rating was carried against rental, to say that as that proposition would raise the franchise above what they intended, they would propose to reduce the figure from £7 to £5. That would have been the fair, and reasonable, and obvious course for the Government to have pursued. But, instead of this, when rating had been carried against the Government by a majority of eleven, including forty-four of their own supporters—thus proving the annihilation of the majority of seventy which they had at the beginning of the Session, and which they have frittered away—up jumps the right hon. Gentleman the Chancellor of the Exchequer and declares that he regards the principle of rental as an essential part of the Bill, and the substitution for it of a principle of rating as a Vote of Want of Confidence in Her Majesty's Ministers, and that whatever may be the inconvenience to the country, and notwithstanding the state of foreign affairs—notwithstanding all these things which he urged so forcibly against a change of Ministry—the Government intend, because the House of Commons had exercised its judgment, to throw the country into every confusion to which it will be subjected, and to offer to the Crown the resignation of their offices

—I hope with the sincere intention that the Queen should be advised to act upon that resignation, and that it should not be merely a fictitious resignation. I pass over the whole of the remainder of the noble Earl's speech. I hoped not to have been called upon to say a single word. I will not argue the question of Reform. I will not even deal with those warnings—those solemn warnings—with which the noble Earl concluded his speech as to the course we ought to pursue for the purpose of conciliating and maintaining the good opinion of the people of this country, and reconciling them to, or keeping them upon good terms with the Crown and the aristocracy. I should not have said a single word if it had not been for the personal charges which he made against me, and the further charges which he made against my friends in the other House. Those charges, however, having been made, I felt that I should not have done my duty either to myself or to them if I had not taken the earliest opportunity of repudiating them.

EARL GRANVILLE: My Lords, the noble Earl who has just sat down commenced by stating that he had not intended speaking this evening; and no doubt your Lordships will easily believe that I had not the slightest idea that an opportunity would be afforded me of saying anything. The noble Earl has referred with some warmth and at some length to what fell from my noble Friend (Earl Russell), as to the manner in which the promise given to the Government by the Opposition at the commencement of the Session has been kept. Now, with regard to keeping promises, I must say that when we hear my noble Friend opposite—if he will allow me to term him so—declare that he will not this evening make any remarks upon the character of the Bill introduced by the Government, and when we find that for the last ten minutes he has been heaping upon that measure every possible kind of vituperation, it is quite possible, I believe, that the promises he made at the beginning of the Session may scarcely have been fulfilled.

THE EARL OF DERBY: I beg the noble Earl's pardon. I did not make the slightest comment upon the merits of the Bill. I simply replied to the charge that obstructive measures had been employed, and I said nothing about the merits of the Bill or the debates.

EARL GRANVILLE: I pass by the censure which the noble Earl bestowed

upon the introduction of the first and as he termed it incomplete Bill; but with regard to the second Bill, if the noble Earl thinks he passes no opinion upon its merits when he characterizes it as "crude," "absurd," and "ridiculous," I am perfectly willing to retract every word I said upon that point. So far from wishing to indulge in personal recriminations at this moment, we desire to support Her Majesty, whatever Government she may be pleased to summon to her assistance, in the regulation of the affairs of the country, and we do not intend to offer any factious opposition to our successors in their treatment of Reform, or of any other question. When the noble Earl says that his promise to the Government was kept, I am quite ready to argue with him if he will maintain, bearing in mind that he promised that no factious opposition should be offered to the Bill, that no underhand measures should be resorted to, and particularly that no combination should be entered into against Reform with those who could combine for no other purpose—pledges all of them held forth in the most solemn manner. ["Oh, oh!" and "No, no!"] I hope your Lordships will allow me to express, however imperfectly, what I have to say without interruption. If I make any statements that are wrong or erroneous, your Lordships will have an opportunity of correcting them. When your Lordships remember that Lord Elcho even was not denied a hearing at a meeting of working men it will be scarcely creditable that your Lordships should interrupt me with cries of "Oh!" and "No!" After that promise that no combination should be entered into with persons who could combine for no other purpose, can the noble Earl consider that the only opposition to the measure has been of a perfectly fair and argumentative character? I will leave it to him and to the country at large to say whether the promise has been faithfully performed. The noble Earl, too, was wrong in some of his statements as to the quarters from which the opposition to the Bill proceeded. One of the Amendments upon which a division was taken was proposed by Sir Rainald Knightley, and the proposition which he made was, I believe, one of a nature which ought not to be mixed up with the questions of the reduction of the franchise and the re-distribution of seats. Questions on the subject were also raised by Mr. Hunt and Mr. Walpole; and above all, a most important Amendment

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was moved by one of the most distinguished Members of the Conservative party in the House of Commons. I refer to the son of the noble Earl (Lord Stanley.) One peculiarity with regard to the latter Motion was that no public notice whatever was given of the intention to bring it before the House, although by that sort of indiscretion by which things leak out we are now perfectly aware that for two or three days previously to its being made, communications were forwarded to all those persons on our side of the House who were supposed to lean in the slightest degree towards the views which were to be forwarded by the Motion. I think, therefore, it was too much for the noble Earl to say that all the Motions adverse to the Bill had proceeded from the usual supporters of the Government. I do not in the slightest degree blame the Conservative party for opposing Her Majesty's Government, neither do I doubt that they are prepared to form a very able and excellent Government. They were perfectly justified in opposing a measure which they did not approve; but I must say that their claim to credit for avoiding anything like factious opposition cannot be allowed to pass without question. As to Her Majesty's Government they took the most simple course open to them with regard to the question of Reform. The noble Earl reproves us—as we have been reproved by others, both in and out of the House—with having brought in a partial measure of Reform. We did so for one single reason—namely, that, having considered the difficulties of every possible course open to us, it appeared to us, upon the whole, that the measure we introduced was the one most likely to enable us to advance the cause of Reform. We did so for exactly the same reason as that given by a leading Member of the noble Earl's Government when apologizing for the meagreness of the Conservative scheme for the re-distribution of seats, and when admitting that that part of their measure must come back to the House of Commons again for further consideration—namely, that it is impossible to pass a measure of Reform which mixes up together the subjects of a reduction of the franchise and a re-distribution of seats. Acting upon this belief, we introduced a measure dealing solely with the former subject; but we were forced, in consequence of a division which took place in the House of Commons, to lay all the details of our scheme for the re-distribution of seats upon the table before the House went into Com-

mittee upon the former Bill. Yet the noble Earl treats as nothing that division upon that important point. The noble Earl has accused us of being in a hurry to resign; but so far from that being the case, the feeling of a large portion of the Cabinet was that the Government majority of five on the division on Earl Grosvenor's Amendment was too small to enable us to carry out the very difficult task before us, and that as we could not separate ourselves from the constitutional change we pledged ourselves to effect, it would have been better at once to resign. But if Her Majesty's Government did not then deem it to be their duty to resign, I ask your Lordships whether, after the course matters had taken in the other House, after the Motions and divisions, following one after another, had culminated in placing the Government in the minority in which they found themselves the other day, it did not become obvious that, whether in the right or in the wrong, they would be unable to carry the Reform Bill to a successful termination, and so redeem the pledges they had given to Parliament and to the country? The noble Earl concluded his speech by what I may designate as an unworthy sneer against the motives of Her Majesty's Ministers in tendering their resignation. He expressed a hope that their resignation was a real one, and not one simulated for the purpose of bringing about other arrangements. In reply to that observation I must state that the opinion of the Cabinet was unanimous that they could not submit to the defeat that they had sustained, and that, therefore, it was their duty to tender their resignation to Her Majesty. Their decision was communicated to Her Majesty in the most explicit manner, and I appeal to every Member of the Government to say whether any of us had the slightest idea except that our resignation could have but one result. It is quite true that Her Majesty on learning our decision desired her Cabinet to consider all the circumstances of the case, and to ascertain whether there was no means consistent with our honour which would enable us to take another course. We did give the matter the fullest consideration, and carefully weighed every alternative that it appeared possible for us to adopt, and the conclusion at which we unanimously arrived has been already communicated to your Lordships by the noble Earl (Earl Russell)—namely, that the only course left to us was again to tender our

resignations, and to take advantage of Her Majesty's gracious permission to us to retire from office. In this course there is nothing dishonourable—it is one that has over and over again been taken by straightforward and honourable men, and it is one that has been followed by the leaders of all the great parties, one after another, when they found that, owing to circumstances, they could not command such a majority in the House of Commons as would enable them successfully to carry on the Government of the country. I must apologize to your Lordships for the time I have occupied, and I trust I have said nothing calculated to create personal animosity at a time when personal matters cannot be too carefully excluded from discussion.

EARL GREY: Though I am sorry to detain your Lordships longer on this occasion, there are parts of the speech of my noble Friend (Earl Russell) which it is impossible for me to permit to pass unnoticed. I have listened to the explanation of the noble Earl of the circumstances which have led Her Majesty's Ministers to tender their resignation with very great concern, as I cannot regard it as being in any way satisfactory. The subject is of so much importance with reference not only to the past but to the future, and to the course which it may be right hereafter for this House to pursue, that I hope your Lordships will pardon me if I venture to ask your attention to some remarks which I feel it necessary to make in the history of the proceedings on the subject of Reform, which have at last ended in the downfall of the Ministry. The noble Earl says—and on this point I concur with him—that after all that had passed in former years; after the language that had been held by members of the present Government; and after the votes which they had given upon measures brought forward by independent Members in the other House of Parliament, the present Government were bound to take into consideration the propriety of bringing in a Reform Bill. But the necessity for their dealing with this subject, however undeniable, was by no means so urgent as to require them to act without due deliberation. There was no occasion for a measure being brought forward in reckless haste. There were two things which Parliament and the country had a right to expect from any Government that presumed to meddle with so critical a subject—first, that they would endeavour to

bring forward a measure which they could honestly recommend to Parliament as calculated, while maintaining and improving the Constitution of the country, to effect a settlement of the question—at least for some considerable time; and secondly, that, as far as in them lay, they would take care to avoid making a Bill proposing to effect constitutional changes a battle field for party contests. With regard to the first point, it is undoubtedly the fact that the Constitution of this country, whatever its faults, has upon the whole worked well for the happiness of the people, and that no other Government in the world has for an equal period accomplished so successfully all the objects for which Governments exist. A Constitution that has answered thus well should not be lightly meddled with, and therefore it was the duty of any Government proposing to alter it to take care that any measure they might introduce for that purpose should be both well-considered and so complete as not to be likely soon to require further alteration, since frequent changes in the form of the Government are in themselves an evil. With regard to the second proposition I have laid down, I am persuaded your Lordships will concur with me that it was the duty of the Government to avoid, so far as in them lay, making the subject of constitutional change a battle field for party contests. Experience shows that party struggles on questions of constitutional change have proved to be attended with great danger in all countries. They raise passions which endanger the public peace, and in the excitement so caused it is impossible to consider the subject with the calm deliberation its importance and difficulty demand. We all know that this was found to be the case in the great struggle upon the Reform Act of 1832. I need hardly remind your Lordships of the great danger to which the country was exposed by the excitement that struggle occasioned, of the riots at Bristol and at Nottingham, and of how much reason there was to fear the occurrence of still more serious riots in other parts of the kingdom. And in addition to the disturbance of the public peace, it was found at that time that the excitement of a party contest is not favourable to the calm discussion of great and important constitutional changes. Upon the whole it was in my opinion an admirable measure, and considering the difficulties under which it was passed, it is extraordi-

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nary that the Reform Act of 1832 contains so few faults as it does. Still, if it had been passed at a period of greater calmness the measure might have been greatly improved, for there were faults in it of which I was sensible, and of which I know others were also sensible, which might have been corrected had the subject been discussed more dispassionately. It was, I repeat, the duty of the Government, when they determined to deal with the question of Reform, to endeavour to frame a measure as complete as they could make it, and so fair to all parties as not to provoke a party contest. They choose to adopt a different policy. The noble Earl (the Earl of Derby) who spoke from the other side of the House has already referred to the fact that at the beginning of the Session we were informed that a Bill for the regulation of the franchise would be brought forward as soon as certain statistical returns were procured. That announcement, implying as it did that the measure was to be confined to one particular branch of the question, immediately excited much apprehension in the minds of many persons who thought that this important question, if it was dealt with at all, should be dealt with in a comprehensive spirit. I ventured, myself, when the Address in answer to Her Majesty's Speech was proposed, to make an earnest appeal to my noble Friend (Earl Russell) to adhere to the principle of 1831 and 1832, and not to bring before Parliament an imperfect measure, which would only be preparing the way for further agitation, and which would unsettle everything and settle nothing. Similar appeals were made to Her Majesty's Government in the other House of Parliament by persons who could not be suspected of any unfriendly feeling towards them. But, my Lords, those appeals were made in vain. Her Majesty's Government determined to bring forward a measure confined to an alteration of the franchise. Now, a measure of that sort was naturally likely to encounter opposition. I, for one, have never been opposed, since the necessity of some change was admitted, to dealing with the franchise; but I have always held that it was impossible to deal with that question without dealing with other questions which are closely related to it, and that to make an alteration of that kind without introducing at the same time other provisions calculated to avert any mischievous consequences which might

result from it, and to render the measure complete, would be a most injudicious and dangerous course. But, my Lords, what increased this objection in this instance was the fact that Her Majesty's Government avowedly adopted this dangerous course upon the recommendation of a well-known Member of the other House of Parliament. The advice to Ministers to follow the course they afterwards took was given publicly and openly at a meeting at Rochdale. Mr. Bright advised the Government to adopt the plan of dealing with the franchise only in the first instance, and he very candidly explained his reasons for so doing. Now, I am bound to say that, with the greatest admiration for Mr. Bright's abilities, and with the fullest belief in his sincerity in the views which he advocates, I am not surprised that any course of proceeding adopted at his suggestion should not have been very favourably received; because such is the unfortunate pugnacity of his disposition that in his public speeches advocating Reform he has adopted a tone which would almost justify the belief that he desires Reform hardly more for the purpose of promoting the welfare and good government of the country, than for that of giving him the satisfaction of trampling upon and degrading that large portion of his fellow-countrymen upon whom, under the name of Tories, he is never tired of pouring out the vials of his wrath. I must say that in so doing I think he displays a good deal more of the spirit of ancient Toryism than those whom he thus vituperates; because what seems to have been the most characteristic feature of the Tories of old days was a violent and arbitrary temper, a determination to put down all opposition and all differences of opinion by violence rather than to win over opponents by argument, and to carry things with a high hand, and by main force. Such in old times was the distinguishing feature of Toryism, and I must say that it seems to me to be now shown much more strongly in the Gentleman to whom I am referring than in his opponents. It was an unfortunate thing, therefore, for Ministers if they wished to carry a measure of Reform rather by amicable means than by a great party struggle, to adopt any course of proceeding which had been suggested by that Gentleman, and it was especially unfortunate when he had so candidly avowed the reasons for that advice. He had told his hearers at Rochdale that it was good policy to proceed by degrees, for that having ob-

tained a reduction of the franchise, they would then have an improved leverage for carrying larger measures, and would have greater power to overcome those opponents whom he so bitterly denounced. It was surely not unnatural that those opponents who were so plainly told that this was the object of that course of proceedings should be a little on the alert—more especially as it was clear from the circumstances of the case that the line of policy thus recommended was precisely calculated to answer the object in view; for it was evident that if Parliament could be persuaded to consent to this plan of reducing the franchise in the first instance, and reserving all other questions for subsequent consideration, it would have given the extreme party great additional power of settling those questions according to their own opinions and not according to the opinions of others. A Bill brought forward, therefore, upon that policy naturally excited much animadversion, and a Resolution was proposed intended to express the opinion of the House of Commons that it was inexpedient to consider one part of the Reform question until the whole plan of the Government was before them. As soon as notice of that Resolution was given, and before it came on for discussion, Her Majesty's Government, finding that the feeling in its favour was very strong, partially yielded to it. They promised that as soon as the Franchise Bill was read a second time, the other Bill should be laid upon the table. Now, had they done in the first instance what they afterwards did upon compulsion, there would have been no party struggle.

EARL RUSSELL remarked that the Government made the concession before the Resolution was proposed.

EARL GREY: But it was not till after notice of it was given, Her Majesty's Government having previously refused to introduce the other Bill at all. They promised, as I was saying, that after the second reading of the Franchise Bill the other measure should be introduced; and then again, after the division on the Resolution, they made an additional step, and promised that they would unite the two Bills together. By agreeing to refer the Bills to the same Committee, they granted to the fullest extent all that had been asked for by the authors of the Resolution, and what would have prevented any division if it had been granted at first. By doing so they showed that the demand which

had been made for a full explanation of their plan was a reasonable one, and admitted the justice of the demand that the question of Reform should not be treated piecemeal, but as a whole. Your Lordships will allow me to point out how they met the Resolution of my noble Friend (Earl Grosvenor) when notice of it was first given. No sooner was it found that there was a chance of his Resolution being carried than the most violent attacks were made in every quarter both on himself and on his family—not so much in Parliament as out of doors—and those attacks were made although he stood altogether aloof from the Conservative party, and although the honesty of his motives could never for one instant be impeached. Even Cabinet Ministers thought it not beneath their dignity to go down to Lancashire, and in exciting speeches condemn the supporters of the Resolution as men who said one thing and intended another. They were called “dirty conspirators,” and no term of abuse was thought too strong to be applied to them.

EARL GRANVILLE: No such words as “dirty conspirators” were used by any Cabinet Minister.

EARL GREY: I did not attribute those words to any Cabinet Minister—but a Cabinet Minister did assert that the supporters of the Resolution said one thing and meant another, denouncing the proposal which the Government afterwards accepted, and he encouraged the organized agitation which it was in vain endeavoured to arouse, in order to force Parliament to pass the measure. Now, my Lords, this was the course that was adopted on that occasion. When the Bill passed the second reading, the Resolution being defeated by a very small majority, Her Majesty’s Government then at last consented to unite their two Bills, and to make them one measure only. But unfortunately the Bill for the Re-distribution of Seats, brought forward in this hasty manner, proved, as it might have been expected to be, and as the noble Earl opposite (the Earl of Derby) has stated, a very crude measure. Unfortunately, it was not merely crude; it was regarded by those most deeply interested in it as an unfair measure. Gentlemen whom I believe to be very impartial, and who have a greater knowledge of local details than I can pretend to have, have stated they could regard it in no other light than as a Bill skilfully drawn to depress one party

and give an unfair advantage to another at their expense. That was the impression it made. I do not say it was a just impression; but the unfortunate manner in which the question was managed by the Government naturally caused suspicion to be entertained in regard to it, and induced those who examined it to believe that this was the character of their proposal. The consequence was that when the united Bill came to be discussed, it was obvious that it had no chance of making its way through Committee. In the early stages considerable advantage was gained by the Government from an extraordinary mistake committed by their opponents; but, notwithstanding that, the feeling against the Bill proved too strong, and at last a vote was carried which led to the result we have heard to-night. Now, my Lords, I think it is perfectly clear that that division was on a point which even my noble Friend himself admits would not of itself have been fatal to the Bill, or one which it was necessary to consider implied any want of confidence in the Government. For my own part, I am not prepared to say that the question between rental and rating was one of great importance. I certainly believe that rating is by far the fairest principle, because men will not misstate the amount of value on which they pay rates. That is a great security for its being the real and *bona fide* valuation; and it is to be observed that by lowering the figure of value it is quite possible to make the rateable value consistent with avoiding any augmentation of the qualification proposed by the Government. But then, it is said, that this vote must be coupled with what had gone before; and what had gone before showed so much disapproval of the Bill that it was necessary for the Government to resign. Undoubtedly the vote was intended to express disapproval of the Bill, and not merely a difference of opinion from the Government on the point immediately before the House; and if this implied not only disapproval of the Bill, but also a desire to withdraw support from the Government, and a general want of confidence in the Government, I should entirely concur in the view which my noble Friend takes of the subject. It is comparatively immaterial what the question may be on which the House of Commons votes if it clearly intends to show by its vote its want of confidence in the Ministers of the Crown. But in this case such does not appear to

have been the wish of the House. Looking at the whole course of these proceedings, it appears to me, judging by the votes which are on your Lordships' table, that, although the House of Commons were anxious to express disapproval of the Bill and disapproval of the course taken by the Government with regard to this particular Bill, they had no desire to extend their censure to its general conduct, but, on the contrary, were anxious not to produce any change of administration, or withdraw their support from the Government. My Lords, it is notorious that this was their wish, and it is this wish only which accounts for the majority, such as it was, which the Government obtained on the Resolution on the second reading. It is perfectly notorious that among their own Friends who voted for the Bill a large number would have voted in favour of the Resolution but for the sake of continuing the Government in office. So, on other occasions, the House of Commons apparently desired to show that they disapproved the Bill, and at the same time that they wished no change in the Administration should take place. Well, but if that was the feeling of the House of Commons, and their disapproval of the measure submitted to them was, as I have endeavoured to show you, the natural and necessary consequence of the manner in which the whole question had been mismanaged from the first by the Government, have Ministers now the right to turn round on the country and say, "Because we have mismanaged the subject, having had great advantages to deal with it—the state of affairs at the beginning of the Session having been singularly calm, and the country prepared to consider a reasonable and just proposal, properly submitted to them—because we have mismanaged it—because we have forfeited the confidence in regard to Reform of a large part of our own friends, and they do not like our Bill, are we therefore entitled to say we will throw the country into all the difficulty which a change of Administration must at all times create, but which in this instance will be aggravated by the general state of parties in the House of Commons, and by the present state of Europe." For my own part, my Lords, I consider that their resignation of office under such circumstances and at such a time was not the fulfilment of their public duty. My noble Friend has told us that Her Majesty, very properly, expressed great reluctance to accept their

resignation; and it is no secret that independent Members of the House of Commons were prepared to move, and, I believe, to carry by a large majority, a Resolution which would have expressed both the desire of that House that the Ministers should retain their offices, and that the question of Reform should be dealt with in a future year, though the Bill was withdrawn for the present. I say it is no secret to anybody that such a Resolution would have been proposed and carried but for the objection made to it by Ministers; and I do not understand how, looking at all the facts of the case, Her Majesty's Government can justify the course they have taken in persisting, under such circumstances, in that resignation. It has long been obvious that the Bill could not pass this Session; the late division made no difference in that respect; and if the House of Commons was ready to record its opinion in favour of a future settlement of this question, and also of the continuance of the existing Government, surely it was their duty to accede to what was the wish both of the Sovereign and of Parliament. I know of only one reason why they should have taken a contrary course. We have been told that they have declared they would stand or fall by the Bill. Well, my Lords, if they had proposed a Bill satisfactory to the whole of their own friends that would have been a very reasonable course; but were there any men who wished them, under the circumstances, to adhere to that pledge—I think very rashly given? We know that the most Radical of their allies to whom, if to any, such promises were made—even they would have been glad if the Government had consented to retain their offices. If, then, no pledge was to be broken, of which anybody claimed the fulfilment, where would have been the impeachment to their personal honour? No doubt they must have submitted to some mortification; no doubt—to use a homely, but expressive phrase—they must have been content to "eat humble pie" if they had given up their measure for this Session and yet retained their offices; but this would have been no very heavy penalty to pay for the blunders of which they had been guilty, and if they really felt an earnest desire to do their duty to the Crown and the country, and to promote the real interests of Reform itself, their own personal mortification would have been a small matter in comparison with doing what was really best for the

country. My Lords, I fear it is now too late for them to alter their course. I fear that, persevering to the end in the same kind of conduct which they have adopted from the beginning; even within the last eight-and-forty hours fresh mistakes have been committed which render it now impossible that the Government should continue to hold their offices. We must now, therefore, make up our minds to what I must say I, for one, greatly regret as the result—which I think a calamity to the country—not only a change of the Government, but the loss, the almost total loss for all purposes of useful legislation of a whole year. At a time when so many subjects were pressing on the attention of Parliament, that, in my opinion, is a most serious evil; but, at the same time, some little compensation may perhaps be afforded for this unhappy result, if the occurrences of this year are made, as they ought to be, a warning to men of all parties for the future. I think myself that the proceedings this Session with respect to Reform are full of the most important instruction to us all. Two things appear to me to be pretty plain. One is that this question of Reform cannot safely remain long in its present position, and that if it remains unsettled it must continue to be an obstacle to the formation of any strong Administration, causing the time of Parliament to be occupied with long and fruitless debates, and standing in the way of other important measures. And it must also expose the nation to the danger of having some ill-considered and dangerous measure at length hurriedly passed, without deliberation, in some moment of excitement. Its early and reasonable settlement is therefore in the highest degree desirable. On the other hand, I think it is equally clear that, in the present state of affairs and of public opinion, no measure of Reform has a chance of passing unless it be one which is really a fair measure, and which can obtain the general consent of all parties. That the feeling of Parliament and of the nation is against the passing of any incomplete and imperfect measure has been shown this year in so striking a manner that I cannot suppose the experience obtained in that respect will soon be lost sight of. At the same time, this also has been shown—that any measure even professing to be complete must necessarily be offensive to so many private interests, and thereby provoke so much opposition on mere selfish grounds,

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that if, in addition, it should be opposed by a powerful political party, it has in the present state of affairs little chance of passing. The existing condition of things is altogether different from the state of affairs in 1831 and 1832. At that time there were such great abuses in the representation of the people, leading to such practical faults in government and legislation, that the prosperity of the country was in every respect checked and kept back by the system of legislation and administration for years adopted in consequence of the undue predominance of private interests in the other House of Parliament. When, therefore, a really well-considered measure of Reform, effectual for its purpose, and with objects clear and defined, was proposed, there arose a spirit in favour of Reform which nothing could control, and that measure, in spite of the most determined opposition, was carried to a successful issue. Circumstances are now altogether different. The House of Commons, instead of failing in its duties, has since the passing of the Reform Act very efficiently performed them; and the Reform Act has been the means of securing to this country for thirty-four years a series of effective measures in harmony with enlightened public opinion, and with the desires of the nation. The consequence is that though there are, no doubt, defects in our representative system which it is highly desirable to remove, those defects are of a far more speculative character than formerly, and come home much less to men's feelings. As the great practical evils which before arose from the inadequate representation of the people in Parliament are no longer felt, it naturally happens that even among those who desire further changes in the representative system that desire is mild and gentle compared with the feeling manifested more than thirty years ago. There is also a very much larger proportion of persons now than then who feel the blessings they enjoy, and who, knowing that, on the whole, the country is governed very much as they desire, are unwilling to risk those certain blessings for the uncertain results which might follow a measure which they do not understand. Therefore, there is not now the power which formerly existed of carrying into effect any extensive change in the way of Reform. Again, a measure really founded on a calm and careful examination of the defects of the existing system of representation would, on the one hand, interfere with so many

private interests, and, on the other, enlist in its favour so small an amount of enthusiasm that it would have little or no chance of passing. It is, therefore, only in the agreement of the great political parties that at the present moment there exists a fair chance of any measure of Reform being carried. I do trust that these circumstances will be considered by those who have influence with the great political parties into which the country is divided, and, as it is for the interest of all these parties, as well as for the common interest of the nation that this great question should be settled, I hope that an attempt may be made at no distant period of arriving, by an amicable arrangement, at this result. If proper means for that purpose are taken, I do not think the task so impossible as it might at first sight appear; because, widely different as were the opinions expressed in the late debates on Reform, I believe that those differences of opinion arose from the circumstance of each party looking too closely to what was proposed on its own side, and not sufficiently attending to what was asked on the other. When my noble Friend says that it is necessary to content the labouring classes by showing more confidence in them and giving them a larger extension of the franchise, I am quite prepared to admit that to a great extent he is right; but, on the other hand, I would appeal to my noble Friend, and ask him whether the opponents of the Government measure of Reform were not also right in apprehending danger from the concession of too much power to the working classes, and in thinking it imprudent to give a predominant power in the government of the country to mere numbers and the least educated classes of the community? I do not think the mode of extending the franchise as proposed in the Government Bill the best that could be devised; but I am not prepared to say that the extent to which it went was in itself objectionable. I should not object to a large and liberal extension of the franchise, provided it was coupled with other measures which would secure due weight to those classes, less numerous but superior in position and in the advantages of education, and generally more competent to judge properly for the public interest on great questions, than the masses who are occupied in a daily struggle for existence. All experience shows that unless due weight is given to the classes I refer to, you cannot hope to be se-

cure that the country will be well and wisely governed; and, after all, to secure good government ought to be the object sought to be attained even more than to meet the wishes of a part of the population who desire to have the franchise extended; more especially as that portion of the people for whom the extension of the franchise is demanded have, since the passing of the Reform Act, ceased to suffer from any serious errors in the legislation and government of the country.

EARL RUSSELL, in moving the adjournment of the House, suggested that no public business should be proceeded with before Friday, the House meeting in the interval for the transaction of judicial business only.

House adjourned at Eight o'clock,
till To-morrow, half past
Ten o'clock.

HOUSE OF COMMONS,

Tuesday, June 26, 1866.

MINUTES.]—SUPPLY—*considered in Committee*
—CUSTOMS, INLAND REVENUE, SUPERANNUATIONS
POST OFFICE PACKET SERVICE (*on Account*).
PUBLIC BILLS—*Resolutions in Committee*—Cattle
Diseases Prevention Act (1866).
Ordered—Court of Session (Scotland).
First Reading—Charitable Trusts Deeds Enrolment* [199].
Considered as amended—Land Tax Commissioners
Names* [71].

HELSTON ELECTION.

The Clerk proceeding to call the names of the five Members appointed to try and determine the matter of the Petitions complaining of an undue Election and Return for the Borough of Helston,—

Mr. Walpole informed the House, That John Tomlinson Hibbert, esquire, was in such a state of health as to be unable to attend in his place to be sworn :—

Whereupon Dr. McCann was called in and examined in relation to the health of Mr. Hibbert :—And then he withdrew.

Resolved, That the attendance of Mr. Hibbert on the Helston Borough Election Committee be dispensed with.

Ordered, That the Committee be discharged.
Ordered, That the Petitions be referred back to the General Committee of Elections.

PUBLIC ACCOUNTS — SELECT COMMITTEE—ARMY AND MILITIA—SERVICES ACCOUNT.—QUESTION.

SIR JAMES FERGUSSON said, he wished to ask the Chairman of the Select Committee on Public Accounts, Whether the Committee have examined the Audited Accounts of the Army and Militia Services for the year 1864-5; whether their attention has been drawn to the Report of the Board of Audit, dated March 12, 1866, stating certain inaccuracies in those Accounts; and, when the Report of the Committee is likely to be laid upon the table of the House?

MR. CHILDERS said, that the Committee on Public Accounts had not met for some weeks past, though it had transacted a great deal of business in the early part of the Session. The inaccuracies referred to by the hon. Baronet related chiefly to matters of form and were carefully taken into consideration last year. He might add that further inquiries were going on at the present time.

METROPOLITAN WORKHOUSES.

QUESTION.

MR. DAVENPORT BROMLEY said, he would beg to ask the President of the Poor Law Board, Whether any steps are being taken towards the establishment of some system of supervision of the Sick Wards in Metropolitan Workhouses, whereby the painful circumstances recently disclosed may be prevented from recurring, pending the result of Dr. Smith's inquiry; and whether the result of Mr. Farnall's visits and investigations will be laid upon the table?

MR. C. P. VILLIERS said, he had to apologize to the hon. Member for Brighton (Mr. Fawcett) for having requested him to postpone the Question of which he had given notice, not having been certain of being in the House; but being here now, and as his Question had been put by another hon. Member, he begged to tell him that a very full official and medical inquiry had been instituted by the Government into the state of the infirmaries of the metropolitan workhouses, and this inquiry was now complete. The Report, indeed, was already on the table of the House, and he believed that this very important subject must soon receive the serious consideration of the Legislature.

RESIGNATION OF THE MINISTRY.

MOTION FOR ADJOURNMENT.

THE CHANCELLOR OF THE EXCHEQUER: Mr. Speaker, the suspense which the House yesterday so considerably consented to prolong is at an end; Her Majesty having been pleased to accept the resignations of their offices, which were last week tendered by the Government, The House is aware that Her Majesty thought fit in her wisdom to postpone the acceptance of that tender when it was first made. It appeared to Her Majesty, upon the first aspect of the vote which led to the tender of our resignations, that the subject-matter of that vote might perhaps be considered as a matter of machinery and detail susceptible of adjustment, rather than as one which went to break up the framework of the Bill; while Her Majesty also felt — and I think the House and the country, without distinction of party, will agree in that sentiment — that in the present state of affairs on the Continent of Europe, there would be necessarily a disadvantage in a change of Government. Without the slightest approach to any invidious reference, or distinction between parties or individuals, it may truly be said that at such a moment it is not easy for any incoming Administration to step at once into exactly the same relations and conditions of intercourse with Governments and Ministers abroad, which were enjoyed after long usage by their predecessors; and the amount of that difficulty, whatever it may be, is in itself a public disadvantage. Her Majesty upon these grounds thought fit to postpone her acceptance of our resignations, as the House has been informed, until she had an opportunity of personal conference with my noble Friend at the head of the Government. This day I accompanied my noble Friend to Windsor; and the opportunity was graciously afforded him of tendering those explanations which appeared to us to warrant the course we had pursued, and of laying before Her Majesty the full circumstances of the case. Upon receiving those explanations the tender which had been postponed was accepted by Her Majesty, and we now by Her Majesty's gracious commands only retain the seals of our offices until the time when our successors shall have been appointed. Having stated thus much, I think it is due from the Government to the House that we should not confine ourselves absolutely on

such an occasion to the dry recital of the result arrived at in the communications with Her Majesty ; but that, while endeavouring to avoid all contested and controverted ground, we should submit some explanations to the House, of a nature to show that, in the step which we have taken, we have not acted unadvisedly, nor without deliberation.

After the division, Sir, which took place on Monday, and during the interval which has since occurred, the alternative which the Members of the Government have appeared to have principally before them, as the most immediate and legitimate subject of consideration in the present state of the country, has been this, whether it was their duty at once to resign their offices, or whether, on the other hand, they ought to accept the vote which had been arrived at on the Motion of my noble Friend the Member for Galway, and to endeavour, so far as they could, to adapt that vote, and the operation of it, to the framework of their measure, and to the attainment of its essential object.

Now, Sir, let me state briefly the view which we took of the nature and effect of that vote. We did, I avow, carefully examine it, in order to see whether it was in our power to effect such an adaptation as I have spoken of. The House may, perhaps, recollect that at the close of the debate the words I ventured to use on the part of the Government did not amount to an absolute statement that, if the vote were carried against us, we should feel it impossible to conduct the further progress of the Bill ; but they did express the state of difficulty in which we found ourselves with respect to the possibility of the adoption of such a vote ; and I was obliged to say that we would enter into no engagement as to our conduct in the event of an adverse decision, but that we must remain free to take such course as the public interests might appear to demand. Now, Sir, when we came to examine the effect of the Motion and to consider whether it was possible for us to adopt it, we were struck by these difficulties ; in the first place, the inequality of the operation of a rating franchise in different boroughs ; in the second place, the inequalities of its operation in the same borough ; and, in the third place, the difficulty, I might say the impossibility, of choosing any form or figure of enfranchisement, founded on mere relation to rateable value, which would express faithfully and exactly, without material deviation on one side or the other, the scale

of enfranchisement which we had contemplated and submitted to the House, and to which we thought ourselves bound, not so much by any pedantic reference to consistency or any merely formal view of the case, as by a consideration of the public interests. As to the operation of a £6 rating franchise, which was suggested by the noble Mover of the Amendment, we found that it would give rise to the inequalities I will now state ; and the figures I give can be tested as to their substantial accuracy by any hon. Member who chooses to refer to the blue book laid on the table. We had submitted to the House a plan under which a certain number of male occupiers would be enfranchised by an occupation franchise of £7 in boroughs. We have now asked ourselves, " In the case of each borough, to what amount of rating franchise must we go down in order to obtain not less than the same number as would be given by an occupation franchise of £7 ? " We found the following to be the result :—In sixteen boroughs there would have been enfranchised, by adopting a franchise founded on a rateable value of above £6, a number at least equal to the number we proposed to enfranchise. In thirty-nine boroughs we should have required to take not merely those above £6 rating, but of £6 and upwards. In 112 boroughs we must have gone to £5 and upwards. In twenty-one boroughs we must have gone to £4 and upwards. In five boroughs it required us to take in even those rated under £4, in order to give a number not less than that which would be obtained by a £7 rental. Now, I give these figures as being simply the result of a sum. It is not for me to judge what weight they may have with others, but in our minds they had considerable weight. We then considered another matter on which I need not dwell largely at this moment, for it has been opened and argued in our past debates. We felt very acutely the difficulties in which we should be involved from the establishment of different rates of franchise in the same borough, owing to the differences of rating which frequently prevail in different parts of the same town, which parts happen to be in different unions. Lastly, we had this to consider—if we proposed a £6 rated franchise, such a proposal involved on the whole a diminution of enfranchisement which in our view was inadmissible. Had we, on the other hand, proposed a £5 rated franchise, we should have exposed

ourselves to taunts and objections, the precise value of which I do not stop to estimate; but undoubtedly there would have been ground for the statement that we had departed materially from the original framework of, and the standing ground afforded by our Bill. Those were among the considerations which led us to the conclusion that the vote on the Motion of my noble Friend could not be considered as of a minor or incidental character, but was one which went in a great degree to break up the framework of the measure; and even this, I must add, was not the whole, nor nearly the whole of our difficulty. We had to consider our position as a whole; we had to consider the previous history of the Bill; and undoubtedly, in our particular case, the issue was additionally grave and anxious because of the pledges we had given in various forms, and of which we had, not unnaturally nor improperly, been reminded time after time in the course of the debates, to stand or fall by our measure. Now, Sir, those pledges, if they seemed to some to be conveyed at any time in rhetorical and inflated forms, were yet as to their substance in every case advisedly and deliberately given. In the opinion of the Cabinet, and in my own opinion, a pledge on the part of the Government to stand or fall by a particular measure is a pledge that should be rarely hazarded. It is the last weapon in the armoury of a Government; it should not be lightly taken down from the wall; and if it is so taken down it should not lightly be replaced, nor until it has served the purpose it was meant to fulfil. Sir, that pledge had been given by us, in the present instance, under the deepest conviction—whether erroneous or not—of public duty. We looked back over the course of fifteen years; we considered what had been the history of this question; we did not take into consideration merely the inherent greatness of the subject; we considered its inconvenient, its mischievous operation during many of those years upon the characters of public men, and upon the character of parties; and further and yet more, permit me to say, upon what is higher still, upon the character of Parliament, and upon the character and credit of representative institutions. We felt that the stake was a stake of the highest order; that the responsibility of error was great; that it was our duty to use every effort in our power to avoid offence, to conciliate support, to unite, instead of distracting, the minds of men;

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last, and above all, that it was our duty firmly and resolutely to prosecute whatever plan we might adopt, and there is, and can be no such thing as a firm and resolute prosecution of a subject of such magnitude except by attaching the life of the Administration to the life of the measure they propose. That, therefore, was the course we took advisedly and deliberately, not for our own sakes alone, but for the sake of far higher and far deeper interests, involving that which is the first condition of good Government in this or in any country—namely, the confidence of the public in the institutions by which, and in the men by whom they are ruled. Along with that anxiety we had a disposition, perhaps erroneous, but most sincere, to conciliate hon. Members who were timid or fastidious, and even such as might be possibly opposed to us, on the subject of Reform, at the expense, as I am bound frankly to say, of those by whom Reform was ardently supported. What are the facts? In 1860 a measure had been proposed involving as its bases a £10 and a £6 franchise, which would have extended the suffrage to not fewer than 460,000 persons. For those £10 and £6 franchises we proposed to substitute franchises of £7 and £14. The effect of this change was to reduce the number thus to be enfranchised from 460,000 to about 300,000, or, in other words, to sacrifice about one-third of the enfranchisement which the provisions that I have cited from the Bill of 1860 would have effected. We thought that was a very large concession to make; we thought it was better to make it early than to make it late; and, having made it, it was impossible for us not to see that this very concession rendered it our duty to give a stricter interpretation than we might otherwise have been warranted in giving to the pledge we had made to the country to stand or fall by our Bill.

I may be permitted likewise to say, as I have said before, without intending reproach to any one, that it was our opinion, and an opinion upon which we acted, that no secondary difficulty, no secondary consideration should be allowed to interfere with our making progress with the Bill. Accordingly we consented to make changes in our mode of procedure upon the Bill such as I believe have been rarely made in the case of any great measure, introduced deliberately and persevered in by a Government. We agreed cheerfully, though against our own opinions, to produce a

Bill for the Re-distribution of Seats; we agreed that that Bill should be united with the Bill we had already introduced. On both these points we yielded to the wish of the majority of the House, waiving, though not disguising, our own convictions, because we held that, however just we might deem our own opinion, it did not warrant the serious public evil of a conflict with the majority of the House of Commons upon a question respecting the representation of the people, especially after what had happened with regard to that representation in former years. In the same manner when some provisions of the Bill, which appeared to us even though valuable, yet to be capable of being parted with, became matter of objection, we agreed to withdraw them. We agreed to withdraw the clause respecting leasehold voters in boroughs. We agreed to modify the 4th clause in a point which was deemed to be of importance. These modifications were acceded to at the instance of hon. Gentlemen opposite, and it will be recollected that the last of them excited lively expostulation from a large number of Gentlemen on our own side of the House, who thought it their duty, from the strength of the convictions they entertained, to give expression to them by a division. There remained but one point of difference in regard to procedure, and that was upon the desire we entertained to pass a measure upon the subject during the present year. With respect to that desire, when challenged to repeat in strong terms the expression of our desire, we deliberately waived any such repetition, because we felt that it was invidious, and that it might even be disrespectful, to flourish as it were such a declaration in the face of the House of Commons; while we covered even that remaining subject by a general declaration made by me, in words expressly authorized by my Colleagues, that we should be loth indeed to quarrel with the House, or with any portion of the House agreed with us as to the object we had in view, upon any question whatever of procedure.

However, Sir, we find that these, which I will now enumerate, were the proceedings upon the Bill. On the 27th of April, my noble Friend the Member for Chester (Earl Grosvenor) made a Motion as an Amendment to the second reading, the effect of which would have been that we should have been compelled to produce the Seats Bill before the House had given any vote or

indication whatever upon the Bill I had laid upon the table. That Motion, as is known to hon. Members, was rejected, in a House unprecedentedly large, by a majority of only five, the numbers being 313 for and 318 against the Motion. The next step in the progress of the question which it may be well to notice was that adopted by the House on the 28th of May; when the hon. Baronet (Sir Rainald Knightley) made a Motion to instruct the Committee on the Representation of the People Bill to include in the Bill clauses for the repression of bribery and corruption. Our difficulty already was, and was well known to be, the overweight of the measure, and the almost impossibility of finding time to consider it. We remonstrated against the proposal; we pointed out that at least that course had not been pursued on former occasions; the House thought fit to overrule the views of the Government, and by a majority of ten the hon. Baronet carried his Motion. I do not at this moment ask whether he was right or wrong. I am only speaking of the obstacles which we found besetting us on our road towards the end we had in view. But I proceed. On the 4th of June another Motion was made, in avowed concert with the party opposite, by my hon. and gallant Friend the Member for Wells (Captain Hayter), which certainly ended without a division, but which was debated for three nights, and which evidently must have had and was intended to have the effect of setting aside the consideration of the Bill for the present year. On the 7th of June the noble Lord the Member for King's Lynn (Lord Stanley) made a Motion for the purpose of postponing the clauses of enfranchisement to the clauses affecting the re-distribution of seats. Sir, that Motion was made without any public notice whatever. But it came within the knowledge of the Government at a subsequent period that, through channels I am not able to point out, information that either that Motion, or some such Motion, would be made on that day and at that hour, had been conveyed to certain Gentlemen on this side of the House whose views appeared likely to be favourable to the Motion. Notwithstanding these circumstances, a minority of 260 Gentlemen supported the Motion of the noble Lord; it was, however, rejected by 287. We were then met by the right hon. Gentleman the Member for Cambridge University, who proposed to raise the county franchise from £14 to £20, and

thereby to maim, in our view—at all events, greatly to alter; I withdraw the word “maim,” for I wish to use no word that can seem to savour of eagerness or exaggeration—one of the fundamental clauses of the Bill. The Motion was rejected, but rejected by a very small majority—by no more than fourteen. Then came on, in another form, a Motion also admitted to have for one of its objects the raising of the county franchise—I mean the Motion of the hon. Member for Northampton (Mr. Hunt), to substitute a rated value of £14 for the clear annual value of that amount. That Motion was rejected, but only by a majority of seven. Then, last of all, came the seventh of these great struggles—the Motion of my noble Friend the Member for Galway (Lord Dunkellin), raising the very same point for the boroughs which had been rejected for the counties by this majority of only seven, although it is within the knowledge of us all that whatever difficulties attach to the use of the column of rateable value, be they great or small, they are undoubtedly difficulties which will be felt much more in the boroughs than in the counties. That Motion, however, was carried by a majority of eleven, and it was upon a deliberate review of this series of facts—from the recital of which I have endeavoured to exclude, and I hope I have excluded, every qualifying epithet—it was upon combining that review of the previous divisions and debates with what I have already stated as the nature of the Motion itself, that we arrived at the conclusion that effectual progress with the Bill—progress such as would leave the standing ground of the House of Commons relatively to the Bill sensibly different at the end of our labours for the year to that which it had been at the beginning—such progress had become impossible; and that consequently, as between the alternatives I have named, of an endeavour to accept the judgment of the House and adapt it to the framework of our Bill, and that other equally legitimate alternative of resignation, our duty was, in the first instance, on Tuesday last, to tender resignation of our offices; and finally, on having the opportunity of communication, through Her Majesty’s gracious kindness, with Her Majesty herself to-day, to persevere in such resignation.

Sir, I hope that, in conveying to the House the motives which acted upon our minds, I have been fortunate enough to make it understood that our sole desire is

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to present the subject-matter with which I have dealt simply as we ourselves viewed it; but that I lay down no law and imply no opinion for others, and that I am not using the matter I have stated in the way of, I will not say reproach, but even of argument. These were the considerations which weighed upon our minds. It is the duty of the members of a retiring Government, especially in circumstances of gravity, and with regard to a measure of capital public importance, to place the House of Commons, so far as their duty and regard to public interests may allow them, in possession of the motives and considerations by which they have been guided. That plea, I trust, will be thought to excuse the length at which I have detained the House.

I have no more, Sir, to add than simply this—that as we hold our offices only until our successors are appointed, I now propose to move that this House at its rising do adjourn until Thursday next; not at all with the belief that at so early a date any effectual measures will have been taken for the formation of an Administration, but rather with the idea that on Thursday there may be some person with whom we may be enabled to communicate, and at whose instance, as he will then be the proper judge of public business, we may on Thursday be enabled to propose a further adjournment of the House. I need hardly say that at the meeting of the House on Thursday, and, indeed, at its meeting to-day, I am not aware of any formal rule which would prevent hon. Members from proceeding with Orders or other business which may be upon the Notice Paper. But I am quite sure it will be felt that any such prosecution of business would be inconvenient during the period of what is actually an abeyance of the functions of Government, except business which is absolutely essential and beyond dispute. One such exception is the Vote we propose to take to-day, in order to be able to make some necessary payment in connection with the Packet Service. If that Vote is passed to-day, it may be reported on Thursday, and the Report will then be in time for the purposes for which it is required.

Motion agreed to.

House, at rising, to adjourn till *Thursday*.

SUPPLY—CUSTOMS, INLAND REVENUE,
SUPERANNUATIONS, POST OFFICE
PACKET SERVICE.

VOTES ON ACCOUNT.

SUPPLY *considered in Committee.*

(In the Committee.)

MR. CHILDERS, in moving a Vote on account, to the amount of £1,450,000, for Customs Salaries and Expenses, Inland Revenue, Post Office, Superannuations, and Post Office Packet Service, said, that the passing of that Vote would not pledge the Committee to any of the details of the Estimates.

MR. AYRTON said, that he accepted the Vote upon the understanding that the House was not thereby pledged to the adoption of any of the arrangements contemplated by the Government.

Vote *agreed to.*

Resolved, That a sum not exceeding £1,450,000 be granted to Her Majesty, on Account, for or towards defraying the Charge of the following Civil Services to the 31st day of March 1867 :—

	£
Customs, Salaries and Expenses	200,000
Inland Revenue	300,000
Post Office	600,000
Superannuations, &c., of the Customs, Inland Revenue, and Post Office Departments	120,000
Post Office Packet Service	230,000

[No part of which sum is to be applicable or applied in or towards making any payment in respect of any period subsequent to the 20th day of June 1863, to Mr. Joseph George Churchward, or to any person claiming through or under him by virtue of a certain Contract bearing date the 26th day of April 1859, made between the Lords Commissioners of Her Majesty's Admiralty (for and on behalf of Her Majesty) of the first part, and the said Joseph George Churchward of the second part, or in or towards the satisfaction of any claim whatsoever of the said Joseph George Churchward, by virtue of that Contract, so far as relates to any period subsequent to the 20th day of June 1863]

£1,450,000
House *resumed.*

Resolution to be reported upon *Thursday*; Committee to sit again upon *Friday*.

COMMITTEES.

Leave given to all Committees to sit, notwithstanding the Adjournment of the House.

COURT OF SESSION (SCOTLAND.)

On Motion of The LORD ADVOCATE, Bill to make provision in regard to the mode of taking evidence in Civil Causes in the Court of Session in Scotland, *ordered* to be brought in by The LORD ADVOCATE and Mr. SOLICITOR GENERAL for SCOTLAND.

House adjourned at a quarter after
Seven o'clock till Thursday.

HOUSE OF LORDS,

Wednesday, June 27, 1866.

Their Lordships met; and having gone through the Business on the Paper, without debate—

House adjourned at a quarter before
Four o'clock, till To-morrow,
half past Ten o'clock.

HOUSE OF LORDS,

Thursday, June 28, 1866.

MINUTES.]—*Royal Assent*—Princess Mary of Cambridge's Annuity [29 & 30 Vict. c. 48]; Exchequer and Audit Departments [29 & 30 Vict. c. 39]; Landed Property Improvement (Ireland) [29 & 30 Vict. c. 40]; Nuisances Removal [29 & 30 Vict. c. 41]; Life Insurances (Ireland) [29 & 30 Vict. c. 42]; Naval Savings Banks [29 & 30 Vict. c. 43]; Labouring Classes' Dwellings (Ireland) [29 & 30 Vict. c. 44]; Fishery Piers and Harbours (Ireland) [29 & 30 Vict. c. 45]; Belfast Constabulary [29 & 30 Vict. c. 46]; Indian Prize Money [29 & 30 Vict. c. 47].

Their Lordships met; and having gone through the Business on the Paper, without debate—

House adjourned at half past Four o'clock,
till To-morrow, a quarter before
Five o'clock.

HOUSE OF COMMONS,

Thursday, June 28, 1866.

MINUTES.]—SELECT COMMITTEE—*Report*—On Theatrical Licences and Regulations.

SUPPLY—*considered in Committee*—*Resolutions* [June 26] *reported.*

PUBLIC BILLS—*Ordered*—Cattle Diseases Prevention Act (1866)*; Charitable Donations and Bequests (Ireland).*

First Reading—Cattle Diseases Prevention Act (1866) Amendment* [200]; Charitable Donations and Bequests (Ireland)* [201].

Third Reading—Land Tax Commissioners' Names* [71].

BLACKWATER (YOUGHAL) WOODEN BRIDGE BILL.—THIRD READING.

Order for Third Reading read.

MR. M'KENNA said, he rose to move the third reading of this Bill, and in doing so he must state that its effect would be to enable the Grand Juries of the counties of Cork and Waterford to purchase the bridge at a price to be fixed by a valuator. He had just been informed, however, that the consent of the Crown was required to be given at this stage of the Bill.

COLONEL FRENCH seconded the Motion.

Motion made, and Question proposed, "That the Bill be now read the third time."—(*Mr. M'Kenna.*)

MR. CHILDERS said, that according to the rules of the House, it was necessary that Her Majesty's consent to the Bill should be signified before it could be read a third time. That consent could not be given for reasons which he would briefly state to the House. On the face of it the Bill appeared to be of a very innocent character. It proposed to enable certain counties to purchase a bridge, and recited that the bridge had been erected by means of money borrowed from "certain person or persons" on debentures or some other security. Now, the fact was that those "person or persons" were the Crown, and it was proposed by the Bill to compel the Crown to accept a sum of money without compelling anybody to pay such money. The Crown was bound on one side, but the counties were not bound on the other. The Crown, although interested in the matter, could not, by the Standing Orders of the House, oppose the Bill before the Select Committee. The attention of the House having been called to the subject, he hoped some alteration would be made in the Standing Orders with the view of preventing such Bills from being passed through the House, almost without the knowledge of the Crown.

MR. M'KENNA said, he regretted that the hon. Gentleman had addressed such a statement to the House. The bridge in question was not built by the Crown, the greater portion of the money having been obtained from individuals. ["Order, order!"]

The QUEEN's consent not being signified, Mr. SPEAKER declined to put the Question.

NUISANCES AT LIVERPOOL.

QUESTION.

MR. SAMUELSON said, he would beg to ask the Vice President of the Council, Whether his attention has been called to the fact that, notwithstanding the warning which the local authorities at Liverpool had received in the occurrence of recent cases of cholera, accumulations of night soil had been allowed to remain on waste ground near populous parts of the town from which typhus fever was never absent?

MR. BRUCE, in reply, said, he had received an unofficial intimation of this state of things, but the hon. Member did not seem to be aware that, though the Privy Council had power to institute inquiries in cases where epidemics had broken out, they had no power to compel the local authorities to adopt precautionary measures beforehand with regard to any particular nuisance. There was a Bill now before a Select Committee of the House by which a power of this nature was proposed, but at present nothing could be done by the Privy Council.

INTENDED MEETING IN WHITEHALL YARD.—QUESTION.

MR. BAILLIE COCHRANE: I wish, Sir, to ask the right hon. Gentleman at the head of the Home Office, If he is aware that a meeting is advertised to be held on Monday next in the immediate vicinity of the Houses of Parliament? I wish to know, whether it is legal to hold meetings of that description in such a place, and to make speeches which are certainly calculated to lead to some disturbance of the public peace?

SIR GEORGE GREY: Sir, I have not seen the announcement to which the hon. Gentleman refers, and I do not know the character of the meeting he has alluded to. I may say, however, that it is not lawful, I apprehend, to make speeches at any meeting, in any place, which are calculated to lead to any breach of the peace. With regard to meetings in the vicinity of the Houses of Parliament, there is a special statute on the subject, the object being to prevent any intimidation of Parliament. That statute, however, is limited to such meetings as have for their object the petitioning of Parliament, and it is provided that such meet-

ings may not be held within a mile of the Houses of Parliament. But I have not seen the notice or advertisement to which the hon. Gentleman refers. [Major STUART KNOX: It is in *The Morning Star*.]

THE MINISTERIAL CRISIS.

ADJOURNMENT.

THE CHANCELLOR OF THE EXCHEQUER: On Monday, when proposing the adjournment of the House to Thursday, I said that I should probably then be in a position to ask for a further adjournment, by authority of and in communication with some person who would probably have received the Queen's commands by that time to form an Administration. I have received a communication from the Earl of Derby to the effect that it is his wish, with a view to the convenient progress of arrangements for that purpose, that the House should adjourn for not less than a week. Consequently, I came down here to-day prepared to move that the House adjourn to Thursday next. Without doubt, as far as the substance of that request is concerned, it will be readily acceded to. But it has been intimated to me by the right hon. Member for the University of Cambridge (Mr. Walpole) that, independently of any question connected with private business, there are proceedings connected with the appointment of a Committee to try the Election Petition for the borough of Helston which it would be inconvenient to postpone. I also understand that the highest authority in the House concurs in that view of the case. I do not, therefore, feel any hesitation in so far deviating from the request I have received as to waive any formal Motion of adjournment from to-day until Thursday next. What I understand will be convenient is that the House should meet both to-morrow and on Monday for purposes connected with the Helston Petition. On Monday, I believe, there will be no obstacle whatever to an adjournment until Thursday; and that arrangement will, I think, meet with general assent on both sides of the House. What I conceive to be the substance of the communication and the desire expressed on behalf of Lord Derby is that no public business, as we understand the term "public business," shall be transacted from now until Thursday next; and, as I understand the matter, a formal adjournment may very well take place on Monday to Thursday.

MR. OSBORNE: Before the Motion for adjournment is moved I hope I shall not be thought to intrude myself unnecessarily on the House if I take the opportunity of making a few observations upon the posture of public affairs. I think that Parliament—at least this House—has exercised a most remarkable forbearance and reticence during the Ministerial crisis which has occurred during the last week. I think the keenest critics of representative Government can scarcely take exception to the conduct of a popular assembly which has displayed symptoms of neither curiosity nor impatience at such a time. What has happened? I will be bound to say that in the history of this country so remarkable a series of complications at home and abroad never existed as at the present moment. Why, Sir, what have we at home? A commercial and financial panic, the Bank discounting money at 10 per cent; and we are threatened with an attack upon our colony of Canada. Well, these are ingredients in the series of complications which exist at present. What have we abroad? A threatened revolution in Spain, war in Italy, and war in Germany. In the midst of all this we have been without a Government for eight days, and, by the adjournment that is to be moved to-day, we are about to be a week longer without a Government. We shall have been one entire fortnight without a responsible Government, with the world in the state in which I have sketched it! I want to know if the House of Commons was elected to sit quietly during this lock in the transactions of the State? I must say I heard the explanation of the Chancellor of the Exchequer the other night with some regret. Nothing could be more skilful and conciliatory than the explanation of the right hon. Gentleman; but, at the same time, I must be presumptuous enough to say that, however successful he was in vindicating his honour—which, in my humble opinion, required no vindication—he was not equally successful in vindicating the judgment of the Government. I do not understand why, at such a crisis, the Government have thought fit to abandon at once their places and their Reform Bill. ["Oh, oh!"] Well, I am stating my own opinion. Probably I am not so ardent a Reformer as the hon. Gentleman who vociferates "Oh, oh;" but as no party in this House, and no individual in this House, has at any time given a decided opposition to the

principle of Reform, I cannot understand why the Government have abandoned their places and abandoned the Bill. What is the position of Parliament with regard to this Bill? It is true many Amendments are on the paper; but the Government could hardly expect to carry so important a measure—laden as it was with that *dam-nosa hereditas* of a principal supporter, the right hon. Member for Kilmarnock—without Amendments. I was rather surprised that the Bill had made so much progress. We had actually got into Committee where we had carried a most material reduction of the county franchise to £14. True, it was carried by a small majority; but yet in a House of Commons, many Members of which are hostile to any reduction, that most important reduction of the county franchise to £14 was carried. Well, Sir, what happened next? The Government were defeated, and I think upon a mere point of detail, by forty-four Gentlemen who sat on this side of the House, many of whom I know to be good Reformers and attached friends of the Government. [Mr. E. CRAUFURD: No!] No! There are some Gentlemen, particularly Scotch Gentlemen, who are so incredulous that they will believe nothing but their own opinions. I know that many of those forty-four were good supporters of the Government, who would have supported them, if it had come to a vote of confidence. Well, Sir, on that the Chancellor of the Exchequer resigned. I take upon myself to say—not speaking on behalf of my hon. Friend behind me (Mr. Craufurd), nor any of his kidney, but speaking as a moderate and a consistent Reformer, and no direct issue having been taken as to the reduction of the borough franchise proposed by the Bill, that it is very much to be regretted that Her Majesty's Government should have thrown up their cards on what is completely a point of detail. In my opinion they were not justified in abandoning this Bill or in abandoning office until they had tested the opinions of this Assembly as to the amount of the borough franchise. But they have not thought proper to do so; and, in consequence, what is the position of affairs? Why, it is unexampled. Here we have a very strong Liberal party—an overrated party as to its majority, I have no doubt, but still with such a majority that the Government might have obtained at any time, if they had liked, a vote of confidence. They rejected that vote of confidence almost with con-

tumely. A person at the head of the State, whose name I cannot introduce into the debate, was of opinion that no case was made out for a resignation, and that the defeat of the Government was upon a mere point of detail; but Her Majesty's Government persisted in throwing up their hands; and what has become of us, the Liberal party? I do complain, as a humble Member and unit of that great Liberal party, that they have never been called together at any stage of these proceedings—that the circumstances of the case have never been explained to them—that the great Liberal party have been left in the lurch by their leaders, and that we are about to be transported to the other side of the House. It is a very good thing, probably, for the Liberal party; I have nothing to say on that point; but still it was perfectly unnecessary, in my opinion. There are, however, other considerations besides that. In abandoning office as they have done Her Majesty's Government have entirely wasted a valuable Session of Parliament. It is not only the Reform Bill that has been left as a bone of contention for future Sessions, but there are some most important measures that have been entirely thrown over, and have no chance of being discussed for another year. Let me remind commercial men of the Bankruptcy Bill; shall we hear anything more of that this Session? The Land Tenure Bill, which concentrated the Irish party, what is to become of that? Shall we hear anything more of it this Session? No, Sir; the Session has been entirely wasted, and the Liberal party has been left entirely in the lurch. I do regret that Her Majesty's Government have thought themselves justified in resigning in such a posture of affairs at home and abroad. What is to follow? I presume that, having regard to those right hon. Gentlemen who are now conspicuous by their absence, the Government of Lord Derby will follow. And what ought to be our course upon this occasion? The Government of Lord Derby (if it is to be a Government of Lord Derby), pure and unadulterated, have done nothing to produce this state of things. ["Oh!"] No, I am speaking of their opposition to this measure, and I say that theirs has not been an opposition like that which was given to the Bill of Lord Derby. ["Oh!"] The hon. Gentleman who cries "Oh!" (Sir Francis Goldsmid) was then in his long clothes; he was not then in Parliament. The Government that is to come, be it what it may,

has had its honours thrust upon it. The Members of that Government could not have expected that in the middle of June, with a foreign war raging, Ministers would throw up their hands on a mere question of rating or rental. What, then, is the proper position we are to assume on the other side of the House? Speaking simply as an independent Member, I think that, as we have been left in the lurch, we are bound to give any Government that comes in a fair trial and a fair hearing. I, for one, therefore, shall not enter into any factious opposition to the incoming Government; but, I think, as Her Majesty's Ministers have chosen to desert their posts, we are bound to see what the next Government will do. For my own part, I have no fear either for the progress of Liberal opinions or for the progress of Liberal measures. Whatever Government sits upon these Benches, I feel certain that it cannot and will not propose any but Liberal measures; and to any Reform Bill that is brought forward, if it be a wise and well-considered and not a hasty measure, I shall give that consideration, let it come from which side of the House it may, which I think is due from an independent Member of Parliament. However, I may regret that the present Government has offered us no explanation why for a period of eight days the country and the House have been left without an Administration—however much I may regret their abandonment of office—I think the House is bound, at all events, during this Session, to enter into no factious opposition to whatever Government takes office. Sir, I beg to move the adjournment of the House.

MAJOR STUART KNOX said, he rose to second the Motion. He did not intend to enter into a discussion of the subject to which the hon. Gentleman had referred; but he wished to allude to a question of much more importance put by the hon. Member for Honiton (Mr. Baillie Cochrane) to the right hon. Gentleman who, until his successor was appointed, fills the office of Home Secretary. That question was, whether London was to be handed over to mob law? The right hon. Gentleman (Sir George Grey) told them that he had heard nothing about the matter. But last night London was in a state of siege. In one street at the bottom of St. James' Street a posse of police were placed to keep off the mob, and yet the right hon. Gentleman knew nothing about it. It was stated in the newspapers of that day that the chairman

of the meeting held in Trafalgar Square called upon his mob to attend him to Whitehall Place, opposite the window at which Charles I. was beheaded, in order that they might carry resolutions against that House, or, in plain English, to intimidate the House. I wish to ask the right hon. Gentleman whether he will make such inquiries into this subject, and take such measures as may prevent a violation of the law.

Motion made, and Question proposed, "That this House do now adjourn."—*(Mr. Osborne.)*

SIR GEORGE GREY: I understood the question of the hon. Member for Honiton to refer to a public notice that has been given of an intended meeting in Whitehall Place, and I said that I had seen no such notice. The hon. Gentleman seems to suppose I stated that I was not aware that a meeting was to be held yesterday evening, and that the persons attending that meeting afterwards went to St. James' Place, where they were met by a body of police, who were ready to prevent them from doing any mischief, if such was their intention. I did know of that meeting. It was not very numerously attended. I am told that there were not more than from 1,200 to 1,500 persons there, and that some of them afterwards proceeded towards St. James's Place. Knowing that the meeting was about to be held, I had previously directed that a sufficient body of police should be in attendance to prevent the possibility of mischief being done. I am not aware that there was any intention to do mischief; but effectual precautions were taken to prevent it, and were taken by my direction.

MR. NEWDEGATE: I hope that this House will not feel or manifest any alarm at the assembling of a limited number of persons about the doors of this House. It is very natural they should be there; but as for any mob taking possession of Palace Yard, or of this House, we have a mob that will put them down, if that is all. I have seen attempts to alarm this House and the people of London. I saw the mob demonstration of 1848, and I recollect the practical reply of the people of London. But I wish for a moment to allude to what has fallen from the hon. Member for Nottingham (Mr. Osborne); but before I do so I wish to thank the right hon. Gentleman the Chancellor of the Exchequer for the tone in which he thought fit to announce

the determination of the Government to this House. The hon. Member for Nottingham has very eloquently described the elements of disturbance which undoubtedly exist, and I think every Member of the House must have felt that the tone and the temper in which the Chancellor of the Exchequer announced the course which Her Majesty's Government have thought fit to take was such, that if any speech could have obviated the difficulties and complications of the time, the speech of the right hon. Gentleman was admirably calculated to attain that object. The hon. Member for Nottingham has complained of a loss of time. But all the circumstances to which he alluded must I think make hon. Members feel that we cannot spend our time better than in preparing for a future which the hon. Member for Nottingham has described in such very serious language.

MR. WALPOLE said, he only rose for the purpose of stating that he entirely concurred with the Chancellor of the Exchequer that it would be convenient that they should only adjourn to-morrow and Monday, in order that they might appoint the Helston Election Committee. That petition had already been put off from time to time, and it was for the advantage alike of the petitioners and of the sitting Members that the inquiry should be undertaken at the earliest possible moment.

CAPTAIN VIVIAN asked whether the Committee would be sworn to-morrow?

MR. WALPOLE said, the Committee had been chosen that day; that it was proposed its nomination should be reported to-morrow; and that the members should be sworn on Monday.

THE CHANCELLOR OF THE EXCHEQUER: I cannot let pass the few words that have fallen from the hon. Gentleman the Member for North Warwickshire (Mr. Newdegate) without tendering to him my very cordial acknowledgment—I will not say for the impartiality, but for the extreme indulgence and kindness of the expressions he has used, addressing himself to a personal question in a spirit which, whatever differences of opinion may exist, never deserts him in this House. I must also say a very few words with regard to what has fallen from the hon. Member for Nottingham (Mr. Osborne), though I need not detain the House at any length on that subject. The hon. Member paid a just compliment to the House for the patience and forbearance it has shown in consenting

to a suspension of its sittings, and to a still greater extent of its discussions, on account of the resignation of the Government, and the delay necessary to the formation of a new one. That is, without doubt, a most just eulogium; and I only hope that nothing may happen to-night to diminish the value of the tribute which, unquestionably, the keenest critic must render to the conduct of the House. The House probably feels that an occasion of this kind affords no convenient opportunity for discussing the conduct of an outgoing Government and the sufficiency of its reasons for resigning office, or the prospects of an incoming Government and the principles upon which it is to be conducted. The time will come for dealing with those matters. As to the first of those topics, I cannot concur with my hon. Friend, because I think that considerations of commanding weight dictated the course which we found ourselves obliged to pursue. But I am quite ready to concur with my hon. Friend in this—that no factious opposition ought to be offered to any Government which can be formed on the present occasion. I am even able to go one step at least beyond my hon. Friend, because he in his promise to renounce a factious opposition most carefully limited his renunciation by saying that it was only to hold good during the remainder of the Session. But there are two points in particular which I think it necessary to notice, and I should wish my hon. Friend to observe that he is, perhaps, more master of the situation—at least with respect to one of them—than he seems to suppose. With regard to the Bills which have been under the consideration of the House, it would be premature, under present circumstances, to take any step. There is no doubt that a change of Government, and particularly at so advanced a period of the Session, must be adverse to the progress of legislation; but I do not know that we are bound to come to any sweeping conclusion that every Bill, or even any Bill of importance, is as a matter of necessity to be dropped. That will be matter for consideration. I have no doubt that it may be my duty to propose, at the fitting time, that the Orders for the reading of certain Bills be discharged; but if at that time we shall propose the discharge of any Bills unnecessarily, my hon. Friend will have it in his power to argue against the Motion. My hon. Friend also referred to an opinion of an illustrious personage, which he stated to

Mr. Newdegate

be, that Her Majesty's Ministers were about to resign on a point of detail. Now, I am very anxious not to be misunderstood on that subject, and I must say that my hon. Friend has not conveyed the precise effect of what fell from me. My statement was that that was the opinion formed by that illustrious personage, and an opinion very naturally and justly formed on the partial statement of occurrences which could alone be conveyed to Her Majesty at Balmoral. I stated that that opinion so far influenced Her Majesty, as, in combination with her view of foreign affairs, to induce Her Majesty to postpone the acceptance of our resignation until after personal communications. But I never stated that after these personal communications it was the opinion of Her Majesty that her Ministers had resigned office on a point of detail. I have thought it necessary to say so much, because I hold it important that the precise elements of any explanation offered by a person in a responsible position should be clearly retained in the memory of those who hear it.

Motion, by leave, *withdrawn*.

CATTLE DISEASES PREVENTION ACT (1866) BILL.

Resolution reported :

"That it is expedient to empower the Poor Law Board, from time to time, to assess on the several Unions in England such sum as to them shall seem requisite, not exceeding in any year a rate of Three Pence in the pound on the net annual value of the rateable property in all the Unions, in order to defray expenses incurred by local authorities in pursuance of 'The Cattle Diseases Prevention Act, 1866,' in aid of a Rate to be levied in the infected counties by the local authorities :—That the said sum shall be paid into the Bank of England to the credit of the Cash Account of the Paymaster General, and shall be applied towards defraying the expenses aforesaid."

Resolution agreed to :—Bill ordered to be brought in by Earl Grosvenor, Mr. Tollemache, Mr. John Benjamin Smith, Mr. Laird, and Mr. Hunt.

Bill presented, and read the first time. [Bill 200.]

CHARITABLE DONATIONS AND BEQUESTS (IRELAND) BILL.

On Motion of Mr. Blake, Bill to amend the Law relating to Charitable Donations and Bequests in Ireland, ordered to be brought in by Mr. Blake and Mr. Synan.

Bill presented, and read the first time. [Bill 201.]

House adjourned at half
after Five o'clock.

HOUSE OF LORDS,

Friday, June 29, 1866.

MINUTES.]—PUBLIC BILL.—*First Reading*—
Land Tax Commissioners' Names* (179).

THE MINISTERIAL CRISIS.

EARL RUSSELL: My Lords, I have to communicate to your Lordships that since the last meeting of the House Her Majesty has been pleased to send for the Earl of Derby, and has requested him to undertake the formation of a Ministry. In accordance with the suggestion which the noble Earl has made to me, that it would not be convenient to propose a shorter postponement of the public business, I have to suggest to your Lordships that no public business be transacted before Thursday next.

LORD BROUGHAM: I certainly do not rise to oppose the Motion of my noble Friend. On the contrary, I quite concur in it. In the ignorance—there is universal ignorance—in which all the country is involved of the grounds on which the late Ministers have felt it necessary to resign, the people know nothing more than this—that it arose from some point of honour, raised by the conduct of their own supporters in the House of Commons. In this universal ignorance I am equally involved, and I share in the general—but not universal—regret which is felt that such a step should have been taken. Concurring in the general regret, and sharing the universal ignorance, I approve the Motion of my noble Friend.

GAS LIGHT AND COKE COMPANY BILL.

Moved, "That the Bill be now read 2^a."

EARL NELSON said, he desired to draw attention to the number of petitions presented by residents in the neighbourhood whose interests it was stated would be injuriously affected. He would remind their Lordships that the greater number of those who would be affected by the Bill were not persons in a condition to appear by Counsel before a Parliamentary Committee against the wealthy company who promoted it. Past legislation had forced large numbers of working men, with their families, to dwell in the outskirts of London, and many were resident in the smaller streets on the outskirts of the Victoria Park, which

had proved an immense boon to the crowded population around; and he contended that anything that would damage that place of resort ought to be prevented. The Committee in the other House to which the present Bill and other Gas Bills had been referred had drawn up a very able Report upon the whole question of the supply of gas to the metropolis; and he understood that the Government had undertaken to bring in next Session a Bill founded on many of the recommendations of that Report. But he could not conceive how it was that the House of Commons, with this document before it, should have been induced to pass the present Bill; for, by allowing the amalgamation or grouping together of a number of companies, the question was prejudged. Having himself visited Victoria Park, he was convinced of the impropriety of permitting the erection of the proposed works on the site contemplated. He found that on the Eastern side of the Park the vegetation was flourishing luxuriantly, while on the other the trees were beginning to wither away, being injuriously affected by the smoke from a number of large chimneys about half a mile distant. This being the case, it was evident that the erection of extensive gas works not more than 650 yards from the Park would materially damage the trees and shrubs. He trusted that their Lordships, who refused last year to sanction a scheme of the same nature in Chelsea, would be equally considerate of the health and comfort of the thousands of poor people who lived near the Victoria Park. He had received a letter from the Rev. Septimus Hansard, a clergyman, who had resided in the neighbourhood in question since the time of the great Chartist riot, which showed that the health of the population had been greatly benefited, while their moral character had much improved—a circumstance which he attributed in no small degree to the opening of the Victoria Park, whereby they were enabled not only on holidays, but at all times, to obtain innocent and healthy recreation, instead of being driven to public-houses. He trusted the House would not turn a deaf ear to the appeal now made on behalf of the working men of the East End of London; and he moved that the Bill be read a second time that day three months.

An Amendment *moved*, to leave out ("now") and insert ("this Day Three Months.")—(*The Earl Nelson.*)

Earl Nelson

THE LORD CHANCELLOR said, that some papers had been circulated amongst the Members of the House on the subject of the Bill, and he knew nothing of the merits of the subject beyond what they contained. His first sympathies were entirely with the noble Earl, because if the effect of the construction of the proposed works would be to do injury to the Victoria Park it ought not to be allowed to pass. It appeared, however, that the entire subject had been fully and carefully considered by a Committee of the House of Commons, whose opinion was that no such injury would arise. The works would in the first place be half a mile from the Park, and in an uninhabited district, and if the Bill passed the works of two or three companies, which were now situated in thickly-populated districts, would be removed there. Under all the circumstances, the reasonable course would be to send the Bill for inquiry to a Committee of their Lordships' House.

LORD BROUGHAM said, he thought the petitions from the working men in the East of London should have their due weight; and he trusted that nothing would be done that would be detrimental to a place of so much importance to the health and moral character of the people.

LORD RAVENSWORTH said, that if the noble Earl should persevere with his Motion he was very much disposed to give it his support, in the hope that there would be future and more careful legislation in regard to the gas supply of the metropolis.

LORD CHELMSFORD said, he should vote against the Amendment. The only question raised was as to whether the gas works would be injurious to the Victoria Park. The House of Commons had considered the matter, and had passed the Bill; it would, therefore, certainly not be right for their Lordships summarily to reject it. The proposed site for the works was at no point nearer to the Park than 633 yards; and the question was simply whether they would at that distance injure the trees of the Park. As the House of Commons, after careful inquiry, had negatived the notice of inquiry he thought their Lordships should send the Bill to a Select Committee.

LORD TEYNHAM said, that the investigation before the Committee of the House of Commons had not removed or allayed the fears of the inhabitants, and it was probable that an inquiry by their Lordships would be equally ineffectual to produce

such a result. Mischievous might be done by passing the Bill, but no harm could result from its rejection.

THE EARL OF CAITHNESS said, that a Bill which proposed to remove three large gas works from a thickly-populated district in the centre of London deserved consideration.

EARL BEAUCHAMP said, he could not attach much importance to the decision of the House of Commons respecting the matter, as the inhabitants had no opportunity of supporting their views before the Committee.

THE BISHOP OF LONDON thought it was most inexpedient that the inhabitants of Victoria Park should be saddled with a nuisance for the relief of another district, especially as a site thinly-populated and otherwise advantageous could be obtained. To say that trees at a distance of 600 yards from gas works would be out of harm's way was contrary altogether to his experience—especially when the wind happened to set that way.

LORD OVERSTONE thought it unadvisable to reject the Bill at its present stage without further inquiry, and advocated its reference to a Select Committee.

THE MARQUESS TOWNSHEND said, he could not see any reason for referring the matter to a Select Committee, as there were already sufficient facts before the House to warrant its deciding upon the subject.

LORD REDESDALE said, the real question was whether there was anything objectionable in the Bill, and that was a question which could be settled properly only by a Select Committee. He did not believe the opposition to the Bill was one which was likely to be overlooked, for he found among those who had petitioned against the Bill, the corporation of London, the Metropolitan Board of Works, and the Hackney District Board of Works—so that there could be no doubt that the investigation would be a very searching one. There were very few cases in which a Bill should be rejected at its present stage, and as far as he was concerned he should vote for the second reading.

THE EARL OF CARNARVON desired to know whether the petitions presented were against the whole of the Bill or against some particular clauses. If the whole of the Bill was to be inquired into, it might be advisable to refer it to a Select Committee; but otherwise the balance of

evidence appeared to be rather against than in favour of the Bill.

LORD REDESDALE said, he knew only the fact that the petitions were presented, but did not know their contents. He imagined, however, that the Metropolitan Board of Works was scarcely likely to allow anything detrimental to the public interests to pass unnoticed.

On Question, that ("now") stand Part of the Motion? their Lordships *divided*:—Contents 26; Not-Contents 27; Majority 1.

Resolved in the Negative; and Bill to be read 2^a *this Day Three Months*.

House adjourned at Six o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, June 29, 1866.

MINUTES.]—SELECT COMMITTEE—*Report*—On Edinburgh Annuity Tax Abolition Act (1860), and Canongate Annuity Tax Act Committee (No. 379).

PUBLIC BILL—*Report*—Public Health * [202].

SUPPLY.

Order for Committee read.

SIR GEORGE GREY said, in order that the Standing Orders of the House in reference to Friday evenings might be complied with, he would move that the House do go into a Committee of Supply.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

MR. HUNT said, he hoped that it would be generally understood that the House must meet on Monday, in order that the Members appointed to try the Helston Petitions might be sworn.

SIR GEORGE GREY said, it had already been made known that the House must meet on Monday at the usual hour.

COLONEL EDWARDS said, he really hoped that there would be a House made on Monday. The making of a House to-day was due to Members sitting on the Opposition side of the House. The Government had not assisted in the least to make a House.

Motion, by leave, *withdrawn*.

Committee *deferred till Monday next*.

HELSTON ELECTION.

Mr. Walpole reported from the General Committee of Elections, the names of the Members of the Select Committee appointed to try and determine the matter of the Petitions complaining of an undue Election and Return for the Borough of Helston, to which they had annexed the Petitions referred to them by the House relating thereto, and the Lists of Voters delivered in to the Committee :—Colonel Bartelot, the Honourable George Denman, Russell Gurney, esquire (Southampton), Lord Edward Howard (Arundel), the Right honourable Robert Lowe, Chairman.

Report to lie upon the Table.

House adjourned at a quarter after Four o'clock, till Monday next.

HOUSE OF LORDS,

Monday, July 2, 1866.

MINUTES.]—PUBLIC BILL—*First Reading*—*Railway Traffic Protection* * (180).

Their Lordships met; and having gone through the Business on the Paper, without debate—

House adjourned at Four o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Monday, July 2, 1866.

MINUTES.]—NEW MEMBER SWORN—Robert Dimsdale, esquire, for Hertford Borough.

PUBLIC BILLS—*First Reading*—Court of Session (Scotland) * [204].

Report of Select Committee—Writs Registration (Scotland) (No. 385)—Special Report (No. 386).
Report—Writs Registration (Scotland) * [203].

IRELAND—CARLOW LUNATIC ASYLUM.

QUESTION.

MR. BRUEN said, he would beg to ask the Chief Secretary for Ireland, Whether Dr. White, the Resident Superintendent of the Carlow Lunatic Asylum, has tendered his resignation; when that resignation was received by the Government; and, whether a new Superintendent has been appointed, and the date of the appointment?

MR. CHICHESTER FORTESCUE replied, that the resident superintendent of the lunatic asylum referred to by the hon. Gentleman, did not resign but died

about a week ago—on Monday or Tuesday last. The Government accordingly had to consider the claims of a gentleman who was strongly recommended as his successor, and if that gentleman's qualifications had proved to be satisfactory, there could be no doubt that the appointment had been already made by the Lord Lieutenant.

BANK RATE OF DISCOUNT.

OBSERVATIONS.

MR. CHILDERS moved that the House, at its rising, do adjourn to Thursday next.

MR. WATKIN said, that before that Motion was put, he wished to call attention to a subject affecting the trade and commerce of the country, and which ought not to be allowed to pass out of view. For the moment there was no Government, except in this sense—that the Government though a Government *de facto*, had, he supposed, handed over their powers to their successors; but there was no Government really responsible. Persons engaged in trade and commerce had been anxiously inquiring whether the letter of the Chancellor of the Exchequer to the Bank of England was to remain unmodified, and whether, there being £15,000,000 of bullion in the Bank of England, and £26,000,000 in the Bank of France, the Bank of England were to be allowed to retain the rate of discount at 10 per cent. As the Chancellor of the Exchequer was not present he would appeal to the hon. Gentleman (Mr. Childers) to give some explanation respecting this matter, which was exciting great attention and also a feeling of some indignation. If the Bank of England were to be permitted by that House and the Government to hoist a storm signal at a time of great financial difficulty, it ought not to be allowed to retain that signal flying after the danger had passed. He really thought the matter so urgent and important that he should move that the House do adjourn to to-morrow in order that an explanation might be given by the right hon. Gentleman the Chancellor of the Exchequer.

MR. CHILDERS could only reply to the remarks of the hon. Gentleman by saying that it was distinctly understood that no public business of any kind should be taken to-day. It only met *pro forma* for the purpose of advancing certain Private Bills a stage, and therefore it would be quite wrong for him to give any opinion on the question raised by the hon. Gentle-

man. The Chancellor of the Exchequer was absent from the House, not having been aware that any such question would be raised. If, however, the right hon. Gentleman had been present he would, no doubt, have given a similar answer to the hon. Gentleman.

Amendment *negatived*.

Motion *agreed to*.

THE REFORM MEETING IN TRAFALGAR SQUARE.—QUESTION.

MR. DARBY GRIFFITH said, he desired to ask a Question that had reference to the public safety. It had been announced by placard that the projected meeting in Trafalgar Square had been adjourned to this evening, and he wished to ask the Home Secretary, Whether he and the Chief Commissioner of Police had taken such steps as they might think most calculated to preserve the public peace?

SIR GEORGE GREY: Yes, they have.

COMMITTEES.

All Committees to sit, notwithstanding the adjournment of the House.

Motion, That the House at its rising do adjourn to Thursday next, put, and *agreed to*.

House adjourned at half after Four o'clock, till Thursday.

HOUSE OF LORDS.

Tuesday, July 3, 1866.

OFFICE OF THE CLERK OF THE PARLIAMENTS
AND OFFICE OF THE GENTLEMAN USHER
OF THE BLACK ROD.

First Report from the Select Committee on, made, and to be *printed*. (No. 183.)

Their Lordships met; and having gone through the Business on the Paper, without debate—

House adjourned at Four o'clock, to Thursday next, a quarter before Five o'clock.

HOUSE OF LORDS,

Thursday, July 5, 1866.

MINUTES.]—*Took the Oath*—The Lord Seaton.

THE MINISTERIAL CRISIS.

Their Lordships having met—

EARL RUSSELL said, he had received a communication from the Earl of Derby, in which the noble Earl requested him to move the adjournment of the House, as far as public business was concerned, till Monday.

THE STATE OF EUROPE.

OBSERVATIONS.

LORD BROUGHAM said, he did not rise to oppose the Motion, but he could not refrain from expressing his utmost horror at the state of Europe and the cruel and unchristian conduct of so many of the Powers. Thousands and tens of thousands of men were being arrayed for the purpose of slaughtering others or being slaughtered themselves. Never was Europe in such a state before, but he must add in justice to Austria that, except with respect to the Duchies, she had acted entirely on the defensive. She had defended herself against Prussia and against the Italians. In his opinion those Italians had no right to a single acre of territory more than they had obtained by the Treaty of Villafranca, but the Venetians themselves had a right to throw off Austrian rule if they felt it to be oppressive. In this grave state of things it was stated that Austria had ceded Venetia to France. It was said that bystanders often saw more of the game than the players; but in this case there was a bystander who not only saw more of the game, but took a share of the prizes, on whatever side they might fall. He hoped the public feeling in France would prevent a continuance of the war after the offer of Austria to cede Venetia to the French Emperor. An armistice had been called for by the Emperor, and he hoped it would be followed by a Congress. His own opinion was that the territory of Venetia should not belong to Italy, but that it should be a free country—free from a foreign yoke.

Motion agreed to.

House adjourned at a quarter past Five o'clock, till tomorrow, One o'clock.

HOUSE OF COMMONS,

Thursday, July 5, 1866.

MINUTES.]—NEW MEMBER SWORN—William Baliol Brett, esquire, for Helston.

SELECT COMMITTEE—*Report*—On Education (No. 392.)

PUBLIC BILLS—*Ordered*—Prisons (Ireland)*; Revising Barristers' Qualifications.*

First Reading—Prisons (Ireland)* [207]; Revising Barristers' Qualifications* [208].

Report of Select Committee—On Thames Navigation (No. 391).

Committee—Pier and Harbour Orders Confirmation (No. 2)* [170]; General Police and Improvement (Scotland) Act (1862) Amendment* [171].

Report—Thames Navigation* [205]; Pier and Harbour Orders Confirmation (No. 2)* [170]; General Police and Improvement (Scotland) Act (1862) Amendment* [171].

Third Reading—Pier and Harbour Orders Confirmation* [148], and *passed*.

DEVONPORT ELECTION.

Mr. SPEAKER acquainted the House, that he had this day received a Letter from John C. Thierens and John Beer, informing him that it is not their intention to proceed with their Petition complaining of an undue Election and Return for the Borough of Devonport:—Letter read as follows:—

Devonport, June 30th, 1866.

Sir,—In the matter of our Petition delivered in on the 5th of June instant, complaining of an undue Election and Return for the Borough of Devonport, we beg to inform you that it is not our intention to proceed with the same.—We have the honour to be, Sir, Your obedient Servants,

JOHN C. THIERENS.
JNO. BEER.

To the Right Honble.

The Speaker of the House of Commons.

Ordered, That no further proceedings be taken upon the said Petition.

HELSTON ELECTION.

House informed, that the Committee had determined,—

That Robert Campbell, esquire, is not duly elected a Burgess to serve in this present Parliament for the Borough of Helston.

That William Baliol Brett, esquire, is duly elected, and ought to have been returned, a Burgess to serve in this present Parliament for the Borough of Helston.

And the said Determinations were ordered to be entered in the Journals of this House.

House further informed, That they had altered the Poll taken at the last Election for the Borough of Helston, by striking off the name of the Reverend Isaac Rodgers, as not having had a right * to vote at such Election.

That no evidence having been adduced in support of any of the charges of bribery, treating, and undue influence made in one of the Petitions, the Committee have no reason to believe that corrupt practices have extensively prevailed at the last Election.

That it appears from the Poll Books produced before the Committee that the number of votes given for Robert Campbell, esquire, was equal to the number given for William Baliol Brett, esquire, and that the Returning Officer nevertheless returned the said Robert Campbell, esquire, as duly elected.

That the Returning Officer was not in attendance before the Committee, and no explanation was offered to the Committee of such a Return having been made.

Report to lie upon the Table.

Clerk of the Crown to attend forthwith to amend the Return.

The Clerk of the Crown attending, according to Order, amended the said Return accordingly.

MR. LOWE: There is a matter arising out of the Report of the Helston Election Committee, of which I was Chairman, which I am instructed by the Committee to bring under the notice of the House. It appears that the returning officer was served with the Speaker's warrant and with a notice to appear, but that he received a letter from the parties who, I suppose, procured those documents informing him that his evidence would not be required. The Committee, however, were of opinion that the facts disclosed in their Report did require further explanation, and they therefore instructed me to make some Motion to the House in order to give the House an opportunity of hearing from the returning officer that explanation which the Committee did not hear. I therefore am anxious to take the most convenient course. We are hardly in a position to discuss such a question at present, and I therefore propose, with the concurrence of the House, that on this day fortnight the Report of the Committee should be taken into consideration. I do not know whether I am in order, but it appears to me desirable that the returning officer should attend at the Bar on that day to give some explanation. I will, therefore, make those two Motions.

MR. LOWE thereupon moved that the returning officer be required to attend at the Bar of the House on that day.

COLONEL WILSON PATTEN suggested that it would be more convenient if the consideration of the Report were to take place first, so that the House might determine for itself whether it

would be necessary to require the attendance of the returning officer.

Mr. LOWE thereupon withdrew the Motion.

Report to be considered upon *Thursday*, July 19.

THE BANK RATE OF DISCOUNT.

QUESTION.

Mr. WATKIN said, he would beg to ask Mr. Chancellor of the Exchequer, What communications have taken place between himself and the Bank of England in reference to his Letter and to the continuance of the discount rate of 10 per cent by the Bank?

THE CHANCELLOR OF THE EXCHEQUER: Sir, I cannot say that any communications of a formal or official nature have taken place; but, after writing a letter of the character of that referred to by the hon. Member, on the part of the Government and in conjunction with my noble Friend Earl Russell, I naturally took pains, aided by the Deputy Governor of the Bank, to inform myself as to the course of its operations and the consequent state of the Reserve, so long as it appeared to be probable or within the range of anything like likelihood that that Letter might be so far acted upon as to involve measures not sustained by the Act of 1844. I am not quite sure whether the Question of my hon. Friend (Mr. Watkin) is intended to go beyond that. I rather infer that he desires to know whether, and in what degree, the Government are parties to the present course and action of the Bank. The Letter itself explains the point up to which the Government is engaged in joint action with the Bank under certain hypothetical circumstances, which have not actually arrived. Short of their arrival I do not consider it is any part of the functions of the Government to attempt to instruct or influence the Bank in regard to the course it may think fit to take as to discounting bills, and the prices which may be charged. I think that if such a mixture of functions took place at all, it ought to be recognized and defined by law. I am not by any means of opinion that it should receive the sanction of law; but I am clearly of opinion that nothing could be more inconvenient than the assumption of responsibility by the Government in the conduct of the ordinary business of the Bank. As

to the course the Bank has taken since the issue of that Letter, and especially as to the course the Bank has taken within the last two or three weeks, during which time there has been some public expectation of a reduction of the rate of discount, I have only to say that the Directors of the Bank have acted entirely on their own judgment, and—so far have I thought it my duty to go—they have not been influenced by any considerations relating to that Letter. That is all I have thought it to be my duty to ascertain. I apprehend that the Directors have been governed entirely by banking considerations. It is not for me to pass any opinion one way or the other upon the correctness of the judgment they have formed. Undoubtedly, I should not wish it to be supposed for a moment that I have presumed to arrive at any judgment differing from theirs, or that I imagine they have formed an inaccurate estimate of the circumstances under which they act. That is all I have to say, but if there is any point on which the hon. Member wishes for further information I shall be happy to give it.

REPORT ON THE MORAL AND MATERIAL PROGRESS OF INDIA.—QUESTION.

Mr. TREVELYAN said, he wished to ask the Under Secretary of State for India, Whether he is prepared to lay upon the table summaries of the detailed statements relating to the moral and material progress of India, in conformity with the recent Act of Parliament?

Mr. STANSFELD: I have, Sir, to-day laid upon the table of the House the statement to which the hon. Member refers; and, as this is the first occasion upon which such statements have been produced, I may, perhaps, be allowed to say a few words in explanation of their nature and object. It has been the custom to lay upon the table of the House very voluminous Reports relating to the respective Presidencies; but my noble Friend Earl de Grey was of opinion that the time had arrived when, in conformity with the provisions of the Act of Parliament, something like a manageable summary of the valuable information contained in these detailed Reports, which generally ranged from 1,000 to 1,200 pages, might be given to the House. Such a summary we have endeavoured to produce. I trust that it will be found to be readable, that it will be read, and that it will tend to popularize

Indian questions, and to increase the knowledge of and the interest in them, not only in the House, but throughout the country. I must acknowledge the obligation under which the department lies to Mr. Waterfield, the clerk in the India Office, who has drawn up this summary. It is the product of considerable labour, contains the fruits of much industry, and is in my opinion distinguished by great accuracy and lucidity of statement.

AUSTRIA AND PRUSSIA—CESSION OF VENETIA.—QUESTION.

MR. BAILLIE COCHRANE: Sir, I wish to ask the Under Secretary of State for Foreign Affairs, Whether the Report which appeared in the second editions of the papers has been confirmed by news received at the Foreign Office—namely, of the defeat of the Austrian army, and the proposed cession of Venetia?

MR. LAYARD: Sir, in reply to the hon. Member, I have to state that we have received telegrams which confirm the reports of the defeat of the Austrian army between Sadowa and Horwitz. There is also reason to believe that the statement of the *Moniteur*, which appears in the second edition of *The Times*, is correct.

IRELAND—THE QUEEN'S UNIVERSITY. QUESTION.

MR. LOWE: I wish, Sir, to ask a Question, in explanation of which I may be allowed to make a statement. Early this Session, my right hon. Friend the Member for Tamworth (Sir Robert Peel) and myself received an assurance from the Chancellor of the Exchequer which, as we understood it, was, that nothing should be done with regard to the Queen's University in Ireland, without an opportunity being afforded to the House to express its opinion. I beg to ask my right hon. Friend the Chief Secretary for Ireland, Whether, notwithstanding that declaration, a Charter has not been prepared, and actually signed by Her Majesty, giving fresh powers in the conferring of degrees to the Senate of the Queen's University in Ireland?

MR. CHICHESTER FORTESCUE: Sir, the best answer I can give to the Question of my right hon. Friend is to state simply what has occurred, and what the Government have done in this matter. My right hon. Friend is aware that the Government, in pursuance of a pro-

mise made at the beginning of the Session, did state their intentions with respect to the alterations to be made in the Queen's University most fully in the form of a letter addressed by the Home Secretary to the Lord Lieutenant of Ireland. That letter, I believe, was presented to Parliament immediately after the Easter recess. Some weeks subsequently, there was again an opportunity of stating the intentions of the Government, when I introduced the Reform Bill for Ireland. In proposing, as part of that measure, that a Member should be given to the Queen's University in Ireland, I took occasion to state still more distinctly to the House the course the Government meant to take upon that subject. That course, advised by the Law Officers of the Crown, both of England and Ireland, was the passing of a Supplemental Charter to effect whatever could be effected by the power of the Crown, and the preparation of a Bill to supply what would be wanting in the Charter. Those two statements of the intentions of the Government having been unchallenged by this House, and no one having displayed any anxiety to call them in question, the Government proceeded to act upon them by the preparation of a Supplemental Charter and of a Bill. The Charter received the Queen's signature some three weeks ago, and the effect of it is to enable the Senate of the Queen's University in Ireland to confer degrees upon all who pass their examinations without regard to their place of education. That, and that only, is the effect of the Supplemental Charter, that being all which, according to the advice of the Law Officers of the Crown, came within its powers, having regard to the existing Charter of the University. We also had a Bill in preparation, of which I was on the point of giving notice a fortnight ago, when the division took place on the Motion of the hon. Member for Galway (Lord Dunkellin). The effect of that Bill would have been, and I hope it will be, to place the new class of graduates upon an equal footing, as to all rights and privileges as members of convocation and corporate bodies, with existing graduates of the University. The Bill also provided for a certain increase in the number of Senators, and for some other minor objects. That is the course the Government have taken, and it is not open to any such objection as that which my right hon. Friend appeared to imply.

Mr. Stansfeld

IRELAND—NATIONAL EDUCATION.

QUESTION.

MR. PEEL DAWSON said, he wished to ask, Whether any advice has been given by the Government to the Commissioners of National Education in Ireland to alter the rule as to the attendance of children in the National Schools during the hours of religious instruction?

MR. CHICHESTER FORTESCUE said, in reply, that no advice was given by the Government to the Commissioners of National Education in Ireland to alter their rules with regard to the attendance of children during the hours of religious instruction. The Commissioners had long felt that their rule was unsatisfactory, and, of their own accord, they proposed to adopt a new rule upon the subject. It was moved, he believed, by Lord Kildare, and adopted by a majority of the Commissioners; but, being a fundamental rule, it was in the usual course submitted to the Lord Lieutenant and the Government. The Government gave it their careful consideration, and were not prepared to adopt it precisely in the shape in which it was proposed. They thought it necessary that it should be accompanied by a provision, which would be in the hands of Members shortly, and the object of which would be to preserve scrupulously one of the principles of the national system—that of parental authority in the matter of education. That proviso was submitted to the Commissioners by the Lord Lieutenant, with an intimation that the rule would be approved with the addition of that proviso. The Commissioners accepted the addition; and the rule, with the added proviso, has received the sanction of the Lord Lieutenant.

ABYSSINIA—IMPRISONMENT OF BRITISH SUBJECTS—STATEMENT OF MR. FLAD.—QUESTION.

MR. WHITESIDE said, he rose to ask the Under Secretary of State for Foreign Affairs, Whether he can give the House any information with respect to the fate of the Abyssinian captives?

MR. LAYARD: Sir, a telegram has been received by the Government from our Consul General at Alexandria, stating that Mr. Flad, the German Missionary who was detained in Abyssinia, is coming to England, and is now on his way with despatches from Mr. Rassam. I gather from this

communication that the King, before allowing the prisoners to leave Abyssinia, desired to receive some kind of assurance that the English Government would not demand reparation for his conduct towards those whom he had thrown into prison. I do not, of course, know the full contents of these despatches. Mr. Flad says that the captives released were treated with great kindness by the King, and I trust that little delay will take place before they reach England. I hope shortly to give the House fuller details on the subject. Meanwhile, letters have been written to the friends of the captives, with the information which I have now given to the House.

RESIGNATION OF MINISTERS.

MOTION FOR ADJOURNMENT.

THE CHANCELLOR OF THE EXCHEQUER: I am about to give a Notice which may appear unusual under present circumstances, and I therefore desire to state the reason—that to-morrow I shall move for leave to bring in a Bill to amend the laws relating to the Inland Revenue. The Bill is one affecting particular interests, and if now brought in it may be printed and considered by the country before the new Government are called upon to form a judgment respecting it. At this period of the Session there will be great convenience in such an arrangement, and this is the only reason why I propose it. I may also now give Notice that I shall move to-morrow for the production of certain accounts of Public Income and Expenditure in each financial year from 1688 to 1801. These accounts have been two years in preparation, and will form a document of great interest. I have also to perform my last act in an official capacity in moving the adjournment of the House until to-morrow at the hour of five, which I understand will be the most convenient hour with reference to Motions which it is intended to make for the issue of certain writs, and with reference to the proceedings at Windsor, which will take place at an earlier hour in the afternoon. I shall therefore submit a Motion to that effect. Along with that Motion I wish to join a single expression which is really only the acknowledgment of a debt as respects the relations between the Government and a portion of the House of Commons; while, on the other hand, I am quite certain that any Gentleman who sits opposite, or who

sitting on this side of the House, has taken a different course, will not construe it as invidious, or as implying that any one has acted in a manner inconsistent with his honour, and against his conscience and his sense of public duty. Having regard to the length and tenacity of the struggle in which we were engaged upon the measure, which ultimately ended in the resignation of the Government, I hope I may, without offence, tender, in my own name and that of my Colleagues, the expression of our gratitude to those who with so much zeal and with so much perseverance supported us in the course of the struggle. I say that I tender these thanks in the name of my Colleagues, but very specially in my own name, because I am sensible that there may be many disadvantages under which they have had to act, in consequence of any part or influence which I may have had in the matter.

Motion agreed to.

House at rising to adjourn till *To-morrow*, at Five of the clock.

PRISONS (IRELAND) BILL.

On Motion of Mr. CHICHESTER FORTESCUE, Bill to consolidate and amend the Law relating to Prisons in Ireland, *ordered* to be brought in by Mr. CHICHESTER FORTESCUE and Mr. ATTORNEY GENERAL for IRELAND.

Bill *presented*, and read the first time. [Bill 207.]

REVISING BARRISTERS' QUALIFICATIONS BILL.

On Motion of Mr. ATTORNEY GENERAL, Bill to amend the Law relating to the Qualifications of

Revising Barristers, *ordered* to be brought in by Mr. ATTORNEY GENERAL, Mr. SOLICITOR GENERAL, and Sir GEORGE GREY.

Bill *presented*, and read the first time. [Bill 208.]

House adjourned at a quarter after Five o'clock.

HOUSE OF LORDS,

Friday, July 6, 1866.

MINUTES.]—PUBLIC BILL—*First Reading*—Pier and Harbour Orders Confirmation * (185).

Their Lordships met; and having gone through the Business on the Paper, without debate—

House adjourned at a quarter past Four o'clock, to Monday next, a quarter before Five o'clock.

HOUSE OF COMMONS,

Friday, July 6, 1866.

MINUTES.]—PUBLIC BILLS—*Resolutions in Committee*—Inland Revenue.

Ordered—Inland Revenue.*

First Reading—Inland Revenue * [209].

Second Reading—Revising Barristers' Qualifications * [208].

Considered as amended—Pier and Harbour Orders Confirmation (No. 2) * [170].

MINISTERIAL APPOINTMENTS—NEW WRITS ISSUED.

On Motion of Mr. BRAND, New Writs were issued

For Buckingham County, *v.* Right hon. Benjamin Disraeli, Chancellor of the Exchequer.

For Cambridge University, *v.* Right hon. Spencer Horatio Walpole, Secretary of State.

For King's Lynn, *v.* Lord Stanley, Secretary of State.

For Huntingdon Borough, *v.* Right hon. Jonathan Peel, Secretary of State.

For Stamford, *v.* Viscount Cranbourne, Secretary of State.

For Droitwich, *v.* Right hon. Sir John Somerset Pakington, First Commissioner of the Admiralty.

For Devon County (Northern Division), *v.* Right hon. Sir Stafford Henry Northcote, President of the Board of Trade.

For Oxford University, *v.* Gathorne Hardy, esquire, Commissioner of the Poor Laws.

For Northampton County (Northern Division), *v.* Lord Burghley, Treasurer of the Household.

For Cambridge County, *v.* Viscount Royston, Comptroller of the Household.

For Tyrone, *v.* Lord Claud Hamilton, Vice Chamberlain of the Household.

For Tyrone, *v.* Right hon. Henry Thomas Lowry Corry, Vice President of the Committee of Council on Education.

The Chancellor of the Exchequer

For Leicester County (Northern Division), *v.* Lord John Manners, First Commissioner of Works.

For Rutland, *v.* Hon. Gerard James Noel, Commissioner of the Treasury.

For Stamford, *v.* Rear Admiral Sir John Charles Dalrymple Hay, Commissioner of the Admiralty.

For Belfast, *v.* Sir Hugh M'Calmont Cairns, Attorney General.

For Guildford, *v.* William Bovill, esquire, Solicitor General.

For Durham City, *v.* Right hon. John Robert Mowbray, Judge Advocate General.

For Bridgwater, *v.* George Patton, esquire, Lord Advocate.

For Antrim County, *v.* Rear Admiral George Henry Seymour, C.B., Commissioner of the Admiralty.

For Cockermouth, *v.* Lord Nass, Chief Secretary to the Lord Lieutenant of Ireland.

THAMES NAVIGATION BILL—[BILL 59.]

(*Mr. Milner Gibson, Mr. Monsell.*)

Order for re-committal read.

MR. AYRTON objected that it had been re-printed only that afternoon, and lodged in the Vote Office an hour ago, while there was no President of the Board of Trade to watch the Bill.

MR. MILNER GIBSON said, he was not aware that the Bill had been re-printed that afternoon, and, as Amendments had been made in it by the Select Committee, he would postpone the further consideration of it until Monday.

Re-committal *postponed*.

INLAND REVENUE BILL.

Acts read; *considered* in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to amend the Laws relating to the Inland Revenue.

Resolution *reported*:—Bill *ordered* to be brought in by Mr. HUNT, Mr. GLADSTONE, and Mr. CHILDERS.

Bill *presented*, and read the first time. [Bill 209.]

House adjourned at half after Five o'clock, till Monday next.

HOUSE OF LORDS,

Monday, July 9, 1866.

MINUTES.]—*Sat First in Parliament*—The Earl Bathurst after the Death of his Brother; The Lord Foxford after the Death of his Father; The Lord Clinton after the Death of his Father.

Several Lords Took the Oath.

PUBLIC BILL—*First Reading*—Judicial Committee of the Privy Council* (187).

MINISTERIAL STATEMENT.

THE EARL OF DERBY: My Lords, in rising to address you again from this Bench, as the First Minister of the Crown, I can assure you in all sincerity that I do so with no feeling of personal vanity or exultation. I feel, my Lords, too deeply that I have not sought for the high and onerous post which my Sovereign has intrusted to me. I know too well the difficulties by which I am surrounded, and I am sensible of the obstacles—the almost insuperable obstacles—which I shall have to encounter in undertaking the performance of the arduous duties which devolve upon me—indeed, I should have been most anxiously desirous to decline undertaking duties which must involve to me personal sacrifices of ease and comfort, and even perhaps of health—if I had not felt myself compelled, by a sense of public duty, not to shrink from the task imposed upon me. My Lords, for my own part, I should have been well content to hold that position which I have occupied for the space of seven years, honoured with the confidence of a great and powerful party—powerful to exercise no inconsiderable control over the public affairs of this country, and to give to a wise and prudent Minister of the Liberal party useful support by enabling him to check and control the eager impetuosity of some of his more impatient adherents. Such is the position which I have had the honour of occupying from the year 1859 down to the last general election and the lamented death of Lord Palmerston. And, my Lords, I must say, in passing, that it reflects the utmost credit on that great party which has honoured me with its confidence during that long period, that they should have so long consented to hold a position which, though of great utility to the country and honourable to themselves, was at the same time a

position very dispiriting and disheartening to individual ambition—for they supported a Minister to whom they were by party ties opposed—and that during the whole of that long period their ranks were never thinned by defection arising out of the natural impatience of persons in political life to submit to continued exclusion from those offices and honours which are looked forward to as the legitimate rewards of efficient public labour. My Lords, I should have been well content to continue in that position—and I believe the Conservative party would have been content, for the sake of the country, to continue to occupy that position—had Lord Palmerston continued to hold the reins of office. But, with the death of Lord Palmerston, circumstances changed materially. In what I am about to say I have no desire to speak disrespectfully of the noble Earl, my immediate predecessor, nor should I wish to let fall one word hurtful to his feelings; and if I deal with the circumstances which have occurred since the death of Lord Palmerston it is only to justify my acceptance of the position which I at present occupy. I am told—I do not know how true it is, though I think it very probable that it is true, because there was no better judge of human nature and no man with more experience of Parliament than Lord Palmerston—I am told that it was a doctrine held by Lord Palmerston, and a proposition which he had always laid down to his Colleagues, that it was imprudent to propose a Reform Bill in the first Session of a new Parliament. I am further told that he based that proposition on the ground that, in the first Session of a new Parliament, it was impossible for a Ministry to feel the pulse of Parliament and judge of the amount of support which they would receive in bringing forward a large and extensive measure of Reform. Now, the noble Earl (Earl Russell), I think, admitted the other day that he had miscalculated the strength of the feeling of Parliament in respect to the question of Reform; because, as I understood him, he said it was not expedient and that it was not right of a Ministry to propose a Reform Bill unless they felt satisfied that they had such support in Parliament as would enable them to carry it. My Lords, I take it that in this matter the noble Earl was deceived by the aspect of the late general election. When he saw a majority of seventy for a Liberal Administration I believe the noble Earl fell into the mistake of not considering

how large a portion of the support which that Liberal Administration received was given to Lord Palmerston personally, and how large a portion of it might be withdrawn in case the Government should bring forward any wide measure of Reform. I think that was very natural. Nothing was more natural than that if the noble Earl thought he would receive a sufficient amount of support, he should be anxious to bring forward yet once again a Bill on a question with which his fame is so intimately connected. If he thought he could carry a measure for an enlargement and improvement of the representation of the people in Parliament, I cannot blame him that he should have lost no time in bringing forward the question; but he will forgive me for saying that I think it was taken up too hastily and with too little consideration for the exceeding gravity and importance of the subject. I cannot but believe it would have satisfied all their supporters if Her Majesty's Government, on the opening of the new Parliament, had announced that it was their intention to deal with Reform, but that the question was so large, and one requiring such careful consideration, affecting as it did the various interests of the country, that they desired to have the interval of the then Session of Parliament and the subsequent recess in order to consider the details of the subject with that care that would enable them to lay a well-matured Bill before Parliament. I think that would have been a wiser, a more satisfactory, and a more judicious course than the one which the Government adopted. My Lords, what course did they take? They brought forward a Bill crudely and hastily prepared and founded on very imperfect information, which measure they expected to carry through Parliament without any alteration and without opposition. Now, I presume to say that was a great mistake, and a great miscalculation of the political feelings of the House of Commons. The House of Commons were not prepared to have forced on them a Bill first of all introduced in a fragmentary shape, and subsequently put before them in a more extensive but still unsatisfactory form—bearing every mark of crudeness and of want of consideration. Still less were they prepared to be told that unless they passed that Bill with all its provisions, their declining to do so would be taken as a Vote of Want of Confidence in Her Majesty's Ministers. I do not question the propriety or the policy of the resignation

of the late Government ; but I must express my opinion that if during the course of the Reform debates a different tone had been adopted—if the Government had shown their readiness to consider the various suggestions put forward—if they had treated the House of Commons with more fairness, and with the consideration to which they were entitled—I do not think in that case that the particular question on which the Amendment was carried against the Government was of such importance as to justify the resignation of Her Majesty's Government. But I admit fully that when a question, whether important or unimportant, is put forward by Ministers as a test of confidence or want of confidence, and when, after a declaration by them to that effect, the Amendment was adopted and there was a majority against the Government, there was not, in my opinion, any choice left to them as honourable men—they had no alternative but to accept the consequences of the vote and resign. Therefore, much as I regret that a change of Government should have taken place, I cannot find fault with the course taken by Her Majesty's Government in respect of their resignation.

It will be in your Lordships' recollection that nearly a week elapsed between the tender of the resignation of the late Ministry and the announcement of Her Majesty's acceptance of it, after her return to Windsor. Immediately after the Queen did accept it, Her Majesty did me the honour to send for me, and in most gracious terms—which I cannot repeat, because I have not obtained Her Majesty's permission to do so—signified her desire that I should form a Government. The Queen turned to me, she was pleased to say, as the only person likely to form a Government which would have her confidence and the confidence of the country. Her Majesty was at the same time pleased to say that she did not fix any time, as she was desirous of giving me an opportunity to consult my political friends with a view of seeing what prospect there was of our being likely to form such a Government. In consequence of that intimation from Her Majesty, on the following morning—Wednesday morning—I met a considerable number of those with whom I am accustomed to act ; and I communicated to them Her Majesty's wish and my own, that I should endeavour to form a Government, composed, no doubt, in the main from the Conservative party, but formed

on an enlarged basis, capable of including within it some persons either opposed to us, or who had been supporters or even Members of the late Government. My Lords, from one and all those Friends whom I consulted, I received an assurance that they thought it a bounden duty on my part not to refuse the task with which Her Majesty had intrusted to me. One and all expressed their individual desire to sacrifice all personal considerations and waive all, and make any official sacrifices, if by so doing they could enable me to form a Government on the basis which I laid before them. My Lords, I use the words "enlarged basis" advisedly in order to express a distinct meaning ; because I do not think a Government on an enlarged basis is at all identical with a Government of coalition. By a Government of coalition one understands a Government of men of different parties, in which each, to a greater or less extent, sacrifices his individual opinions for the purpose of obtaining united political strength. We all know that it is always exceedingly repugnant to an Englishman to sacrifice his private opinion for expediency. But a Government on an enlarged basis is, I take it, something very different. What I proposed was a basis enlarged not as to principles but as to persons. I proposed that we should go beyond the arbitrary limits of existing parties, and form a Government composed of men whom party warfare has placed in different camps, but who only in a few and insignificant particulars differ on matters of public policy. My Lords, it is in the political as in the social scale. In the social scale we speak of the higher, the middle, and the lower classes. The distinction between the higher classes and the lower is broadly, prominently, and distinctly traced ; but when you come to the middle classes the whole social system is so beautifully graduated—the scale descends so imperceptibly and gradually—that you find it impossible to mark exact distinctions of grade. There are the higher middle classes, middle classes, and the lower middle classes ; and thus the social scale is joined by imperceptible links through all the ranks of society. In politics it is precisely the same. You talk familiarly of the Conservatives. As to Tories, I fear that few specimens of the old Tory of forty years ago, remembered by the noble Earl opposite (Earl Russell) and myself, now remain. You talk of Con-

servatives, of Liberal Conservatives, and Conservative Liberals, of Whigs, and moderate Whigs, of Liberals, of Advanced Liberals, and of Radicals; yet with regard to a large portion of them it would much puzzle us to tell the difference between a Conservative Liberal and a Liberal Conservative, between a Liberal Conservative and a Whig, between a Whig and a Liberal, between a Liberal and an Advanced Liberal, and between an Advanced Liberal and a Radical. But there is a very wide distinction between a Conservative and a Radical, and I think there is as wide a distinction—at least I hope so—between a Whig and Radical. Yet it does so happen that the arbitrary line of party is drawn where the real difference of party does not exist. I do not say that between a Moderate Whig and a Radical there is not a difference of opinion greater than that between a Moderate Conservative and a Moderate Whig; but I say that the natural division of parties is not that which exists in an arbitrary division which does not represent principles. And I thought that the natural division, made from another point, would bring together a considerable number of those who now are nominally Members of different parties. In endeavouring to effect that object and discharge my duty to my Sovereign, I took the opportunity in the first instance of communicating with some Members of the late Government. And, my Lords, desirous more especially at this critical moment for the public interest that the threat of foreign negotiations should not be abruptly broken, I was anxious that those hands which had so long exercised the power of dealing with foreign affairs should still continue to do so; and therefore the first person to whom I made an offer of office was my noble Friend the late Secretary of State for Foreign Affairs (the Earl of Clarendon). My Lords, I made that offer in all sincerity, believing that between my noble Friend and myself there existed no material difference of opinion on political matters, and believing also that it was of the greatest importance to the country that in that particular office his services should be retained. My noble Friend, however, did not deem it consistent with his party obligations or his fidelity to his late Colleagues to accept the offer—which I made him, as I have said, in all sincerity; but his refusal was couched in language so friendly and in a tone so

cordial—which I must say was not more than I expected from my noble Friend—that it left a deep impression on my mind of the best feeling on his part towards myself. My Lords, I applied to a noble Duke opposite (the Duke of Somerset), another Member of the late Cabinet, from whom I received, in the same kindly and courteous language, a refusal. But I thought I had a fair right to expect success, and a more reasonable ground for expecting that success, in next applying for official co-operation to those Gentlemen who had belonged to the Liberal party, and who, though still belonging to it, nevertheless had found it necessary to separate themselves from it, and in so doing had brought about the crisis which led to the resignation of the late Government. My Lords, I addressed myself to one unhappily now no more, and whose premature and sudden death is a subject of the deepest grief and sorrow to all who knew him. My first communication was made to the late Marquess of Lansdowne, whose name I felt would be a sufficient guarantee for the Liberal though Conservative tendencies of any Government, whose adhesion to the new Government I had no doubt would have secured for it a considerable amount of support, and whose motives for joining it, if he had done so, nobody for one moment could have pretended to dispute. The noble Marquess expressed the most cordial good wishes and an earnest anxiety that the Government which I was attempting to form might be successful; but he stated his opinion—an opinion in which I was unable to concur—that out of office he could give to that Government a more effectual support than he could do if connected with it by official ties. I differed from him in this view, and asked him to reconsider the matter. He left the room for the purpose of consulting with others who acted with him; and from that hour I saw him no more. In the course of that day another noble Lord (Earl Grosvenor), also connected very prominently with that party, called upon me more than once; and from him I endeavoured to ascertain whether those who had acted with him, and had brought about the resignation of the late Government, were disposed to give me an official support. I ought also to have said that the late Marquess of Lansdowne added that there were differences of opinion among those Gentlemen; that some of them might have been led to support and some might have even been led to take a part in

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the Government which I was endeavouring to construct; but that with regard to one distinguished Member—the Member with whom he was in most intimate relationship—we need not expect at all events official co-operation from him; and it was unnecessary, therefore, to make any personal communication to that Gentleman. After consultation with several friends, it was determined that a meeting should be held at ten o'clock that evening. That meeting was accordingly held, the proposition was considered, and at twelve o'clock Earl Grosvenor called upon me to state that those who attended that meeting had come to an unanimous resolution that, although they might be prepared to give us an independent support, not one of them could be prevailed upon to take office with us. That meeting was held at twelve o'clock on Friday, the 29th of June. I had then to consider, and to consider very seriously, whether it was my duty to attempt the formation of a Government without obtaining any extraneous aid either from those who were supporters of the late Ministry, or from those on their own side who had voted against them. Having reflected upon what it was then my duty to do, I felt that my refusal to undertake that task, however difficult, would have been regarded as the signal for an entire dissolution of the Conservative party—as being a plain and avowed indication that it was incapable of forming a Government, and consequently that its opposition to the existing Government was an opposition of a purely factious character, and one that could lead to no advantageous results. My Lords, I do not believe that noble Lords opposite—I do not believe that any of those who value the Constitution of this country—desire that the Conservative party should be weakened or broken down. I believe all admit that the strength of that party is a material element in the strength of the Empire; and that if that party were to be dissolved and scattered it would be very difficult to carry on the Government with any regard to the existing Constitution. Well, my Lords, I came to the conclusion that I was not at liberty to run that serious risk—that I was not at liberty to break up the great party which had followed me faithfully, and with which I had acted consistently for some twenty years, and that, too, in periods of the greatest possible discouragement. But, my Lords, if I could for a moment have seen any other leader who, while keeping

the Conservative party together, was more likely than myself to obtain the adhesion of a portion of the Liberal ranks, I say also without hesitation that I should have rejoiced and been relieved to have handed over to that leader, whoever he might be, a post which he might have been more able to fill. I could see no such leader—I could hear of no such leader; and I felt bound at all risks to undertake the arduous duty of forming an administration. I therefore, my Lords, communicated at once to Her Majesty on the following Monday, when I had the honour of seeing her, my readiness to obey Her Majesty's commands, and to undertake the formation of a Government. I deeply regret the delay and the interruption of public business, which will have lasted for precisely a month from the resignation of the late Ministry to the next meeting of the House of Commons after to-night. But I cannot hold myself to be responsible for any portion of that delay. It was on the Tuesday that I first received intimation of Her Majesty's desire that I should attempt to construct an Administration; and on the Wednesday week—that is, within eight days—I was able to wait upon Her Majesty, and to say that I was prepared to submit a list of names to fill up the chief offices in the Cabinet; and that list would have been submitted to Her Majesty on the Thursday, but for circumstances which are well known to all and which occupied Her Majesty's attention. In the year 1852, when Lord Aberdeen succeeded me in office, he thought it necessary to ask for an adjournment in the first instance for a fortnight; and I venture to say that no one who has not tried it can have the slightest conception of the difficulty and the labour involved in forming an Administration. My Lords, a very moderate time may be required to construct an Administration where the fall of the previous Ministry has been the consequence of a long Parliamentary struggle, during which parties have fallen into their places and the various appointments have almost spontaneously arranged themselves. Then the victorious party enter into Office with all their preparations made, and without the necessity for much delay. But the case is very different when it is an accident which overthrows a Government, and more especially when you may have, in the first instance, to deal with parties not belonging to your own immediate party. But, my Lords, no man can tell the difficulty which attends the placing of some

forty or fifty Gentlemen each in the position most accordant with his own wishes, and at the same time most consistent with the interests of the country. You may form the most ingenious combinations—you may construct theoretically the most perfect Ministry in the world; but unfortunately the refusal of some one individual to accept some one post that you may have designed that he should fill throws the whole machine out of gear, unsettles all your arrangements, and requires a fresh consideration of combinations. And the more nearly you approach the termination of your task, the more fatal is the refusal of some one Member who is just the person you wanted to fit into a particular situation. I say nothing about the manifold disappointments which must be inflicted even on some of your best and most faithful friends. It is impossible to put three times the number of candidates into one-third the number of available places; and it is also necessary to consider that there are often many candidates all fitted for one position, while there may only be one or two who are fitted for another, and therefore it is impossible to fit them in as you desire. But when you have made your choice of one or two, it is absolutely unavoidable that you should disappoint at least two or three others who may be equally qualified to hold the same office. And I may say frankly that, among all the annoyances and troubles caused by the formation of a Ministry, there is nothing more painful to a man placed in the position in which I have been than having to disoblige and disappoint the hopes of those whom he is most anxious to serve, on personal as well as on public grounds. But I venture to trust that, at the expiration of a limited time, I have been enabled to lay before Her Majesty and the public a list of names which will at all events afford a guarantee that in their hands the interests of the country will neither be neglected nor prejudiced.

My Lords, I have been too long a Member of this and the other House of Parliament—I have been nearly twenty years in each—to render it requisite that I should make any public profession of my faith; I think my political principles and views are sufficiently well known to your Lordships to make it unnecessary that I should now rehearse them in detail. But there are one or two points upon which I should like to say a few words—points of the utmost importance, and on which especially I wish

that there may be no misconception. My Lords, it has been industriously reported that a Conservative Government is necessarily a warlike Government. Now, I believe there never was a rumour circulated which had so little foundation either in past facts or in the character, the motives, and the principles of the Conservative party. My Lords, the Conservative party consists, in a great measure, of men who have the greatest interest and the largest stake in the country; they are the men upon whom the consequences of a war would fall the most heavily; they are the persons who have the greatest interest in the peace and prosperity of the State; and, above all, they are the party who are the least likely to be carried away by that popular enthusiasm and those popular impulses which may hurry even a prudent Government into the adoption of courses—I might say, into the adoption of Quixotic enterprizes—inimical to the welfare of the country. Now, my Lords, if there be any one party more than another which is free at this moment from any disposition to encourage such projects, I say it is the Conservative party. My earnest desire, I can honestly say, is that the Foreign Office should contribute to the preservation of the peace of this country and of the world. Now, there are two modes of contributing to the preservation of peace, both of which are essential to the object in view. The one is the mode in which you deal with the affairs and policy of foreign countries; the other is the amount of your preparedness to resist any attack, from whatever quarter it may come. Now, with regard to the first my principle is this—that it is the duty of the Government of this country, placed as this country is with respect to geographical position, to keep itself upon terms of goodwill with all surrounding nations, but not to entangle itself with any single or monopolizing alliance with any one of them; above all to endeavour not to interfere needlessly and vexatiously with the internal affairs of any foreign country, nor to volunteer to them unasked advice with regard to the conduct of their affairs, looking at them from our own point of view, and not considering how different are the views and feelings of those whom we address. Above all, I hold that it is the duty of a Government to abstain from menace if they do not intend to follow that menace by action. I am told that we found fault with the noble Earl (Earl Russell) with regard to Denmark for not having taken a more active

part in her favour. That, however, was not the ground of our complaint. The ground of our complaint—and I take it to be a warning for all future Ministries—was that the noble Earl had held language which was not to be justified except upon the supposition that he was going to act upon it, and when those with regard to whom he held that language relied upon the performance of the implied engagement, he felt himself compelled to withdraw from that engagement. My Lords, it would be the height of impertinence and of impolicy if I were to attempt to say a single word upon the state of affairs on the Continent of Europe. A short—I hope a short, but at all events a bloody war has been prevailing for the last few weeks—a war in the objects of which the honour of this country is in no degree involved and a war in which the interests of this country are very remotely, if at all, involved. With regard to that war individuals may have their sympathies with Prussia, with Austria, with Italy, with this or with that Power; but the sympathy of individuals has nothing to do with the conduct of the Government; and I hold that the conduct of the Government with regard to such a war as that now raging is studiously to maintain a strict and impartial neutrality between all the contending parties, only ready at any time to offer their good offices, if there should appear the slightest gleam of hope that, combined with those of other neutral Powers, such as France and Russia, they might lead to a termination of this bloody struggle and to the restoration of peace. Those good offices ought to be at the disposal at any time of other neutral Powers, and we ought willingly and gladly to co-operate with them for the purpose of using our influence to stay the horrors of war. And, my Lords, I believe that influence would not be less efficaciously exercised because it was attended by no menace and by no meddlesome desire to give unasked advice, because we could have no selfish policy and no desire of reaping any advantage for ourselves, except that one inestimable advantage of staying the effusion of blood and restoring to Europe the blessings of prosperity and peace. Passing from Europe, I cannot but turn for a single moment to congratulate the world upon the cessation of that fearful struggle which for several years desolated the United States of America, without remarking that though the position of a

neutral is always one of considerable embarrassment, is always one which is looked upon with much jealousy by both the contending parties in a war, and more especially in a civil war; and, although our exercise of that neutrality may have been questioned by one side and the other—as I believe it was—I do earnestly trust that the restoration of peace and the wise course which the President of the United States appears to be taking, in seeking to reconcile and bring back to the Union the vanquished members who seceded from it—I do trust that the termination of the war will also terminate any feeling of irritation which may still prevail among the citizens of the United States against this country, and that nothing will interrupt the friendly and harmonious relations between two countries between whom subsist so many ties which ought to bind them together in indissoluble union. My Lords, it was also with no little gratification that I have observed that—although undoubtedly the latitude which is given in the United States to all expression of public feeling, and to anything short of an actual violation of the law, may have led many persons in this country to be somewhat impatient at the progress which that absurd and mischievous conspiracy, called Fenianism, was allowed to make in America—yet as soon as the law was plainly about to be violated, vigorous and decided measures, as I acknowledge with the utmost gratitude, were taken by the Government of the United States to prevent a violation of their own laws and the rights of friendly States by a lawless band of marauders. I should hardly have referred to these American Fenians, numerous as they are, but whose organization has been that of a vast number of dupes, headed by two or three arch impostors, out of whose credulity they have obtained large sums of money for the avowed prosecution of a scheme so utterly visionary that how any sane man could have entertained it is matter of astonishment—I should not, I say, have noticed these Fenians, supported as they were by a number of those loose characters who on the disbanding of the United States Army were naturally ready to join in any desperate enterprise which promised them a share in the plunder, if it had not been for the purpose, in the first place, of acknowledging the vigorous measures which on the recent raid—for I can call it nothing else—were

taken by the United States Government; and, in the next place, of pointing out, as a subject of the highest congratulation, that the inroad of these marauders called forth throughout the length and breadth of the British Provinces a unanimous shout of loyalty and enthusiasm, and a resolute determination to maintain the Government to which they belong, and the Throne to which they owe allegiance—a loyalty and determination shared alike by natives of all the Provinces and of all countries who had taken up their abode in Canada, and shared above all by persons of every shade and denomination of religion. I think it has been most gratifying to observe the spontaneous ebullition of feeling which was called forth by that invasion, however contemptible; and I cannot but hope, also, that this universal expression of feeling, and this unanimity which prevails throughout the British North American Provinces, may have a material influence in furthering a scheme which, the more it is considered, the more I think it is felt to be essential to the well-being, and unity, and strength of Canada—namely, the Confederation of the North American Provinces under a system of the freest possible Government, at the same time maintaining unbroken their allegiance to the Crown. I cannot but hope that this Confederation, which is earnestly desired by Canada, and which is certainly, in my judgment, infinitely for the benefit of the other Provinces, may take from what has recently occurred a fresh impulse which may lead to a successful termination. Passing for a moment to the policy which Her Majesty's present Government intend to pursue with regard to domestic affairs, I must, in the first place, say that I hold myself and my Colleagues entirely free and unpledged upon the great and difficult question of Parliamentary Reform. It is said—

"Felix quem faciunt aliena pericula cautum."

But we have had experience not only of the dangers incurred by others, but of dangers incurred by ourselves—dangers, too, which had a very fatal termination, and I certainly shall consider well and carefully, before I again introduce a Reform Bill, the wise advice laid down by the noble Earl, my immediate predecessor, that no Government is justified in bringing forward such a measure without having a reasonable and fair prospect of carrying it; and the further observation made by the noble Earl on the cross-benches (Earl Grey), that a Reform Bill cannot be car-

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ried, that the representation of the people cannot be amended, except by a mutual understanding between the two great parties in the country. My Lords, I have never shown myself adverse to the principle of Parliamentary Reform. I had the honour of joining five and thirty years ago with the noble Earl opposite (Earl Russell) in carrying the first Reform Bill; and upon my accession to office in 1858, although I did not think that the question was one of primary importance or pressing urgency, I could not deny for a moment that there were theoretical anomalies in our present system which it was desirable, if possible, to correct; that there were classes of persons excluded from the franchise who had a fair claim and title upon the ground of their fitness to exercise the privileges of electors, and that there was a very large class whom the particular qualifications of the Act of 1832 excluded. Nothing, certainly, would give me greater pleasure than to see a very large increase in the number of electors, and to see a very considerable portion of the class now excluded admitted to the franchise. But, on the other hand, I am afraid that the portion of the community who are most clamorous for the passing of a Reform Bill are not that portion who would be satisfied with any measure such as could be approved by the two great political parties of the country; and I greatly fear that any measure of a moderate character which would be introduced—I do not mean to say it is an argument against introducing it—but I greatly fear that any such measure would not put a stop to the agitation which prevails, and would only be made a stepping stone for further organic changes. As I said before, I reserve to myself the most entire liberty, and after what has passed it is not, I think, an unreasonable reservation, as to whether the present Government should or not undertake in a future Session to bring in a measure for the amendment of the representation of the people. Of this I am quite sure, that if there is no reasonable prospect of passing a sound and satisfactory measure, it is of infinite disadvantage to the country that Session after Session should be lost, and that measures of useful legislation should be put a stop to, by continual contests over Reform Bills which, after occupying the whole Session, fail in passing, and only leave the Session barren of practical results.

My Lords, there are various measures,

and to these the attention of the Government will be immediately addressed, some of which, perhaps, may be carried through even in the short remainder of the present Session, while some must remain over for serious consideration—measures not of a very brilliant or imposing character, but measures on which the welfare and prosperity of the country, or of particular classes in the country, materially depend. Nothing, for example, can be more important to the commercial classes, than a good system of bankruptcy; and giving the noble Lord opposite (Lord Westbury), whom I am happy to see again in his place, every credit for the intention with which he introduced his Bankruptcy Bill, I cannot say that it appears to me to have given universal satisfaction. In proof of that I may mention that the late Government themselves introduced an amended Bill, which is now before the other House. I can only say that the question is one which shall receive the early and impartial consideration of the Government. I cannot add that I hope the Bill which is now before the House will pass; but it relates to one of those subjects to which the attention of the new Government shall be directed earnestly, and as soon as possible. There is another question—a most important one—dealing with the position of a very large and helpless portion of the community—I mean the administration of the laws relating to the relief of the poor, and more especially to the treatment of the pauper sick in workhouses. My Lords, the reports which appear in the public papers on this subject are so revolting and disgusting, they disclose such scenes of hardship and misery inflicted upon those who have no power to help themselves, and those, consequently, who are most deserving of consideration and sympathy, that any Government would be most blameable which did not turn its attention to these grievances and try to put an end to scenes so revolting. I venture to say that for the task of dealing with the amendment of the law, or—what is probably of more importance than the amendment of the law—with the administration of the law and the provision of proper inspection, I do not believe that in Her Majesty's dominions there is a man better qualified, or who will bring to bear upon the subject greater energy and earnestness than the Gentleman (Mr. Gathorne Hardy) who has done me the favour to accept the honour of President of the Poor Law Board.

And now, my Lords, a few words with regard to the condition of Ireland. In England, as I have said, it is our earnest desire, by the course of policy we pursue, to enlist the sympathy and maintain the independent support of those Members of the Liberal party who entertain views not materially different from ours, and who, I trust, if they approve the course we pursue, will not be deterred by any previous party considerations from giving to the new Government an independent and honourable support. In Ireland, unfortunately, the difficulties of acting upon a principle of fusion are different and more considerable. There, political animosity runs higher than in England; the divisions of party are more strongly marked; and, what is more important, religious differences, combining frequently with political differences, tend to embitter that animosity and make those differences more intense. Yet I believe that a Government in Ireland which shows itself determined to do its duty by all ranks and classes may hope to receive the support of a large majority of the Irish people, than whom there are no greater lovers of impartial justice. We do not propose in our government of Ireland to act on any exclusive principle. We desire to obtain the co-operation of all who have at heart the peace and tranquillity of the country, the maintenance of the rights of property, and the putting down of unlawful associations. These are objects which, apart from political differences, men of all parties can assist to promote. And we shall especially desire to obtain the assistance of a body of men who of late have, I think, been much neglected—I mean the country Gentlemen of Ireland. Without saying one word against that invaluable body, the Irish police, I certainly think that the Government of late have trusted too implicitly to information from the police, and have not made that use which they might have made of the local information and support which they would everywhere receive from the resident proprietors of Ireland, whatever their politics or religion. With regard to that lamentable and, I am afraid, widespread conspiracy against the Government which lately manifested itself in Ireland, although the exertions of the late Viceroy, Lord Kimberley—most active and meritorious exertions—have given a considerable check to that dangerous conspiracy, yet I would I could believe that the snake was killed, and not merely scotched. Disapproving as I do all exceptional legisla-

tion for Ireland, nothing would give me greater satisfaction than to be able to state to your Lordships before the termination of the Session that the time had come when it was unnecessary to continue further the suspension of the Habeas Corpus Act, which was passed unanimously by this House at the instance of the late Government. But if Her Majesty's present Government, on inquiry, believe conscientiously that the time has not come for dispensing with that exceptional legislation—if they are of opinion that for the safety of the well-disposed and the protection of loyal and peaceable people it is necessary to continue the suspension of the Habeas Corpus Act—if they feel themselves reluctantly obliged to ask Parliament for support under these circumstances, I am sure that we shall receive that support, in a candid and generous spirit, as readily as it was given by us to the late Government. Passing from exceptional legislation, our anxious desire will be to put down with a firm hand in Ireland anything like turbulence and violations of the law, from whatever quarter these proceed; to discourage and discountenance everything which tends to keep up religious or political animosity; to deal impartial justice to all; and to call to our counsels, without regard to party or to creed, all those who are willing to co-operate with us in securing the good government of the country and the preservation of the public peace.

My Lords, I have now ventured to lay before you, at greater length than I desired, a very summary view of the course of policy which the Government desire to follow. By that course we hope to conciliate additional support; we hope to obtain the independent support of many who, from motives of honourable consistency to party ties, feel themselves at present precluded from giving their adhesion to the present Government. And I do not conceal my hope—because I look to the real, and not the arbitrary distinctions of party—I do not conceal my earnest hope that the time is not far distant when there may be such a new arrangement of parties as to place on the one side those who are in favour of dangerous innovations and violations of the Constitution, and on the other side all those who, while they will not resist safe legislative progress, are determined to adhere to this Constitution and to those institutions under which this country has so long been loyal, prosperous, and happy. My Lords, in attempting to con-

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duct the Government of the country on these principles, I may succeed; and in that case I shall attain the highest object which can engage the attention and excite the ambition of any statesman. I may fail; and if so I shall fail with the consciousness of having attempted honestly and faithfully to discharge my duty, and with an earnest prayer that, under the blessing of Divine Providence, whoever may succeed me in that attempt, may pursue the path of safe and steady progress, strengthening, rather than subverting, the institutions of the country, and maintaining that balance between the various parts of our constitutional system—a monarchy limited, an aristocracy tempered, a House of Commons not altogether democratic—the consequence of which has been a progressive improvement in our legislation according with the temper and character of the times, and which for a period of many centuries has gradually led forward this country to a position reflecting the greatest glory upon the Empire and conferring the greatest amount of happiness and prosperity upon mankind.

EARL RUSSELL: My Lords, I cannot but express my satisfaction with the calm and temperate tone in which the noble Earl has expressed himself this evening; but I feel bound to say a few words with reference to one or two topics on which he touched. And, first, with regard to the attempts which have been made of late years, at different times, to improve the representation of the people. In 1865 there was a general election, and there was an almost universal expression of opinion throughout the country that some measure for improving the representation was required. In spite of what the noble Earl may have heard on this point, I cannot but believe that if Lord Palmerston had lived he would have been so influenced by those declared opinions that he would have thought it his duty to introduce a Reform Bill in the present Parliament. I thought so. We were committed by former declarations of opinion, and after full consideration we introduced a Bill which we considered a moderate measure. It was a moderate measure; because, as I showed your Lordships the other evening, 100,000 persons who would have had the franchise under the Bill of 1860 would not have been admitted by the Bill brought forward in the present Session. When, however, that Bill was introduced, we found that, moderate as it was, and admitting to the fran-

chise, as it proposed, a number of persons who would have reinforced the garrison and strengthened the citadel of the Constitution, it was yet an object of suspicion, of dislike, and of opposition, on the part of, I may say, a majority of the House of Commons. Well, my Lords, I think that while the sincerity of our attachment to Reform might have been justly questioned if we had not introduced a Reform Bill, our sincerity might equally have been questioned if, having introduced it, and finding that it was met with the obstruction I have mentioned, we had let the Bill drop, and had stated our resolution to bring forward another Bill of the same kind in a future Session, with vague professions of our belief in its necessity. It, therefore, was our opinion, when we first met with a serious defeat, that it was our duty to tender our resignations to Her Majesty, and to persevere in the advice that she would be graciously pleased to accept them. The noble Earl has told you, my Lords, that he had no wish to obtain the office which he now holds, and I certainly do not mean to throw the slightest doubt on that declaration. I cannot, however, refrain from observing that, after the experience which the noble Earl has had of the earnestness of the Government in pressing forward their measure, and of the obstructions which were constantly thrown in their way, at one moment on one pretence and then on another—they being by that means prevented from proceeding with their Bill—he must have looked upon it as a most likely thing that we should resign, and that he would be the person who would be sent for by Her Majesty. The noble Earl was called upon by Her Majesty to form an Administration in our places, and I am much rejoiced that such was the case; for I cannot help being of opinion that that great party, which contributed more than 270 Members to the House of Commons to defeat us on what we regarded as a vital point, is the party which ought to have been invited to succeed us; for it is desirable, I contend, that those who thus defeat a Government and pronounce their policy to be wrong, and a different policy to be right, should not be held to be free from the responsibility of taking their places. I am, therefore, exceedingly glad that the noble Earl has taken upon himself the duty of forming a Government, and that he was not discouraged by the failure of his attempt to construct an Administration on what he has termed a “broad basis.”

Between a Government constructed on a broad basis and a coalition, I, for one, do not see any essential difference. I approve of a Government constructed on a broad basis, and I approve of a coalition so long as there is a general identity of opinion between the members composing it on the principal questions of the day. When I speak of a coalition as being perfectly right, I mean that not only do men change their opinions, but that events change so much that many persons may from time to time have some difficulty in arriving at a conclusion as to what Government they ought to support. Take, for instance, the great war with France. It was very natural that every man who was in favour of that war should support those by whom it was carried on, however much they might differ from them on questions of less importance; but there were others who differed from them on that point. But when the war was over, and when many who differed with respect to its prosecution found that they coincided in the views which those from whom they differed entertained on such questions as Catholic Emancipation, for instance, then they not unnaturally did not object to coalesce with men with whom they could not consent to act some ten or twenty years before. There is, therefore, no good reason why the noble Earl should not have applied to persons who, he thought, were now disposed to concur in his opinions on general subjects, although they may not hitherto have acted with him. But be that as it may, the noble Earl having succeeded in forming a Government out of his own supporters, that Government I will at once say is fully entitled to fair consideration. They ought to have time to mature their measures. Whether they deal with questions of foreign policy, or with colonial or domestic questions, I think it is but just that they should be allowed until the commencement of next Session to prepare and mature their measures, without being called upon at this moment to declare what is the precise course which they mean to pursue. I would now, with the permission of the House, address myself to another subject. While I admit that the noble Earl has considerable difficulties to encounter, I wish to point out to him and to the House, in justice to my late Colleagues, and in justice to the country, the facilities he enjoys for carrying on the Government of the country. I would mention in the first place the admirable manner in which the finances of the State

have been managed by the late Chancellor of the Exchequer. He has done more to relieve industry and to promote and develop commerce than any person in his situation has ever done. The way in which the financial business of the country was conducted under Mr. Pitt, from 1784 to 1792, has been held up as a model of financial ability, but I believe my right hon. Friend Mr. Gladstone—having no doubt greater means at his command—has surpassed Mr. Pitt in financial skill and ability, and in the great success which he has attained. Then as to the tone and temper which he displayed in the course of the late discussions in the House of Commons, to which the noble Earl has alluded, I would wish to say a word. When Mr. Burke used to urge the House of Commons to be lenient and indulgent towards the North Americans, who were, at the time, our fellow-subjects, some of his friends were wont to say to him, “Depend upon it you who appear so eager in your advocacy on this question will be supposed by many to be so only because you have in it some private interest, although you have none.” That error of taking up a subject warmly—if, indeed, it be an error—had its origin in Mr. Burke’s case as well as in that of Mr. Gladstone in the thorough earnestness with which he entered into a question in which he felt deeply interested. I will not believe that it proceeded in any degree from a want of temper, or a desire to dictate to the House of Commons. Such earnestness belongs to great and generous natures, and it is eminently characteristic of my right hon. Friend. I have heard a person not officially connected with him state that during the whole course of the recent debates in the House of Commons, he never saw Mr. Gladstone once out of temper. But passing from him and those questions of finance with which his name is so honourably connected, I would wish to say a few words with regard to another Colleague of mine—I allude to my right hon. Friend the late Secretary for the Colonies (Mr. Cardwell). Never had a Colonial Secretary to deal with a question more distressing, and, apparently, more difficult, than that which arose out of recent events in Jamaica. There was no opportunity afforded, during the existence of the late Government, to have that question fully discussed; but I am persuaded that the course which my right hon. Friend took in reference to it—though he was blamed at first by many persons for having super-

seded Governor Eyre—in sending out a man of high character and station and great experience, like Sir Henry Storks, will unhesitatingly be admitted to have been the wisest which he could have adopted. I think, moreover, that in sending out Mr. Russell Gurney and Mr. Maule as associates to Sir Henry Storks in the inquiry which he ordered to be instituted, my right hon. Friend did an equally wise thing, and I am confirmed in that opinion by the report which they have made. It appears to me that a greater amount of labour was never more intelligently expended in a difficult question; nor was one ever more efficiently treated than the Jamaica question has been by those three Commissioners. It would be easy to have taken in reference to it another course—to have said that Mr. Eyre should remain in his post, to have instituted an inquiry at home, and to have ended by inflaming angry passions both in Jamaica and in this country. But Mr. Cardwell took a course that satisfied the demand that there should be a thorough inquiry into the facts, and that justice would be done, and the result has furnished an example in the future government of our colonies, that the feelings and interests of the great mass of the population should be fairly and wisely considered, while order and authority would be supported. I must at the same time warn the noble Lord the present Secretary for the Colonies (the Earl of Carnarvon) that, although I think the late Government made a wise selection of a new Governor for Jamaica, the difficult questions connected with it are far from being solved, and that it may require extraordinary measures of relief in order to restore that island to a healthy state. The subject is, at all events, one which is worthy of the attention of a statesman, and the problem of how prosperity may be maintained, not only in Jamaica, but in some of our other colonies, is one which I would recommend to the noble Lord’s notice for solution. There is another colonial question on which the noble Earl who has just sat down briefly touched in the course of his speech—I refer to the attack made by the Fenians upon Canada. On that point I may state that both the despatches and the private letters which have been received from the Governor General of Canada show that, in his opinion, though the invasion could have been put down and overcome, it would never have been overcome and put down so quickly had it not been for the loyal conduct of the President of the United States. I think the

Earl Russell

President has acted in the promptest and most friendly manner. The moment the laws of the United States were violated one of their most distinguished generals was despatched to the frontier, and by sending back to their homes those Fenians who were arrested, he at once dissipated all the hopes and frustrated the schemes of that revolutionary body. Lord Monck, at the same time, says that he never saw a greater display of energy and promptitude than characterized the conduct of the people of Canada in loyalty to the Throne and in supporting the efforts made by this country to secure to them the free institutions which they enjoy. That is a proof that the relations existing between us and the United States are most friendly in character; and this circumstance will make the task of the noble Earl more easy than it otherwise would have been. We have in this a proof also that during the last thirty years, or at all events, for a quarter of a century, the policy which has been pursued by this country towards Canada has been such as to increase the attachment of the colonists to their institutions and to the mother country; indeed, I have heard more than one distinguished citizen of the United States declare that there is no country in the world where freedom is more completely enjoyed than in the British Provinces of North America. I trust, therefore, we shall never hear again—I trust the noble Earl will not listen to the suggestion for a moment—that we ought never to assist Canada, that we ought not to yield a proper support to one of the brightest jewels in the Crown of Britain. The state of our relations with foreign Powers generally is a proof of the ability displayed by my noble Friend (the Earl of Clarendon) whom the noble Earl opposite has already complimented. I am persuaded that he enjoyed the complete confidence of the country, and that he would, notwithstanding the difficulties which may arise in connection with the settlement of the affairs of Europe, have been successful in restoring peace to the Continent in a manner consistent with the welfare of this country. It is impossible not to agree with the noble Earl that it is not wise to make too many comments on the state of European affairs. For my own part, I trust that out of this bloody war a state of things will arise more favourable to the freedom of Germany. Many difficult questions will doubtless arise in connection with the negotiations which it may be expected will take place after

the cessation of hostilities; and, as far as I am concerned, I trust the noble Earl will not be interrupted or unduly pressed in any way in connection with the negotiations which he may think fit to carry on. The noble Earl has said very truly that we are not bound by any obligations arising out of recent treaties. The Treaty of Peace signed at Vienna between Austria, Prussia, and Denmark, and the Treaty of Zurich between France, Austria, and Italy, are treaties with which we have had nothing to do.

THE EARL OF DERBY: I would remind the noble Earl that I never alluded to treaties. I said that the questions which were likely to arise were such as did not at all involve the honour of this country, but very much interested us.

EARL RUSSELL: Perhaps, then, the treaties were in my mind when the noble Earl blamed me for the course which I pursued; but at the time to which he alluded two treaties signed by the representatives of this country were in existence; and, under those circumstances, it was hardly possible for us to refuse to express an opinion upon the case which had arisen. One of those treaties was that of 1815, with regard to Poland, the other was the Treaty of 1852, signed by the Earl of Malmesbury, with respect to Denmark. When those treaties were threatened with violation, it was not consistent with the maintenance of the honour and dignity of this country to suffer those violations to pass entirely *sub silentio*. It was proper to say, as the noble Earl said, and as I repeated, that the questions were very grave and might lead to serious events. The result has shown that we were not mistaken—the most serious consequences have ensued; the present war has arisen out of the Schleswig-Holstein question. But, whatever may be the result of the present state of affairs on the Continent, I trust that the past policy of this country will not be so entirely departed from as that we shall refrain from taking an interest in the independence of certain European States. I am sure that if the three great Powers, England, France and Russia, are agreed, it will be in the interests of peace and to secure the independence of the lesser States. Without such agreement I am sure Europe will be the scene of frequent wars. In conclusion, I can only say that I trust and hope that the principles of civil and religious freedom will not be abandoned merely on account of a change of Ministry.

LORD BROUGHAM hoped the noble Earl (the Earl of Derby) would, in concert with France, take measures for reducing the enormous standing armies which were a source of financial difficulty to the people as well as a danger to the liberties of the people.

LORD LIEUTENANCY OF ROSS-SHIRE.

QUESTION.

EARL BEAUCHAMP asked the First Minister of the Crown, Who was responsible for having advised Her Majesty with regard to the appointment of the new Lord Lieutenant of Ross-shire? The matter was one of great interest. It was a matter of notoriety that on Monday the 18th of June Her Majesty's Ministers were in a minority in the House of Commons, and that on the following day they tendered their resignation to Her Majesty, and a Minister of the Crown stated that the functions of the executive Government were in abeyance. On the 21st of June Colonel Baillie, the Lord Lieutenant of Ross-shire, died; and on the 3rd of July the *Gazette* announced that Her Majesty had filled the vacancy by the appointment of Sir James Matheson. It was of great public interest to know who was responsible for that appointment. It could not be the present Prime Minister, for he had not been sworn in office. It could not be the noble Earl opposite, who had tendered his resignation. Perhaps it was some clerk in the Privy Council Office. In 1859, during the time a change was being made in the Ministry, no appointments other than those absolutely necessary were made.

EARL RUSSELL said, it would perhaps be better that he should answer the Question. On receipt of the information that the office alluded to had become vacant, he consulted with others of his Colleagues, and the result was that he tendered to Her Majesty such advice as led to the appointment referred to.

House adjourned at a quarter before
Seven o'clock, till To-morrow,
half past Ten o'clock.

Earl Russell

HOUSE OF COMMONS,

Monday, July 9, 1866.

MINUTES.]—NEW WRITS ISSUED—*For Essex* (Northern Division), *v. Charles Du Cane*, esquire, Commissioner of the Admiralty; *for New Shoreham, v. Stephen Cave*, esquire, Vice President of the Board of Trade.

SELECT COMMITTEE—On Committee of Selection, Sir William Heathcote *added*; on Standing Orders Committee, Sir William Heathcote *added*; on Controverted Elections, Right hon. Henry Thomas Lowry Corry and Right hon. Spencer Horatio Walpole *vacated*, Sir Frederick William Heygate, baronet, and George Selater-Booth, esquire, *added*.

PUBLIC BILLS—*Ordered*—Hares and Rabbits (Scotland).*

First Reading—Hares and Rabbits (Scotland) * [210].

Committee—Thames Navigation (*re-comm*) [205] [R.P.]; Revising Barristers' Qualifications [208].

Report—Revising Barristers' Qualifications [208].

Third Reading—Pier and Harbour Orders Confirmation (No. 2) * [170], and *passed*.

FINCHLEY ROAD ESTATE BILL [*Lords*] (*by Order*). SECOND READING.

Order for Second Reading read.

MR. GOLDNEY, in the absence of the noble Lord the Member for West Kent (Viscount Holmesdale), moved the second reading of the Finchley Road Estate Bill, which had come from the Lords, and the object of which was to enable Sir Thomas Marion Wilson, the tenant for life of the Finchley Road Estate, of which he was lord of the manor, to grant building leases of land specially exempted from such leases by the will and codicils to the same of his late father.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Goldney*.)

MR. HARVEY LEWIS opposed the Motion, and stated that Sir Thomas Wilson came into possession as tenant for life of the Finchley Road Estate, including the manor of Hampstead, and much adjacent property in 1806, under the will of his father, a well-considered document, to which there were eight or nine codicils, the two last of which dealt particularly with leasing powers. The late Sir Thomas Wilson jealously guarded Hampstead Heath from invasion by excluding it from the operation of the leasing powers which he granted over other portions of his estate; and it was idle to say that Hamp-

stead Heath had only lately become valuable for building purposes. In 1829 Sir Thomas Wilson made his first application to Parliament for power to do that which he was precluded from doing by his father's will, and since then he had come forward ten or eleven times with a similar Bill; but Parliament had always held that the testator thoroughly understood his own affairs, and that there was no reason for interfering with his arrangements respecting the property. The highest legal authorities, including Lord Tenterden, Lord Denman, Lord Campbell, Lord Chief Baron Pollock, Mr. Justice Williams, had given judgment in suits against the claim, being of opinion that the testator intended that there should be no power of granting building leases over Hampstead Heath. The copyholders in the neighbourhood had petitioned against the claims of the tenant for life; and the Metropolitan Board of Works petitioned against this Bill. Sir Thomas Wilson had given evidence before the Committee of the House on Open Spaces, and his answers to the questions put to him showed that his main object was his own personal benefit, while he did not respond to a suggestion that he should give up Hampstead Heath in perpetuity to the public if Parliament gave him power over the Finchley Road Estate. The wisest course for Sir Thomas Wilson would be to enter into negotiations with the metropolitan authorities with a view to handing Hampstead Heath over to them on terms that would be mutually advantageous to himself and the public; and when an arrangement of that kind had been made Parliament might deal with the claims made by the Bill. To allow time for the negotiation he suggested, he moved that the Bill be read a third time that day three months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Mr. Harvey Lewis.*)

GENERAL DUNNE said, that the Bill asked for leasing powers over land which was no part of Hampstead Heath, but was separated from it by the village of Finchley. The property was very valuable, and with the present demand for buildings round London it appeared to him that the measure was one in which the public were as much concerned as Sir Thomas Wilson. Two railways had been allowed to penetrate into the district, and it would be

convenient for the public if the locality, to which easy access had been given, were built upon. He could understand why the hon. Gentleman, representing the district he did, should object to a measure which might add many votes to the county of Middlesex. He objected as strongly as any one to interfering with the wishes of a testator, but the circumstances of this case were peculiar; there had been great changes since the death of the testator.

MR. BERESFORD HOPE had no objection to Sir Thomas Wilson making as many faggot votes as he pleased, but what they wanted was to save Hampstead Heath, the most beautiful open ground about the metropolis, which was as near, or should be, as Hyde Park, and was one of its lungs. Let Sir Thomas Wilson come forward with a fair offer to cede his rights in Hampstead Heath to the Metropolitan Board, or some other authority, getting if he pleased a just price for it, and then he might make faggot votes or build palaces if he liked; but it was preposterous to ask the House to discuss this Bill when they were expecting to hear an eloquent address in another place.

MR. ADAIR wished, before they went to a division, that the House might be put in possession of the real circumstances of the case. They would not in any way prejudice Hampstead Heath by consenting to the second reading of this Bill, and there should in his opinion be some exceedingly strong ground made out before the House decided not to permit a Bill to go before a Select Committee, where all objections might be fully heard. It was well known that Sir Thomas Wilson had the misfortune to have a considerable property in the neighbourhood of Hampstead, which comprised within its extent Hampstead Heath. That gentleman now came forward and asked for power to build over a certain portion of that property, which was not by any means in proximity to the Heath. Indeed, the whole village of Hampstead and a certain portion of the hamlet of the West End interposed between the Heath and the property in question. It was surrounded by land which was gradually being covered with villas and dwellings of a neat and pleasing character, and Sir Thomas Wilson desired to utilize his property in the same way; but the House was called upon to oppose this course. He ventured to say that if the testator had been living in these days,

and been aware of the necessity for extending suburban accommodation wherever it could be afforded without infringing public interests, there was no doubt that he would never have wished that the land in question should remain in its present state. He hoped the House would not reject the second reading of the Bill, but would allow it to go to a Committee upstairs, where the Metropolitan Board would protect the interests of the public, if in their opinion those interests were likely to suffer by the present Bill.

MR. THOMAS CHAMBERS said, the first question was whether the Bill ought to be opposed in that House or before the Select Committee. Now it would be difficult to point out anybody possessing the necessary *locus standi* to enable him to oppose the Bill in Committee, seeing that opposition rested not upon private right but upon public health and convenience. He contended that the House ought not to in effect add a new codicil to the will of the testator after he had been dead forty years. The House had on nine former occasions, when the matter was brought before it, decided against the course contemplated by Sir Thomas Wilson; while the highest Courts and the greatest statesmen had agreed that his father's will ought not to be overridden. He held that the public interests demanded the rejection of the Bill.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 65; Noes 72: Majority 7.

Words *added*.

Main Question, as amended, put, and *agreed to*.

Second Reading *put off* for three months.

IRELAND—THE QUEEN'S UNIVERSITY.

NOTICE.

SIR ROBERT PEEL: I beg to give Notice that on the first available day for the transaction of public business I will ask the late Chancellor of the Exchequer (Mr. Gladstone), Whether, notwithstanding the assurance given by the right hon. Gentleman in the early part of the Session that no changes would be made in the Constitution of the Queen's University in Ireland until an opportunity had been afforded to the House of challenging the policy of the Government and before the Crown had committed any formal act

Mr. Adair

on the subject, it is the case that a new or supplemental charter received the Queen's signature some three weeks ago, and to which the Great Seal has now been affixed; and, if so, what is the interpretation to be given to the solemn pledge of the right hon. Gentleman; and whether in a matter of this public importance, after the assurances given, such a proceeding as that referred to appears to the right hon. Gentleman altogether consistent with good faith?

PUBLIC BUSINESS.

MOTION FOR ADJOURNMENT.

MR. HUNT, in moving that the House at its rising do adjourn till Monday next, said, he thought it would be convenient if he were to state the business which it was proposed should then be proceeded with. Supply would be the first Order, and the Estimates for the Revenue Departments and Post Office Packet Service would then be taken. He might add, with reference to a Question which had been asked, that it was the intention of his right hon. Friend the Home Secretary to proceed with the Reformatory and Industrial Schools Bill, and, if time allowed, with the Public Health Bill, the Vaccination Bill, and the Artizans' and Labourers' Dwellings Bill.

MR. BERESFORD HOPE said, it would be very much for the convenience of the House if some hon. Gentleman could state when an opportunity would be given for fully sifting the questions relating to the public buildings of the metropolis—the National Gallery, the Royal Academy, and the University of London.

MR. E. C. EGERTON said, that the course the Government intended to take would be stated on Monday next.

MR. DARBY GRIFFITH said, that the prolonged interregnum of Government was a very serious detriment to the public, because events of immense importance were now passing on the Continent with extreme rapidity. It was known that after the disastrous engagement the other day a proposition was made by Austria to the French Government relating to the cession of part of Venetia, and also for the intervention of that Government. It was solely on account of the extraordinary nature of that proceeding that he ventured to warn the House and the public as to the possible consequences that might ensue. In this case one of the three

belligerent Powers had handed over to another Government which had taken no part in the war a province which it was to dispose of to another of the belligerent Powers, and the difficulty he felt was that some decision might inadvertently be come to on the part of our Foreign Office before an opportunity could be had of expressing the opinion of that House and the country on the matter. They had had experience of a transaction different in itself, but somewhat similar in its circumstances, on a former occasion, when Lombardy was ceded to France; and when that province was handed over to Italy compensation was required. France was then a belligerent; but in this case France was only a spectator. In this case a cession was first made to France and she might use that position so as, in the political slang of the day, to secure "a material guarantee" by which she might attain any other advantage which appeared to her desirable on behalf of her Empire. At the first blush of the question it might seem plausible to enter into the new arrangement that had been proposed; but if the cession of Venetia to France were readily acquiesced in, the question might be raised as to whether compensation might be desired by France, and whether that Power might not cast her eyes upon one of the finest islands in the Mediterranean, that of Sardinia. He hoped this subject would meet with the most earnest attention from the Secretary of State for Foreign Affairs.

Motion agreed to.

House at rising to adjourn till *Monday* next.

THAMES NAVIGATION (*re-committed*) BILL.

(*Mr. Milner Gibson, Mr. Monsell.*)

[BILL 205.] COMMITTEE.

Order for Committee read.

Motion made, and Question proposed "That Mr. Speaker do now leave the Chair."—(*Mr. Milner Gibson.*)

MR. AYRTON said, that his right hon. Friend the Member for Ashton had no sooner left office than he became inspired with an extraordinary amount of activity, and he thought his right hon. Friend's unusual activity, if successful, would prevent the proper consideration of the measure, for this Bill was only delivered on Saturday, and Members had thus been

deprived of the opportunity of placing any Amendments upon the paper. The Bill, it was true, had been sent upstairs, but it came out of that Committee a worse measure than when it was originally introduced. In 1857 the House transferred the management of the River Thames from Staines to its mouth from the mayor and corporation of London to a new body, the Board of Conservancy. They had powers to create a fund for the improvement of the river, and they levied considerable revenues—they received, for instance, £21,900 for tonnage dues from vessels in the lower part of the river, £6,000 dues from the navigation of the river between Teddington and Staines, and £5,487 from dues levied on small steamboats. To these sources of revenue £22,800 was added last year from the Board of Works. Yet when he appealed last year to the Commissioners to assist in maintaining a floating engine to protect the shipping and the docks from fire they declined to subscribe a single shilling, alleging that the demands upon them were greater than they could discharge. The consequence was that this charge would fall on the inhabitants of the metropolis. The administration of the river above Staines was vested in a separate body of about 600 gentlemen selected from the owners of property in the upper counties, and they elected a committee to watch over the river. This body appeared to have neglected everything they ought to have done. The result was that the revenue had fallen off, and all the works of the navigation had got into such a state of decay that the arrangements for the navigation of the Thames above Staines were threatened with total extinction. The subject was of such importance that it had been considered both by a Committee and a Commission. The Commission appointed by the Government to consider the matter directed attention to certain improvements which it would be necessary to make in order to put the navigation of the Upper Thames in proper order, and the question now was whether the present Bill constituted a fitting and just mode of dealing with the matter. Now, he (Mr. Ayrton) wished to put such Amendments on the paper as might lead to the improvement of the Bill and insure the improvement of the upper navigation. The right hon. Gentleman had endeavoured to obtain sympathy for the Bill by stating that it would have the effect of purifying the

river and of preventing the sewage and all other defilements pouring into it; but there appeared to be certain words in the Bill entirely defeating this benevolent intention; for all existing drains and sewers were to remain in full operation, and there was a further provision that additional sewage might be turned into existing drains, provided that the outfalls into the Thames were not altered. To provide for the expense of the works to be executed under the Bill, a charge of £5,000 a year was to be imposed on the Water Companies taking water from the Thames, but that charge would, of course, fall ultimately on the inhabitants who paid the water rates, although at present the amount of inconvenience and suffering endured by the poorer classes on account of their inability to obtain a full supply of water was frightful to contemplate. The expenditure of this sum of £5,000 was to be for the benefit of the landed proprietors above Staines, whose property was waterlogged and deteriorated by the present state of the locks; but, before consenting to such an arrangement, the House ought to consider what reasons there were that the people of London should be taxed for the benefit of the proprietors of the upper parts of the Thames, and opportunity ought to be afforded for giving proper notice of Amendments raising the points at issue. Another extraordinary provision of the measure was that large powers were given at the will of an arbitrator, to compensate any persons who might allege that they were injured by the works which the Commission were to undertake. There was a debt of £88,000 due from the old Board of Commissioners, but the Board had been in a helpless state of insolvency, and, as the insolvency increased year by year, the position of the creditors for some time past had not been improving. No interest had been paid for some years, and the debt was now worth nothing to the creditors; but still this Bill contained a provision that the new Board of Conservancy might pay any sum which they thought on account of this debt, and make it a charge upon the Lower Navigation. Thus this whole £88,000 might possibly be made a charge upon the commerce of the port of London. The Bill contained a provision allowing the new Board to settle the claims of the creditors, the money required for that purpose being levied upon the navigation below Staines. The right hon. Gentleman shook his head, but the right hon.

Mr. Ayrton

Gentleman only showed that he was not conversant with the details of his own Bill, and Members ought to look into its various clauses for themselves. One pleasant feature in the Bill to those concerned was the provision allowing the Board to increase the allowance made to the Commissioners. There were other objectionable things in the Bill, and the more he had examined its provisions the more he was satisfied that it required careful consideration. It was proposed that there should be five new Commissioners, four of whom were to be elected by the Commissioners of the Upper Thames, though he could not see why they should elect these persons. Nobody connected with the Upper Thames was to pay anything towards the expenses of the Commission; the whole additional expenses would practically be paid in the metropolis, but no new member was to be appointed to represent the metropolis; and there was no doubt that the metropolis would under this Bill be regarded as an inextinguishable source of wealth to be applied for the improvement of the estates of riparian proprietors. He thought that they should wait until the President of the Board of Trade was in his place, so that he might join in this discussion; and, therefore, he hoped that the House would assent to the Motion which he would now make, that they should go into Committee on the Bill upon that day week.

MR. DARBY GRIFFITH seconded the Motion.

Motion made, and Question proposed, "That the House do resolve itself into Committee on the Bill upon that day week."—(*Mr. Ayrton.*)

MR. HENLEY hoped that it would be agreed to postpone the Bill for a short time. The Bill contained ninety clauses; twenty of the most operative of them having been inserted in the Select Committee; and as it was only circulated on Saturday, there had been no opportunity for hon. Members to communicate with their constituents upon this most important Bill. He did not want to oppose the passing of the measure; he knew the great labour that the Committee had performed in framing a Bill of ninety clauses affecting a great many interests. What he would propose was that the Speaker should leave the Chair, but upon the understanding that Progress should be immediately reported, and then the Committee might be taken

at some morning sitting. This would allow an opportunity to those interested in the Bill to consider it.

MR. MILNER GIBSON would be sorry that the House should think that he wished to press a Bill of this kind with any undue haste; but from the position which he held in reference to this measure he should have felt that he was not discharging his duty unless at this period of the Session he had given the House the earliest opportunity of considering the provisions of the measure. The Bill had originated in this way. Last Session attention was called to the condition of the Thames, and the Government were called on to take the matter into their immediate consideration. A Committee was appointed to consider the subject generally; and after a long and laborious investigation they agreed to certain Resolutions and made a Report. Upon these Resolutions the Government had during the present Session founded this Bill. The measure, having been read a second time, was referred to a Select Committee, five out of the eleven Members of which were appointed by the Committee of Selection; and he had not heard until that day that any fault had been found with the composition of the Committee. The Committee sat from day to day most sedulously; they heard all parties interested by counsel—no fewer than eleven of whom attended—and they also examined witnesses, and the whole matter, though partaking largely of the nature of a Public Bill, had received the fullest investigation which a Private Bill could receive which affected exclusively particular and private interests. He believed also that all or nearly all the persons representing the various interests were satisfied with the clauses which the Select Committee, after the most laborious investigation, had inserted in the Bill. He had felt it to be his duty to bring the matter on at once, especially as at this period of the Session delay might be fatal to the Bill. At the same time, he felt that there was force in his hon. Friend's objection that there had not been time to give notice of Amendments; but, unfortunately, they had been led to believe that the Session was to last but a short time longer, and if the Bill were not to go to the Lords until a late period, they might perhaps be unwilling to entertain it; and therefore he did not think that he was open to any charge of improper activity, but was only doing his duty in the interests of those whose cases

had been considered by the Select Committee. His hon. Friend had by no means correctly described the provisions of the Bill. His assertion that under the Bill no means were provided to stop the flow of sewage and pollution into the Thames only showed that he had taken no pains to look into its provisions, for not only were there clauses preventing the opening of any new sewers for the flow of sewage and other offensive or injurious matter into the Thames or into any river-stream of water course communicating with the Thames at any point within three miles of the river; but there was an express clause empowering the Conservators to give notice to the proper parties in case of any existing sewer or drain into the Thames or draining into any stream within three miles of the river, to discontinue the same after a due interval under penalty of £100 and £50 a day. As to the water companies, they were independent commercial bodies, and they would not agree to pay £5,000 a year unless they thought they should get a *quid pro quo* in the increased purity of the supply. There was no power to the Water Companies to increase their rates, the maximum of which was fixed by a previous Act of Parliament. He believed they had no such intention—he could answer at least for two of them. But even if it were otherwise, the £5,000 a year would represent only a penny for each 8,000 gallons of supply, and this would not be a large sum for the water consumers to pay for the purification of the river. The evidence of the state of pollution of the Thames above the spot whence the Companies' supply was taken was such as to show that Parliament ought to take steps to clear the river; the Water Companies accepted the proposals that were made to them, and the agreement was embodied in the Bill. There was no question of taxing or imposing burdens on any one. With regard to the navigation of the Upper Thames, the matter came to this—that unless something effectual were done, such navigation would in all probability cease altogether during the next winter. The locks were in a state of imminent danger—indeed the Committee, of their own authority, feeling confident that Parliament would sanction what they did, had authorized the Conservators to repair a breach, which, if it had not been repaired, would have put an end to the navigation of the Thames. The Commissioners in their Report, speaking of last winter, said that the

condition of the valley of the Thames that winter had been disgraceful; thousands of acres of land, with many roads and footpaths, vast areas of urban land, and even streets, had been for several weeks under water; lands had been deluged, traffic interrupted, and human health lowered: and an estimate of the loss during this winter, if fairly and fully made in money, would show that the construction of the necessary works would be true economy. They had to the best of their ability contrived a plan for accomplishing the repair of the locks. They had found the funds, and the governing body was the Conservancy of the Lower Thames, into whose hands they proposed to transfer the government of the Upper Thames. He believed the expense of putting the locks into repair next year would be much greater than if the duty were undertaken now. He hoped that under these circumstances no attempt would be made to throw the Bill over until next Session. He also thought that the time was come when they could not afford longer to postpone dealing with the disgraceful state of the Thames, caused by pouring sewage and other polluting substances into it. They had had evidence sufficient to show that if the navigation of the river was put into a proper state of repair, and if the various improvements suggested were executed, the traffic that would be created would be ample to meet the expenditure that would be required and perhaps to yield a surplus. But be that as it might, he was sure that Parliament would never allow the water above Staines to continue what it would be if left in a state of nature, a mere rivulet in a dry summer, and a most unsatisfactory artery for carrying off floods in the winter. They were not asking Parliament to provide any funds, for the necessary money would be found, without coming on the Conservators of the Thames, out of the legitimate income arising from the tolls when the works were put in sufficient repair. Besides, there would be a certain income guaranteed by the Water Companies. He therefore hoped that the Speaker would be allowed to leave the Chair, with the view of proceeding at all events with those clauses to which there was no objection.

LORD EUSTACE CECIL said, he wished to offer a few observations as he had been pointedly alluded to by the hon. Member for the Tower Hamlets (Mr. Ayrton) as an inexperienced Member of the Committee. He could bear full testimony

Mr. Milner Gibson

to the fact that the whole of the clauses of the Bill had been fairly and fully considered by every Member of the Committee. Notwithstanding what the hon. Gentleman had said, he (Lord Eustace Cecil) believed that the Bill would confer incalculable benefit upon all classes, especially upon the poorer inhabitants of the metropolis—indeed, he did not know who were most interested in the success of the measure—the landowners, the upper commissioners, or the people of London. It appeared to him that the measure ought to be called the Thames Purification as well as the Thames Navigation Bill, the former being a far more important matter than the latter. When they heard the evidence as to the foul water which the people had been for years in the habit of drinking, it was absurd for any person to say that the Bill was not one in the interest of the inhabitants of the metropolis. The proposed improvements were to be carried out chiefly at the expense of the Water Companies. He hoped that the hon. Member for the Tower Hamlets would not press his Motion.

MR. CANDLISH said, he did not understand the hon. Member for the Tower Hamlets to oppose the Bill, but only to ask for time for its consideration, and he (Mr. Candlish) certainly thought there were good reasons for postponing the Bill for one week. He dared say that the hon. Member for the Tower Hamlets was as anxious as any Member of the Committee for the purification of the Thames; but the question was, whether the House generally should not have a fair opportunity of considering the provisions of the Bill. Not only the inhabitants on its banks, but every shipowner that entered the Thames was interested in the question. If the hon. Member for the Tower Hamlets should deem it his duty to divide the House upon this question, he (Mr. Candlish) would certainly divide with him.

MR. MILNER GIBSON said, he forgot to mention that he had received a letter from the present President of the Board of Trade stating that he was desirous that the Bill should be proceeded with, and that it should be advanced a stage that day.

MR. AYRTON said, that as the real discussion would begin on the third clause, he was willing to adopt the suggestion that the House should go into Committee upon the Bill, and that the first two clauses should be agreed to.

MR. GOLDNEY said, the House might fairly pass the clauses transferring the governing powers from the old body to the new Commissioners, leaving the mode of their election for further consideration.

Motion *withdrawn*.

Bill *considered* in Committee.

(In the Committee.)

Preamble *postponed*.

Clauses 1 and 2 *agreed to*.

Clause 3 (Five Conservators added.)

MR. AYRTON said, that this clause which provided for the addition of five members to the existing body of eighteen Conservators raised the whole question of the transference of the jurisdiction from the old body of the Commissioners to the Board of Conservancy. He should move that the Chairman report Progress.

MR. GEORGE BOWYER, as a Member of the Select Committee, wished to say that the Bill was one of a peculiar nature. As to many Bills it might be said that there was no inconvenience in postponing them; but in the present case it was absolutely necessary that something should be done without delay to avoid incalculable mischief during the next winter. If a certain sum were not expended now to put the navigation in a proper condition, a much larger sum would be required next year. In the case of a lock which was breaking down, and the state of which involved a loss of £20 a day, the Committee were so impressed with the necessity of immediate action that they took upon themselves to call upon the Board of Trade to do the necessary repairs at once; and they did so in confidence that Parliament would indemnify them; and evidence was given that if much further work was not done before next November the mischief would increase to a very great extent. He certainly agreed that some time ought to be given to consider the Bill, but that time ought to be as short as possible, for any considerable postponement of the Bill might have the effect of entirely defeating it. In some of the agricultural districts the bed of the river was almost dry, and unless something were immediately done the Thames would in various parts be completely destroyed, verifying with a slight change the well-known passage—

“Rusticus expectat, dum defuit amnis.”

The Select Committee had examined the Bill with great care for three weeks *de die in diem*. The hon. Member for the Tower Hamlets seemed to suppose that steps had not been taken to insure the thorough

purification of the Thames, but he was entirely mistaken. The Water Companies appeared by counsel before the Committee, stating that unless the Bill contained provisions for purifying the Thames they would not be justified in making the promise to advance £5,000 a year. They were, however, fully satisfied the provisions of the Bill were sufficient to insure the purification of the Thames. He had no hesitation in saying that considerable benefit would result to the inhabitants of the metropolis from the passing of the Bill. It would prevent the flow of the sewage of half a million of people into the river, and the inhabitants of the metropolis would thereby be enabled to obtain pure and wholesome water. The longer the measure was delayed the more the Thames would be contaminated, greatly to the detriment of the health and comfort of the people. Now, although the Water Companies had determined to contribute £5,000 per annum they had resolved not to raise the water rate; but even if it were to be raised for the purpose of indemnifying the Companies for this extra expenditure, the expense when divided would be so infinitesimal that it would only be necessary to demand 3*d.* or 4*d.* a year more from each house. The hon. Gentleman seemed further to understand that the whole of the expenses of the Upper Navigation were to be cast upon the Lower Navigation; but that was not the case, for he had every reason to believe that the revenues of the Upper Navigation, together with the money paid by the Water Companies, would amply suffice for putting the river in order; and when that was effected the subvention of £5,000 a year would be adequate to maintain it in a proper state. The Lower Navigation would never have to pay anything; what it would do was to give collateral security to enable the Conservators to raise the capital necessary to put the Upper Navigation in a good condition.

MR. NEATE said, he thought there should be no difficulty in passing the clause in question. He entirely concurred in the policy of transferring the management of the Thames from the old Commissioners to the present Conservators of the river, with the addition of five members. He hoped his hon. Friend (Mr. Ayrton) would not persist in his opposition to the clause, seeing that it had no connection with the peculiar objections he entertained to the Bill.

MR. AYRTON explained that he objected to the present clause, because the five Commissioners to be added were to be elected by persons who did not contribute one farthing to the funds. The question was, whether those who paid the expense should be overborne by those who bore no part of the burden.

MR. ACLAND said, he considered it of the utmost importance that this Bill should not be postponed. The whole of the Committee were of opinion that the upper and lower portions of the Thames should be brought under the control of one body; and, with the single exception of the hon. Member for the Tower Hamlets, he had not heard of a single person who did not agree in the principle of bringing the whole of the Thames under unity of management. The number of five new members was unanimously decided upon by the Committee, and was the result of a compromise of the different interests involved. If the clause in question were not agreed to now there was little hope of the Bill passing this Session.

MR. HENLEY said, he did not want to stop the measure, nor did he object to the present clause, but he objected to going on with a Bill of ninety clauses, of which twenty were new, which had been printed only on Saturday. The Members of the Committee might feel competent to discuss it, but he did not. He had no objection to the 3rd and 4th clauses being passed, if it were understood that when they were passed the right hon. Gentleman would consent to report Progress.

COLONEL KNOX had only seen the Bill that morning and had had no opportunity of communicating with those who were interested in it; and unless the assurance which his right hon. Friend had asked for was given, he should divide the Committee on the Motion to report Progress.

MR. HUNT said, he had been informed that morning that it was the wish of his right hon. Friend the President of the Board of Trade to give every facility for the discussion of the Bill, and no doubt the Chancellor of the Exchequer would concur in that view. He felt that if any objection was taken they ought not to proceed with the measure that evening. He hoped the right hon. Gentleman opposite would accede to the proposition which had been made, for he felt sure the Chancellor of the Exchequer would give every opportunity of considering the Bill as soon as possible.

Mr. Neate

MR. MILNER GIBSON thought the Committee might take the 3rd, 4th, and 5th clauses, which were connected together, and then report Progress.

MR. AYRTON said, that his right hon. Friend gave a distinct assurance before the Speaker left the Chair that he would not proceed with any clauses to which objection was taken. Whether the Commissioners should be five or more would depend on a great many considerations. He objected to the number five until the President of the Board of Trade should say whether he would consent to forego his right to appoint one of the number. If the right hon. Gentleman insisted upon exercising that power he should propose to increase the number from five to seven, in order that the metropolis might have the opportunity of being represented on the Commission.

MR. GOLDNEY concurred in the suggestion that the 3rd, 4th, and 5th clauses should be passed, by which the Committee would affirm the principle that the navigation of the whole of the Thames should be under the Thames Conservators.

MR. ALDERMAN LUSK understood most distinctly that it was agreed that whenever the Committee should come to a clause which might lead to discussion they would consent to report Progress.

LORD EUSTACE CECIL said, that the hon. Member for the Tower Hamlets appeared to wish that the metropolis should be represented and nothing else. It was of great importance that this Bill should be allowed to pass as soon as possible, because the interests of a great many persons were affected.

SIR GEORGE BOWYER said, the hon. Gentleman the Member for the Tower Hamlets seemed to think that the Conservators of the Lower Navigation would be overborne by the Conservators of the Upper. But as they would be in the proportion of eighteen to five he did not understand how that could take place.

MR. AYRTON said, what he feared was lest the representatives of those who contributed the funds for the Lower Navigation, who would only number six, would be overborne by the other Commissioners, who would be eighteen.

MR. DARBY GRIFFITH supported the proposition to report Progress. No one could answer for the President of the Board of Trade in his absence.

COLONEL GILPIN bore testimony to the zeal, ability, and anxiety displayed by the

ex-President of the Board of Trade in the endeavour to remedy the great grievances arising from the present state of the Navigation of the Thames. The Bill was of great importance. It had been thoroughly examined by the Committee, and if it were now delayed it would have no chance of passing this Session.

MR. PAULL regretted that there should be any unnecessary obstruction of the measure, but thought as the Member for the Tower Hamlets had allowed the Bill to go into Committee upon the understanding that no opposed clauses would be taken, that that understanding should be honourably adhered to.

MR. MILNER GIBSON said, that he was the last person in the world to desire to depart from any engagement or understanding with the Committee. What he said about going on with the Bill was, "At any rate let us go on until there is opposition." He understood that there was a desire to take these clauses, which sanctioned the principles of the transference to the Thames Conservators of the jurisdiction over the whole of the river, and of the addition to that body of a certain number of members to represent the Upper Thames; and if that principle was affirmed, and the hon. Member for the Tower Hamlets wished to alter the number of Commissioners, he could do so on the Report. The Committee did not commit the House to the number of five, and if the hon. Member preferred that it should be six or seven, he could propose the alteration at a subsequent stage. All that he asked the House to affirm was that there should be some addition to the present number of Conservators to represent the new districts placed under their charge.

MR. AYRTON suggested that if the Committee agreed to a clause fixing the number of Commissioners at five, no subsequent clause could be moved to alter the number.

MR. A. PEEL said, it appeared that the real question before the Committee was not whether the number of the Commissioners should be five or seven, but whether the principle of a metropolitan representation should be introduced into the Bill. The sooner this question was fought out the better.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again." — (MR. Ayrton.)

The Committee divided:—Ayes 10; Noes 60: Majority 50.

Clause agreed to.

Clauses 4 and 5 agreed to.

House resumed.

Committee report Progress; to sit again upon Monday next.

REVISING BARRISTERS' QUALIFICATIONS BILL—[BILL 208.]

(Mr. Attorney General, Mr. Solicitor General, Sir George Grey.)

COMMITTEE.

Order for Committee read.

MR. DARBY GRIFFITH asked for some explanation why this Bill had been introduced. When it was brought in by the late Attorney General no statement was made by that learned Gentleman in reference to it.

MR. HUNT said, Sir Roundell Palmer had been obliged to leave the House, and he had consequently asked him (Mr. Hunt) to pass the Bill through Committee. It appeared that several of the Commissioners appointed to examine into the corrupt practices at some of the late elections were Revising Barristers, and it was thought that their accepting such appointments might be considered accepting employment under the Crown, and so prevent them from holding their appointments as Revising Barristers. This Bill had been introduced to meet that difficulty.

Bill considered in Committee.

House resumed.

Bill reported, without Amendment; to be read the third time upon Monday next.

HARES AND RABBITS (SCOTLAND) BILL.

On Motion of Sir WILLIAM STIRLING-MAXWELL, Bill to amend the Laws as to killing Hares and Rabbits in Scotland, ordered to be brought in by Sir WILLIAM STIRLING-MAXWELL and Lord HENRY SCOTT.

Bill presented, and read the first time. [Bill 210.]

House adjourned at a quarter after Seven o'clock, till Monday next.

HOUSE OF LORDS,

Tuesday, July 10, 1866.

MINUTES.]—PUBLIC BILLS—*First Reading*—
Pier and Harbour Orders Confirmation (No. 2)*
(187).
Second Reading—Railway Traffic Protection
(180); Glebe Lands Scotland* (139); Mar-
riages (Sydmonton) (141).

RAILWAY TRAFFIC PROTECTION BILL.

(The Lord Redesdale.)

(No. 180.) SECOND READING.

Order of the Day for the Second Reading read.

LORD REDESDALE, in moving that the Bill be now read the second time, said, that under the present law it was not impossible that the traffic on the most important lines might be brought to a standstill in consequence of the engines and carriages or other plant being seized in execution. As it was most desirable that the railway communication of the country should be kept open the present Bill had been introduced. The Bill provided that no person should seize any engines or other property upon which railway traffic depended. Their Lordships would bear in mind that the effect of a seizure of the engines was to destroy the income of the line, and for one individual who recovered his money every other creditor, whether a debenture holder or otherwise interested, would be obliged to go without. The owners of rentcharges for the possession of land taken by railway companies were also very injuriously affected. The principle which he wished to lay down was, that the passenger and goods traffic of a railway should not be liable to stoppage upon the demands of creditors. The Bill did not, however, propose to interfere with the rights of existing creditors. He hoped their Lordships would sanction the principle of the measure by reading it a second time, leaving the details for future consideration.

Moved, "That the Bill be now read 2^a."
—(The Lord Redesdale.)

LORD CRANWORTH objected to taking away the only security which creditors possessed without providing a substitute.

LORD REDESDALE said, he did not necessarily insist upon enforcing the principle he sought to lay down in the manner proposed by this Bill. Some other security against the interruption of the

traffic might be devised. It should be remembered that the persons most likely to take the extreme step of seizing the plant of a railway, and so stopping the traffic, were those who had lent money to the railway recklessly, knowing that that would be a very effectual way of forcing the company to settle their claims. If this mode of enforcing their claims were taken away, such persons would be more careful in their inquiries as to the solvency of the company. Great inconvenience would be caused to the public by the stoppage of traffic, and the question was, whether the public or the creditors ought to have the greatest consideration. He thought the public should have the preference in the sight of the Legislature.

EARL GRANVILLE said, he desired to know what view the Government took of the Bill. It seemed to him a very strong step to deprive creditors of their only security, and one which induced a company to make every exertion to meet its obligations. He was willing to agree to the second reading on the understanding that the details would be carefully considered hereafter.

THE EARL OF DERBY said, the Bill was not a Government measure, but, for his own part, he thought there was fair ground for the adoption of the principle that the public should not be deprived of the only means of traffic which in many cases they possessed. The consequences of a seizure by a creditor of the plant of a company would not fall so heavily upon the company as upon the public generally. He thought sufficient had been shown for the adoption of the principle of the measure, and probably modifications might be introduced into the Bill in Committee to meet the objections of noble Lords opposite.

LORD STANLEY OF ALDERLEY took the same view of the measure as his noble Friend (Lord Cranworth).

Motion agreed to.

MARRIAGES (SYDMONTON) BILL.

(The Bishop of Oxford.)

(No. 141.) SECOND READING.

Order of the Day for the Second Reading read.

THE BISHOP OF OXFORD, in moving the second reading of this Bill, said, that its object was to provide for the legalization of certain marriages in the diocese of Winchester, and he had undertaken to move the second reading, in the absence of his right rev. Friend. It appeared that a

church had been rebuilt at Sydmonton, nearly on the site of the old church, and it was supposed on that account that it stood in every respect in the character of the old parish church; but this view was not altogether in conformity with the law ecclesiastical as decided by Dr. Lushington, the site of the Communion table having been changed. It was necessary to consecrate the new church, and a certain number of marriages having been solemnized in it before consecration, the object of the Bill was to legalize those marriages.

Moved, "That the Bill be now read 2^a."
—(*The Bishop of Oxford.*)

LORD CRANWORTH suggested, whether it would not be better to frame one general measure applying to all places where similar circumstances had arisen.

THE BISHOP OF OXFORD said, he had not the slightest objection to extend the retrospective part of the Bill, but he would seriously object to alter the law ecclesiastical by a clause introduced by a side-wind into a Bill of this kind.

Motion agreed to.

Bill read 2^a, and committed to a Committee of the Whole House on *Thursday* next.

House adjourned at Six o'clock,
to Thursday next, half past
Ten o'clock.

HOUSE OF LORDS,

Thursday, July 12, 1866.

MINUTES.]—SELECT COMMITTEE—On Glebe Lands (Scotland) *nominated*.

PUBLIC BILLS.—*Report*—Law of Capital Punishment Amendment (189).

Withdrawn—Administration of Justice Chancery Amendment (169); Statute Law Revision (154); Judicial Committee of the Privy Council (186).

COLLISION OF H.M.S. "AMAZON" AND THE "RAINBOW."—QUESTION.

THE EARL OF HARDWICKE said, he had a Question of some importance to ask, but he hardly knew to whom he could address it, as a new Government sat on the Treasury Benches, and the noble Duke (the Duke of Somerset) who lately presided at the Admiralty did so no longer, and was now absent from the House. He therefore begged their Lordships would forgive him if, under the circumstances, he addressed his Question to an imaginary

person. During the Administration of the noble Duke a great many experiments were made—the noble Duke was a great experimentalist—but the results of some of his experiments were not known, although they must be of course of great importance to the country. The last experiment was firing with conoidal-headed shot, at 200 yards, against a turret; but whether the experiment was successful in destroying the turret or not he could not say; but there was another experiment which had been made for the noble Duke the other day—namely, as to the efficiency of what was called the ram-bow, which was intended to strike ships and sink them. The experiment was tried in the Channel; the result was terrible, but it was as disastrous to the conqueror as the conquered, at the same moment she destroyed the stricken ship she was destroyed herself. This appeared to him sufficient to direct the attention of Government to this construction of vessel. It was clear that either the principle was wrong, and that reaction operated against the striking vessel, or else that the carpentry of the *Amazon* was so bad that when she separated from the other ship she had a large hole in her bow, and sank immediately. It was well, perhaps, that this experiment had been made, although it had led to loss of life on board one vessel, and of the ships in both cases; but if it had not taken place they would never have known what description of vessel they were constructing, or what sort of carpentry was being put in their new ships. He trusted the Government would not fail to learn the lesson this disaster taught.

THE EARL OF ORKNEY said, the Commander of the *Amazon*, Captain Hunter, was well known to him, and he was certain that the disaster was not attributable to any negligence on his part, and that he had after it occurred done everything that was possible for the rescue of life.

LAW OF CAPITAL PUNISHMENT AMENDMENT BILL—(No 189.)

(*The Lord Cranworth.*)

REPORT OF AMENDMENTS.

Amendments *reported* (according to Order).

LORD CRANWORTH said, he had to move certain Amendments, without which it was possible that the Bill would give rise to difficulties in executing the extradition treaties with the United States,

France, and Denmark. Among the crimes for which persons were to be delivered up to those countries was that of "murder," but not that of "manslaughter." Now if the meaning of the word "murder" were to be changed in any degree, questions would arise concerning the legality of delivering up certain persons now handed over to the officers of justice of those countries. He, therefore, proposed to insert a clause to the effect that nothing in this Act shall be deemed to alter or affect the word or meaning of the word "murder" as far as the treaties in question are concerned.

Amendment agreed to.

Further Amendments made; Bill to be read 3^a To-morrow; and to be printed, as amended. (No. 189.)

ADMINISTRATION OF JUSTICE CHANCERY AMENDMENT BILL—(No. 169.)
(The Lord Cranworth.)

SECOND READING. BILL WITHDRAWN.

Order of the Day for the Second Reading read.

LORD CRANWORTH, in moving the second reading of the Bill, said, that all the original business of the Court of Chancery, or nearly all of it, was disposed of either by the Master of the Rolls or by the three Vice Chancellors, all having a concurrent jurisdiction. From their decisions an appeal lay to the Court of Appeal in Chancery, which consisted of the Lord Chancellor and the Lords Justices of Appeal; the appeal might be carried either to the Lord Chancellor alone, or to the two Lords Justices, or to all three together. The Master of the Rolls was an officer of the highest rank in Chancery, being next to the Lord Chancellor. From his decision there was an appeal to the Lords Justices, who in rank were very much below the Master of the Rolls. There was therefore an anomaly in the appeal from the Court of a Judge of a higher rank to a Court composed of Judges of a lower rank. This was an anomaly which it was desirable to get rid of. Moreover, he held that the administration of justice in the Court of Chancery would be rendered much more harmonious if the original jurisdiction were exercised by functionaries bearing the same name and of the same character. What he proposed was that the Master of the Rolls should be *ex officio* senior Lord Justice, and that his place, whenever a vacancy

should occur, should be filled up by a new Vice Chancellor, with the same powers, and the same salary, and the same duty as the other Vice Chancellors. He had communicated with the Lords Justices and the Master of the Rolls, and they both agreed in the wisdom of the proposal. By this means £1,000 a year would be saved to the country, seeing that the salary of the Master of the Rolls and of the Lords Justices was £6,000, while that of a Vice Chancellor was £5,000 a year. The various clerks forming the staff of the Master of the Rolls would be transferred to the office of the new Vice Chancellor.

Moved, "That the Bill be now read 2^a."
—(The Lord Cranworth.)

THE LORD CHANCELLOR said, he always was very reluctant to oppose any measure which his noble and learned Friend introduced, because he was disposed to rely upon his noble and learned Friend's judgment rather than upon his own; but after fully considering the provisions of this Bill, he felt that he could not assent to them. The object and effect of the Bill was virtually to abolish the office of the Master of the Rolls—the name and title would no doubt remain, but the office itself would be nothing. The office of Master of the Rolls was one of the highest antiquity—the creation of it dated from the Reign of Edward I., and he was intrusted with the exercise of most important functions. This Bill, if passed, would virtually abolish the office. The proposition of his noble and learned Friend was based entirely on this—that the Lords Justices being inferior in rank to the Master of the Rolls it was anomalous that there should be an appeal from the superior Judge to Judges inferior in rank. But at the time when the Act of 1851 creating the Lords Justices was passed, all this must have been in the contemplation of the Legislature, because by that Act the Lords Justices were placed in the table of precedence next below the Lord Chief Baron, and consequently below the Master of the Rolls, whose rank was between the two Chief Justices; but the Lords Justices had the same jurisdiction given to them as was exercised by the Lord Chancellor. Now, the Lord Chancellor entertained appeals from the Master of the Rolls, and of course the Legislature had given to the Lords Justices the power of hearing appeals from the Master of the Rolls. It might be said that the Bill did not propose to abolish the jurisdiction of the Master of

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the Rolls, because the 7th section provided that he should exercise an original jurisdiction if it should be expedient for him so to do. But the moment he became one of the Lords Justices all possibility of exercising an original jurisdiction would be practically at an end. It was said that the proposed change would effect a saving of £1,000 a year; but it should be remembered that attached to the office of Master of the Rolls there was a large staff of secretaries and clerks, many of which would become sinecures, if the Master of the Rolls were made a Lord Justice, and these persons would have to be provided for. His noble and learned Friend (Lord Cranworth) had intimated that the Master of the Rolls had no objection to the present Bill; but he (the Lord Chancellor) believed that on re-consideration his noble and learned Friend had come to the conclusion that the Bill ought not to pass. He trusted the second reading of the Bill would not be pressed, but if it should be, it was his intention to vote against it.

LORD ST. LEONARDS also objected to the Bill. The principle upon which it was founded seemed to be that an appeal from the Master of the Rolls to the Lords Justices was an appeal from a superior to an inferior tribunal. But such was not the case, for the appeal was intended to be to the Lord Chancellor and the two Lords Justices. The intention originally was that the Lord Chancellor should preside more frequently in the Court than had been the custom of late. The anomaly, if there was one, might be easily got over by simply enacting that in case of appeals from the Master of the Rolls the Lord Chancellor should always preside in the Court; or it might be remedied more simply still by an enactment placing the precedence of the Lords Justices before that of the Master of the Rolls.

LORD KINGSDOWN understood the object of the Bill was to curtail the number of appeals that came up to their Lordships' House; because it had been found, unfortunately, that since the appointment of the Lords Justices the number of these appeals had not been seriously diminished.

LORD ROMILLY said, when his noble and learned Friend the late Lord Chancellor wrote to him last year to ask whether he would approve such a measure, he stated, in reply, that he put himself entirely in the hands of his noble and learned Friend, because he felt himself too much interested personally to think of exercising

any judgment on the subject: he was, therefore, he said, prepared to assent willingly to the change if his noble and learned Friend thought it desirable. Afterwards his noble and learned Friend sent him a copy of the Bill. But upon perusing it he could not help seeing that its operation would be attended with considerable difficulty. It proposed to put an end altogether to the original jurisdiction of the Master of the Rolls, and would thus entirely paralyze the Office. Now, a very large portion of the original jurisdiction of the Master of the Rolls was over records and the transfer of those records from various parts of the country. It would be impossible, therefore, to put an end to the whole of the original jurisdiction. When he came to look into the original jurisdiction, it seemed a matter of so much difficulty and complication that he wrote to his hon. and learned Friend to suggest that he should not press the Bill. That was the position which he occupied, and which he desired to explain to their Lordships.

LORD CRANWORTH, in reply, said, that the object of the Bill was to have the business of the inferior court disposed of by four Vice Chancellors, instead of three Vice Chancellors and the Master of the Rolls, and to make the Master of the Rolls *ex officio* one of the Lords Justices in the intermediate court. As to the operation of the Bill being an infringement upon the old and highly honourable duties of the Master of the Rolls, that was not his intention, nor did he think it would be the effect of the Bill. He had endeavoured to guard the measure against such an objection, and the language originally employed having been insufficient to effect this object, it had been so altered that he expected it was in this respect entirely satisfactory. The Master of the Rolls now discharged the duties of a Vice Chancellor plus the duties of the Master of the Rolls other than his judicial duties; and what was sought to be effected by the Bill was that he should discharge the duties of one of the Lords Justices equally plus the non-judicial duties of the Master of the Rolls. He did not wish to raise any question of personal rank, his chief aim being to put all the Judges of original jurisdiction on an equal footing. It was quite right that the Master of the Rolls should be at the head of the Lords Justices Court, but he would still discharge the duties of his office just as he at present discharged those of an inferior

Judge; while he would still continue to discharge the duties of the Master of the Rolls. It seemed to him that it would be the more convenient, harmonious, and constitutional arrangement that the court should consist of the Lord Chancellor at its head, the Master of the Rolls and his brother Lords Justices, and four Vice Chancellors. The suggestion that certain offices under the Master of the Rolls would on the transfer of his jurisdiction to one of the Vice Chancellors become sinecures, was inconsistent with the proposal that the officers should be retained to discharge the duties of the office of the Master of the Rolls as one of the Lords Justices. However, as the noble and learned Lord on the Woolsack opposed the measure on the part of the Government, he would not put the House to the trouble of dividing.

On Question; *Resolved in the Negative*; Bill (by Leave of the House) *withdrawn*.

STATUTE LAW REVISION BILL.

(*The Lord Cranworth.*)

(NO. 154.) BILL WITHDRAWN.

Order of the Day for the Second Reading read.

LORD CRANWORTH stated that he had deemed it his duty to introduce the Bill while he held the Great Seal, in order to complete the work of his predecessors; Lord Campbell having revised the statutes from 1770 to 1850, and Lord Westbury those anterior to the Revolution, so that there remained the intermediate period between 1688 and 1770. This Bill was not perfect; it did not contain the statutes relating to the National Debt; and since the change of Government he had seen Lord Westbury, who was willing to continue the work he had begun. He, therefore, moved that the order for the second reading be discharged.

Motion agreed to.

Order *discharged*; Bill (by Leave of the House) *withdrawn*.

JUDICIAL COMMITTEE OF THE PRIVY COUNCIL BILL—(No. 186.)

(*The Lord Cranworth.*)

BILL WITHDRAWN.

Order of the Day for the Second Reading read.

THE LORD CHANCELLOR said, the Bill, the object of which was to secure a more regular attendance at the sittings of the Judicial Committee of the Privy

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Council, was one of considerable importance, and it was quite impossible it could receive proper consideration this Session. He, therefore, trusted his noble Friend (Lord Cranworth) would not deem it his duty to press it, but would be satisfied with having laid it on the table, so as to enable their Lordships to consider it during the recess.

LORD CRANWORTH said, he had introduced the Bill under a pressing sense of duty, believing that the changes it proposed were essential to the due administration of justice. The proposal which he had formerly made was that certain Judges should attend *ex officio* at all times, and that such Judges should be entitled to a pension at the end of ten instead of fifteen years. For his own part he did not know of any better plan; but, as his noble and learned Friend did not take the same view, he would consent to withdraw the Bill.

LORD KINGSDOWN thought that it would be better not to discuss the Bill at the present time.

Order *discharged*; Bill (by Leave of the House) *withdrawn*.

GLEBE LANDS (SCOTLAND) BILL.

Select Committee on: The Lords following were named of the Committee: The Committee to meet *To-morrow*, at Three o'clock; and to appoint their own Chairman:

D. Richmond	L. Sundridge
E. Doncaster	L. Rosebery
E. Airlie	L. Rossie
E. Graham	L. Hamilton
E. Mansfield	L. Panmure
E. Zetland	L. Strathspey
L. Polwarth	

House adjourned at half past Six o'clock, till *To-morrow*, half past Ten o'clock.

HOUSE OF LORDS,

Friday, July 13, 1866.

MINUTES.]—PUBLIC BILLS—*Second Reading*—Carriage and Deposit of Dangerous Goods* (159).

Report of Select Committee—Glebe Lands (Scotland)* (191).

Committee—Crown Lands* (192).

Report—Glebe Lands (Scotland)* (190); Crown Lands* (192).

Third Reading—Law of Capital Punishment Amendment (166), and *passed*.

THE FACTORY ACTS.—QUESTION.

THE EARL OF SHAFTESBURY : As I see my noble Friend at the head of the Government (the Earl of Derby) in his place, perhaps he will allow me to put a Question of which I have given him private notice. A short time ago I asked the noble Earl then at the head of the Administration, whether it was the intention of the Government to introduce a Bill founded upon the recommendations of the Commission appointed to inquire into the expediency of extending the operation of the Factory Acts to women and children engaged in certain trades and manufactures not at present protected by them. The noble Earl replied that it was his intention to bring in such a Bill. Since then a great deal of valuable time has been lost ; and perhaps your Lordships will allow me to say a few words with the view of showing the great importance of the question. Since the Factory Acts have been passed between 600,000 or 700,000 persons have been brought under their operation. Subsequently a Commission was appointed to consider the condition of women and children employed in manufactures to which those Acts did not apply. In 1862 another Commission was constituted, and in 1864 certain measures were propounded with the object of bringing under the protection of the Factory Acts about 40,000 or 50,000 persons in addition. There were, however, still no fewer than 1,400,000 women and young persons who were not, but who ought to be, placed under the operation of the Acts. These people are toiling from daybreak till night, and many of them through the night. The labour in which they are engaged is most oppressive. They are shut out from every domestic comfort and enjoyment, and the children are debarred from all hope of education. I think my noble Friend will admit the subject to be of so much importance as to deserve the attention of Her Majesty's Government. Should my noble Friend state that the Government will not be able to bring in a Bill this Session, I trust he will assure your Lordships that during the recess these great interests shall be taken into consideration.

THE EARL OF DERBY : I quite admit the importance of the subject referred to by my noble Friend, whose exertions with reference to this subject have been productive of very great benefit. Immediately upon receiving the private communication

which my noble Friend was good enough to give me, I sent to the Home Office to ascertain whether any Bill upon the subject was in the course of preparation. I understand that such a Bill is in course of preparation, but that at present it is in so imperfect a state that it would be impossible to introduce it during the present Session. The question has already engaged the attention of the Secretary of State for the Home Department, who informs me that it is so large and so important that he thinks that any attempt to deal with it hastily would be productive of more evil than good. The question will engage the attention of the Government during the approaching recess ; but my noble Friend is perfectly aware that it will be necessary for us to proceed with the utmost possible caution. I can say, for myself and my Colleagues, that the success of previous measures for the curtailment of labour will stimulate us to attempt further legislation in the same direction.

BREECH LOADING RIFLES.—QUESTION.

EARL DE GREY : I rise for the purpose of putting a Question to the noble Earl the Under Secretary of State for War (the Earl of Longford), of which I have given him private notice. It relates to a subject which is of much importance and interest at the present time. I wish to ascertain from him what is the present condition of the supply of breech-loading rifles to the army ; and I feel assured that your Lordships will excuse me if I interpose for a few moments some remarks on a subject with regard to which I have long taken great interest. Two years ago, while I had the honour of holding the seals of the War Department, I took steps to provide breech-loading rifles for the army ; and on the present occasion I have the less hesitation in directing attention to the subject, because of the generous manner in which the right hon. and gallant Gentleman the present Secretary of State for War (General Peel) spoke of the labours of his predecessors in the remarks which he addressed the other day to his constituents at Huntingdon. I am thus relieved from the necessity of troubling your Lordships with a vindication of the course taken with reference to this subject by the late Government. It is, however, very important that your Lordships and the public should be accurately informed as to the present state of this question, and as to the prospect which

we have of obtaining an efficient breech-loading arm ; and therefore I shall be glad to hear from the noble Earl any particulars which he thinks may be given consistently with the requirements of the public service. I wish especially to know whether I am correct in supposing that the breech-loading arm into which the existing Enfields are being largely converted is an arm constructed upon the system invented by Mr. Snider, with regard to which very favourable reports were received from the Ordnance Select Committee before I left the War Department. Those reports led us to hope that by conversion on that system we should obtain an arm possessed not only of equal, but of better shooting qualities than the present Enfield ; that we should have an arm capable of being loaded at the breech with rapidity and ease ; and also that we should have—what I conceive to be of great importance—a cartridge which would get rid of the necessity of capping, or, in other words, one which carried its own ignition—the cartridge being the improved cartridge of Lieutenant Colonel Boxer. I shall also be glad to learn from the noble Earl to what extent the conversion is going on, at what rate the supply is likely to be delivered, and to what extent the application which I understand was made to the gun trade has been responded to? But, my Lords, there is another question, and one of a more general character, involved in this matter, and on which also I wish to receive some information. In the year 1864, a committee of distinguished officers was appointed by me to inquire into the best mode of arming our infantry, and the subject has ever since been under careful consideration. It became the duty of the Government when the report of that committee was received to determine upon which principle we should proceed—whether we should wait till a perfect arm had been produced on the most scientific principles, in spite of many competitions and considerable delay involved in that course ; or whether we should convert the existing arms into breech-loaders, under cover of which we might further consider the larger and more important question. Your Lordships are aware that Her Majesty's late Government determined to adopt the latter course. Now, I am desirous to ascertain the course the present Government is likely to pursue, both as to the matter of converting the existing arms, and as to the other and more general question. The army is entitled to have the best arm

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science can supply. The inquiry ought to be extended not only to the question of loading at the breech, but to the character of the cartridge, the mode of ignition, and to those points suggested by the use of what are called the revolving or repeating arms. This is a matter for grave consideration, requiring the exercise of great caution and care. I trust I shall hear from the noble Earl that measures are being taken for the conversion of the existing arm ; and secondly, that the wider and more general question will receive the attention it deserves at the hands of Her Majesty's Government.

THE EARL OF LONGFORD : My Lords, the former connection of the noble Earl with the War Department fully justifies the great interest he takes in the question of supplying the army with breech-loading small arms. The noble Earl has adverted to the course pursued by the Government in office two years ago, and their choice between adopting a thoroughly new arm and the conversion of the existing arm into breech-loaders. Their decision was, to a certain extent, determined by the large number of Enfield rifles then in the possession of the War Department ; and they proceeded with the conversion of the old arms in preference to waiting till an entirely new weapon should be decided upon. They succeeded after a course of experiments—not very quickly conducted owing to the difficulties with which the subject was surrounded—in selecting what I believe to be an excellent arm, simple in construction and carrying an excellent cartridge, which ignites without a separate cap being necessary. The cost of conversion was computed to be about £1 each weapon, but after a while it is believed this expenditure will be somewhat reduced. There are 600,000 arms in hand capable of being so converted. The late Government, just previous to leaving office, made arrangements for the conversion of 40,000 of these arms by the end of the military year, which expires on the 31st of March. Two years ago we were satisfied that we were in possession of a tolerably good arm, in the use of which the army, both regular and auxiliary, had acquired a great degree of skill, and the circumstances of the time were not urgent. Since then, however, the aspect of affairs has changed, and it is necessary that no delay should be allowed in providing the army with breech-loaders. Accordingly, on the present Government succeeding to office, arrangements were made for delivering to the army some-

thing like 150,000 breech-loaders by the 31st of March, partly by the extension of the Government factory at Enfield, and partly by accepting a considerable contract from an eminent firm in the private trade; while other contracts have been invited by the Secretary of State for War, who is not without hope that satisfactory tenders will be received. After the 31st of March the facilities for the conversion of the present weapon will be much greater than they now are, as by that time the alterations of machinery will be completed, and the factory at Enfield will be in full working order. Some impatience has been expressed at the time occupied by the experiments which have been carried on; and I have myself expressed some impatience on the subject; but what I have said now will, I hope, satisfy the House that no time has really been lost, and that neither the present Government nor their predecessors have been unmindful of the national importance of the question.

THE DUKE OF CAMBRIDGE: My Lords, I heartily endorse all that has been said by the noble Earls on each side in reference to the present subject. During the progress of the trials which have been adverted to I have been in constant communication with Earl de Grey and the Marquess of Hartington, and since the change of Government with General Peel, the present Secretary for War. The importance of supplying the army with the best possible small arm has long been felt by Her Majesty's Government, and the subject has received from them considerable attention. No delay has arisen beyond what was necessary in order to avoid any serious mistake, and to endeavour to obtain the best possible arm under the circumstances. This may seem a very simple matter; but if your Lordships were aware of the difficulties to be encountered and the extent of the trials necessary to enable a sound conclusion to be arrived at, you would not be surprised at the delay which has occurred. If the Government should have made a mistake and adopted a bad arm, I am quite sure that your Lordships and the country would have been dissatisfied with the decision. The other question is, perhaps, one of more importance—namely, whether conversion of the old arm into breech-loaders, or the adoption of an entirely new arm was the wiser course to be taken. There could be no doubt that a breech-loading Enfield would be a better

arm than the muzzle-loading Enfield, and I think there could be no question that the first thing to be done was to convert the existing Enfields into breech-loaders. But it should be borne in mind that by resorting to conversion in the first instance, by which we could avail ourselves of the arm we already possessed, we gained time, without, however, pronouncing the converted arm to be the best obtainable. That is a question to be decided hereafter. Its determination must necessarily involve frequent experiments and considerable delay, and yet not a moment's delay could be allowed; and therefore the present conversion is the right thing at the present moment. I am glad to have the opportunity of making these remarks, and I wish now to say a word or two on a subject which has lately attracted considerable attention. I refer to the needle-gun used by the Prussian army. I believe it will be found that this gun, as a breech-loader, is not the best form of breech-loader; but, notwithstanding its demerits, it is so far superior to the muzzle-loaders that it produced results hitherto unparalleled. It is well that this should be known; because, otherwise, an impression might go forth that the conversion now going on is not as desirable as the immediate adoption of the Prussian arm would be. I believe that no one who has paid attention to the subject of small arms will differ from me in the opinion I venture to express that other breech-loaders of which we know are much superior to this special arm with which the Prussian army is entirely provided. Under these circumstances I believe your Lordships will not think that any mistake has been made in resorting to the conversion of our existing arm; and I am happy to know that this conversion is going on as fast as possible. The change of Government took place at a moment when this question was uppermost in the minds of the War Department, and I have no doubt that the late Minister for War intended to go beyond what he had already ordered. I am therefore persuaded that your Lordships will be satisfied that everyone has endeavoured, as far as lay in his power, to give our troops, as rapidly as possible, the best arm obtainable under the circumstances. Undoubtedly, it would be a disgrace to us if we did not secure for our troops the very best arm the world can furnish; but in justification of the delay which has occurred—during which, however, we have not been unmindful of the

importance of the subject, I may remind your Lordships that no other country but Prussia — not France, nor Russia, nor Austria — nor, indeed, any country possessing a large army, has armed its troops with breech-loaders. This will account for a certain amount of hesitation in adopting measures which recent events prove to be indispensable.

THE EARL OF DALHOUSIE : I quite concur in what has fallen from the noble Earl opposite (Earl de Grey), and highly approve the course which has been taken in altering as quickly as possible the present Enfield rifle into a breech-loading arm. It is, however, quite evident that this can only be a temporary arrangement; for it is plain to all who have examined the subject that great improvements may still be made, and that we must provide the whole army with a breech-loading rifle. It is, therefore, essentially necessary that no time should be lost in arriving at a conclusion on the subject. This will be the work of what is called the Ordnance Committee. I do not think that the Ordnance Committee is the proper body to determine this question, which is assuming greater importance every day. It is well worthy the consideration of the Secretary for War whether this subject should not be laid before a Special Committee, consisting of officers commanding those regiments which have obtained the highest number of marks for shooting, assisted by several gentlemen who in private life have turned their attention to the improvement of breech-loading small arms. I take this opportunity of throwing out such a suggestion, as I feel assured that the right hon. and gallant Officer at the head of the War Office will make every effort to place the best arm that can be obtained in the hands of our troops.

BISHOPRICS OF CAPE TOWN, ADELAIDE, AND BRITISH COLUMBIA.

WITHDRAWAL OF NOTICE.

THE BISHOP OF LONDON said, he desired to call their Lordships' attention to the notice given by the most rev. Primate of the Northern Province to move —

"That a Select Committee be appointed to consider the connection of the Colonial Church with the Church at Home; and to move that the Petition presented from Miss Angela Burdett Coutts in reference to certain Bishoprics of the united Church of England and Ireland in Her

Majesty's Colonies may be referred to the said Committee."

He had been requested by his most rev. Brother to explain the course which he intended to pursue in reference to that Motion. Their Lordships would recollect that when this question was brought before the House, some few weeks since, a general impression existed that the matter was of so complicated and so delicate a nature that it would be impossible to deal with it in any comprehensive way without previously submitting the subject to a Select Committee; and accordingly the most rev. Prelate gave notice of his intention to move for the appointment of a Select Committee to inquire into the connection of the Colonial Church with the Church at home. He was now instructed to say, on behalf of that most rev. Prelate, that, owing to the delay which had unavoidably taken place in consequence of recent events, it was impossible that any legislation upon this subject could be proceeded with during the short remainder of the Session, and that, therefore, he was desirous of withdrawing his Motion, and of expressing a wish that all proceedings in the matter should be postponed until next Session. However, their Lordships were doubtless aware that a Bill having reference to this subject had been lately introduced into the other House of Parliament, and in the event of that Bill coming before their Lordships for discussion during the present Session, his most rev. Friend would again ask that the question should be referred to a Select Committee. There were two reasons alleged for speed in legislating upon this complicated subject. The first was founded upon the fact that several bishoprics had been vacant for a long time, and could not be filled up while the present uncertainty existed with reference to the validity of letters patent. He held in his hand two letters, one from a Colonial Bishop who had lately resigned his see, and another from the expectant Bishop who had been appointed to a vacant see, in which both parties expressed great anxiety that the consecrations should take place with as little delay as possible. There was no reason, however, why the same course should not be adopted in these instances as was followed in the case of the vacant bishopric of Rupert's Land, which had been filled up, without letters patent, under a Royal licence to the Archbishop of Canterbury to proceed with the consecration of the new Bishop. In the cases

he alluded to—namely, the sees of Victoria, Hong Kong, and of Nelson, in New Zealand, there was no reason why this course should not be adopted. The second reason why it was supposed that legislation was required immediately arose from the construction of a clause in the 59 *Geo. III. c. 60*, which appeared to invalidate the right of clergy ordained for the colonies to officiate in the character of curates or incumbents in the United Kingdom; whereas the whole intention of that clause was to prevent persons who had resigned their sees from still continuing to exercise their functions as if they remained in possession of their offices. This construction of the Act appeared to impose a very great hardship upon the clergy ordained by Colonial Bishops; but nothing would be more simple than to introduce a very short Act by which any hardship arising out of that clause might be remedied, and he had taken the liberty of drawing up a short Bill, which he would lay before their Lordships merely for the purpose of having it printed, in order to show how easily the matter might be dealt with. The other evils which had been referred to when the question was before their Lordships on a former occasion were very considerable; but, at the same time, they were so complicated, and involved so many difficult considerations, that it would be impossible to proceed to a full discussion of them until a great deal of information affecting them had been collected by a Select Committee. In the event of the subject dropping, he would withdraw the notice which his most rev. Friend (the Archbishop of York) had placed upon the paper; but in the event of the matter going on he would postpone the notice for a week.

LORD ST. LEONARDS then rose to move a humble Address to Her Majesty, that there might be laid on the table of the House Copies of all Documents, Declarations of Trust, Correspondence, and Acts of Colonial Legislation relating to the endowment by Miss Burdett Coutts of several Colonial Bishoprics, with a view to show to whom the several sums advanced by Miss Burdett Coutts for the establishment of Colonial Bishops were paid, and under whose authority and on what trusts, or upon what conditions, and how and by whom, the same were applied, and in the purchase of what property or in the investment of what funds the same are now vested, and in whose names the same now

stand or are vested, and upon what trusts, either declared by the Colonial Bishops and others for whose benefit the money was advanced, or by the Act of any of the Colonial Legislatures, or any other authority. The noble and learned Lord proceeded to say that the case of Miss Burdett Coutts was different from that of any ordinary subscriber to public institutions. She regarded herself as the trustee of a portion of her income for the promotion of certain good objects, and when she had subscribed £60,000 for the endowment of colonial bishoprics, she did not do so without feeling that it was her bounden duty to see that the trust was performed. As long as these endowments answered the purposes for which they were given, and worked for the benefit of the United Church of England and Ireland, Miss Coutts was, of course, perfectly contented. And it must be remembered that in subscribing the money she acted under the sanction of the highest authorities, for the letters patent were granted with the approval of the Lord Chancellor and Law Officers of the Crown, as well as of the Bishops. To say, therefore, that she had made a mistake was hardly just, for no one could have supposed at that time that these bishoprics were not established on the firmest basis. Every one at that time agreed that such Bishops had ecclesiastical jurisdiction over the Churches in the colonies, and that they were in close connection with the Mother Church. It was upon that ground, and that ground alone, that Miss Coutts had subscribed the large sum of £60,000. But since that time a vast change had taken place—all the ideas then entertained as to the state of the law on the subject had turned out to be unfounded. Every one now knew how the law really stood, and he thought, therefore, that for a Committee of their Lordships to inquire into that point would be a mere waste of time. The law was that where Colonial Legislatures existed, the Crown by its own power alone could not grant letters patent giving Bishops jurisdiction over the Church in those colonies. The Church in such colonies was a voluntary association, and was on the same footing as the Wesleyans or any other denomination of Dissenters. The intention of the lady who founded these bishoprics was that the relation between the Church and the State in the colonies should be maintained, and that the Royal supremacy in matters ecclesiastical should be upheld; and she was

naturally aggrieved when she found that these Bishops were not Bishops in the sense of possessing the slightest authority beyond what might be voluntarily accorded to them ; that the Colonial Churches were not subject to the supremacy of the Crown, and that they might hold whatever doctrines they pleased. Miss Coutts was entitled to say that these Bishops were not the Bishops she intended to endow, that is, they did not hold the position which was represented to her, and therefore the money ought to be returned to her, unless they could confer on the Colonial Bishops the same standing, and position, in all respects as the Bishops at home enjoyed. Miss Coutts, of course, did not desire to have the money returned to her if her original object could be carried out ; but she protested against its appropriation to any kind of bishoprics other than such as Her Majesty's letters patent were originally believed to have created, and under which the respective Bishops received their consecration. The endowments ought certainly in all justice to fall back to her, unless the bishoprics were of the same force in all respects as they were supposed to be at the time she endowed them. He would read to their Lordships the lady's own account of what she claimed in her petition to the Queen—

"I am desirous to record my most emphatic protest against my endowments being appropriated to any kind of bishopric other than such as Her Majesty's letters patent purposed when the respective Bishops received their consecration."

She then presses the Government to take measures to make good the patents. She continues—

"If, on the other hand, no legal means can be devised for making good the failure, then I must claim for myself and my heirs the endowments which I undertook to provide on the faith of the validity of the public acts of the Crown and the Church of England."

Nothing could be more just. He would now call their Lordships' attention to the conduct pursued by the Colonial Bishops after the decision of the Privy Council had been given. After those decisions had been pronounced the Colonial Bishops took steps, every one of which was directly contrary to what might have been expected from them. After the endowments had been secured by acts of the Colonial Legislatures, the Bishops of New Zealand presented a petition stating in effect that they had received their endowments, but as they considered that they

were merely volunteer Bishops, they craved leave to surrender their patents and to rely in future upon the powers of their official position, and to be allowed amongst other things to consecrate their successors independently of the Crown ; and they stated also that, in conjunction with the representations of the clergy and laity of their respective dioceses, they had agreed upon a constitution for the Members of the United Church of England and Ireland by voluntary compact for the ordering and management of property, the promotion of discipline, and the maintenance of sound doctrine; they added that that constitution had been recognized by an Act of the Colonial Legislature, and that they had established tribunals for the removal of doubts. In their petition they expressed their conviction that the right of appointing Bishops was no part of the prerogative of the Crown, inasmuch as the bishoprics had been endowed from private resources. He wished to speak with respect and approbation of the conduct of those Bishops, if he could do so conscientiously ; but he could not help thinking that the course which they had taken would be disapproved of by every member of the Church. They declared it to be the inherent right of the Bishops of New Zealand to fill up vacancies in their own order without any letters patent or Royal mandate. What did the Government of New Zealand do ? The Council, what we should call the Cabinet Council, issued a Minute in August, 1865, in relation to the Bishops' petition, in which they expressed their opinion as to the status of the Colonial Bishops. The Minute said, that it having been established by the judgment of the Privy Council that the Crown had no authority over the Colonial branch of the Church of England it followed that the Crown ought not to incorporate bishoprics of that religious denomination by patent, except under the advice of the Colonial Ministers—advice which, of course, would not be given in the case of one religious body to the exclusion of others. This was their opinion. To ask now a Committee of this House to state what these relations were would be perfectly farcical. That had been settled by all the authorities, not merely settled by law, but it had been accepted by the Crown and the Church. It was, in fact, a *fait accompli*. The Colonial Bishops had no more claim to these endowments than he had. What, then, was to be done ? He should make the same appeal to his noble

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Friend (the Earl of Derby) as he should have addressed to his predecessors if still in office. A noble Lord who usually spoke from the cross-bench (Earl Grey) had said that the Imperial Legislature could by its own interest and paramount power rescind any improper Act of the Colonial Legislature; and from that it would seem the noble Earl meant to suggest that some strong measure of Parliament should be taken to place in a state of legality those patents which had been declared to be illegal. He entirely differed from that view. He agreed as to the right; but the Imperial Parliament would never exercise it except for the benefit of the colony or on some great national demand for justice. The present state of things arose out of the common mistake of all parties; and the present Bishops should not suffer. The late Government never intended to exercise the Imperial power to cure the evil; for they introduced a Bill in the other House to authorize the Colonial Bishops to surrender their patents. These Bishops were now left as a voluntary body—not higher or lower than the Wesleyans. It would be too hard to compel the colonies to accept the Bishops as holding ecclesiastical jurisdiction, and these Bishops are themselves unwilling to renounce their independence. He would leave to the present men the enjoyment of these endowments during their lives. After that he would exercise every power which belonged to Parliament and the Government of the country to compel them, if necessary, to yield up those endowments to those who furnished them for very different objects. Should the Government, after a deliberate consideration of the facts he had stated, be of opinion that right had not been done and that wrong had been done, it was their bounden duty as Ministers of the Crown to see that the wrong was put right. If the endowments are to be retained, ecclesiastical jurisdiction should be maintained. He blamed no one; he asked no hasty step; he sought no inconsiderate measure; he wanted nothing that would lead to litigation; but he called upon the Government of the colony to endeavour to meet the Government of this country in making an arrangement which would meet the justice of this case.

Moved, "That an humble Address be presented to Her Majesty, that there may be laid on the Table of the House, Copies of all Documents, Declarations of Trust, Correspondence, and Acts

of Colonial Legislation relating to the Endowment by Miss Burdett Coutts of several Colonial Bishoprics, with a view to show to whom the several Sums advanced by Miss Burdett Coutts for the Establishment of Colonial Bishops were paid, and under whose Authority and on what Trusts, or upon what Conditions, and how and by whom, the same were applied, and in the Purchase of what Property or in the Investment of what Funds the same are now vested, and in whose Names the same now stand or are vested, and upon what Trusts, either declared by the Colonial Bishops and others for whose Benefit the Money was advanced or by the Act of any of the Colonial Legislatures or any other Authority."—(*The Lord St. Leonards.*)

THE DUKE OF ARGYLL said, he thought the noble and learned Lord (Lord St. Leonards) had occupied the time of the House in dealing with a question which it was altogether premature to discuss, inasmuch as the conduct and position of these Colonial Bishops, who now sought to keep possession of funds which were given under circumstances so different and for purposes, he might say, so entirely different from those to which it was proposed to divert them, were the subjects of litigation in a Court of Law. No one could entertain a stronger hope than he did that the distinguished lady whose petition had been presented to the House about a month ago should receive satisfaction from the decision which those courts might arrive at; because he thought it perfectly clear that that lady, who, by an act of munificence almost unparalleled in the annals of private charity, had, with other subscribers, endowed certain bishoprics to be maintained strictly in connection with the Church of England, had a perfect right to complain that the endowments should be directed to other objects, and he sincerely hoped the litigation which had been instituted for their restitution would be successful. He must also express his regret that the right rev. Prelate (the Archbishop of York) should have practically withdrawn his Motion for a Committee of Inquiry, for he believed that, although the subject was no doubt a complicated one, and the Session would soon be at an end, a Committee would be enabled after a very few days' sitting to clear up many of those difficulties and misconceptions which gave it that character. It was, however, under any circumstances, quite clear that the Government could not during the present Session proceed with the measure which had been introduced by the late Government, and which was now pending in the other House of Parliament, or deal with the question by

a measure of their own. But be that as it might, he did not rise for the purpose of defending the provisions of the dead Bill of a defunct Administration, or to inquire whether it ought to be taken up by the present Administration, or whether they would or would not be able to carry it through this Session, for to do so would, in his opinion, be—notwithstanding what had fallen from the noble and learned Lord—a great waste of time. His chief object in rising was to express his own firm conviction that the time had come when Parliament must sever altogether the connection which had hitherto been suffered to exist between the Colonial Church and the Government of England—which was a thing entirely different from the severance of the Colonial Church from the Church in this country. What, he would ask, was the nature of the connection between the Colonial Church and the Government at home. The question was one which could hardly, he was afraid, be answered without having recourse to arguments and assumptions in which many Members of their Lordships' House might not concur. When the subject was discussed a month ago, the right rev. Prelate who presided over the diocese of Oxford, in a very able speech, which was virtually a defence of the principle of the measure then pending before the House of Commons, spoke of the Colonial Church as enjoying none of the advantages while being under what he called "the trammels" of the Establishment. His noble Friend (Lord Houghton) who sat on the Bench below him deprecated the use of the word "trammels," observing that those things which the right rev. Prelate looked upon as "trammels" he regarded as advantages. Now he (the Duke of Argyll), however, thought they might arrive at the truth on this matter without using expressions which involved any disputable propositions. He would even grant, for the sake of argument, that the Christian Church had no power, organization, or discipline whatsoever except such as it derived from the civil law. But what was to be done where, as in the case of the colonies, civil authority would have nothing to do with an Established Church or a *quasi*-religious Establishment? In this country the Established Church possessed great advantages as a consequence of the position which it occupied in regard to the State. Her chief Ministers were Members of their Lordships' House, and, besides, her disci-

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pline, though carried into effect by means of a machinery which was extremely cumbrous, was supported by law. The Church in the colonies, however, derived no assistance from the civil law. There was a determination on the part of the Colonial Legislatures not to afford aid to any body in the position, or *quasi*-position, of Church Establishments. Religious bodies, therefore, occupied in the colonies the position simply of voluntary associations. They were, so far as civil law is concerned, in a state, in fact, of absolute helplessness, and any government or discipline which they can ever have must be secured by their own voluntary action. This had been long known to those who had paid any attention to the subject; and when the question of law was brought before the Privy Council it was immediately seen that the idea that the Church in the Colonies enjoyed the same advantages as were enjoyed by the Church in England were based on an entire misconception of the facts, and the possibilities of the case. A good deal had been said upon what he (the Duke of Argyll) looked upon as the least important part of the judgment of the Privy Council—namely, the invalidity of the patents under which the Bishops were supposed to hold their sees; but the really important part of that decision was the declarations of constitutional principle which the judgment involved. He would, with the permission of the House, read a few sentences from that judgment, which their Lordships would see went to the root of the question, whether the Church in the colonies could have any other government than that voluntarily established by itself. The declaration of the Privy Council was as follows—and a more important declaration, he would venture to say, had never emanated even from that august tribunal:—

"The United Church of England and Ireland is not a part of the Constitution in any colonial settlement, nor can its authorities, or those who bear office in it, claim to be recognized by the law of the colony otherwise than as the members of a voluntary association."

Then came the following sentence:—

"It cannot be said that any ecclesiastical tribunal or jurisdiction is required in any colony or settlement where there is no Established Church, and in the case of a settled colony the ecclesiastical law of England cannot, for the same reason, be treated as part of the law which the settlers carried with them from the mother country."

That being so, the connection which had hitherto been supposed to exist between the Colonial Church and the Government of

the mother country had, it was clear, been swept away in all those colonies in which constitutional government had been established. He did wish to say a word on many of the clauses of the Bill of the late Government to which the noble and learned Lord had referred. They had been drawn up under the sanction of the Law Officers in order to meet legal doubts which were suffered to arise in reference to various points—such, for instance, as the validity of marriages. The necessity or expediency of these clauses would be investigated by the new Government, but to the general principle of the measure in which they were embraced there could, he thought, be no objection. What else, indeed, remained to be done? The attempt might be made to legalize the patents which had been found to be invalid. Parliament might go further and give to Colonial Churches the position of *quasi*-Establishments; ecclesiastical courts might be set on foot in the colonies with the necessary power and jurisdiction; but was any Government, he would like to know, prepared to enter on that course? In answer to the right rev. Prelate (the Bishop of Oxford), his noble Friend (Earl Grey), about a month ago, stated that it was perfectly within the power of this country to set up an Established Church in any of our colonies. Well, it was no doubt in the power of the Imperial Parliament to do so, just as it was in its power to pass the Stamp Act. We might by the help of armies and iron-clads force an Established Church upon the colonies, but he would venture to say that there was no measure which the colonial constitutional Governments would more vigorously, or, in his opinion, more justly resist. What was the only other course? It was precisely that which the late Government proposed—namely, to sever the connection, now become purely nominal and useless, between those Churches and the Government at home. He knew that that would appear to many noble Lords a very formidable step. What, they would ask, would then become of the Royal supremacy? Now, he agreed with the right rev. Prelate opposite (the Bishop of Oxford) that the expression “Royal supremacy” was one of the most delusive possible. He understood his right rev. Friend, when he said so, to mean that the Royal supremacy, which was invaluable at home, had no meaning in the colonies. But for his own part he believed that the “supremacy of the Crown” was

a form of expression which covered and included several ideas which were wholly distinct, some of which were of equal value in England, Scotland, Ireland, and all over the world; while others were of no value whatever, except as connected with the peculiar conditions of England. As a matter of historical fact there was not the slightest doubt that the assertion of the Royal supremacy was looked upon as the shortest and simplest way of negating the supremacy of the Pope. The Government and people of this country were determined to deny the supremacy of the Pope, and the most emphatic expression of that determination was the counter-assertion of the supremacy of the Crown. In illustration of this he might mention that the oath of supremacy was up to the time of William and Mary both affirmative and negative; but in that reign it was thought unnecessary to retain the affirmative part of the oath. In this sense the Colonial Churches might maintain the supremacy of the Crown if they chose to do so. But if they chose to submit to the supremacy of the Pope, as some eminent clergymen in the Church of England had already declared they were prepared to do, Parliament could not prevent them. If, as he believed, they were resolved to maintain their independence of the Pope, the supremacy of the Crown in that sense would be upheld as much as ever by the Colonial Churches. Then there was another meaning of the “supremacy of the Crown,” and that was that the Crown was the fountain of all coercive jurisdiction. In that sense the supremacy of the Crown was of universal application. No mere voluntary body, unsupported by the civil law, would have jurisdiction of that kind; they might eject members of their own body, and the Reform Club and the Carlton had coercive jurisdiction in the same sense. He had heard it suggested by some noble Lords that the Churches in the colonies might have a voluntary constitution under which they might agree that their appeals should still lie to the Privy Council. But he did not think that the Privy Council would consent to receive such appeals, any more than they would receive appeals from the Free Church of Scotland, or from the Wesleyan Methodists, or from any dissenting Church in this country. If, then, there were to be appeals to the Privy Council it could, he imagined, only be through the legislative action of the Colonial and the

Imperial Legislatures; and that he believed to be a course from which they were precluded by the circumstances in which they were placed. As regarded England, perhaps the most important meaning of the supremacy of the Crown, was the supremacy of lawyers over divines in the legal interpretation of the Articles. That was a meaning which was very seldom referred to by the clergy, and indeed it was a matter upon which opinion in the Church was very much divided. There were many persons who objected to the final court of appeal being composed entirely of laymen; but his own belief was that in the present condition of the Church of England, embracing as it did such varieties of opinion, it would not last a month if the judicial interpretation of its Articles were intrusted to the clergy. He could well understand that the Church of England and Parliament should guard most zealously the supremacy of the Crown in this sense, because it represented in their eyes the power of judicial interpretation, and was one of the securities for that comprehensiveness which belonged to the Church of England. But perhaps the most important of all the ideas and principles involved in the supremacy of the Crown was the power of the laity in the government of the Church. In the Church of England, as now constituted, there could be no Act framed—no change in its Articles—no legislation whatever in regard to it, without the assent and consent of Parliament; and, more than that, there could be no change in the legislation of the Church of England, except at the instance and by the initiation of the civil government. He would not enter into the question whether that was a state of things which was the best in the interests of Christian truth, but such was the existing constitution of the Established Church, and that constitution would be fundamentally changed if any alteration were made in this. But why should not the laity in the colonies assert the same rights and privileges in the government of their Church? There were already symptoms that the laity would do so. In consequence of the disputes now going on in the diocese of Natal and the metropolitan diocese of Cape Town, an association had been formed by the laity to protest against the action, which they considered irregular and tyrannical, of the Bishop of Cape Town. One of the objects of that association was to withstand any attempt at separation from the Church

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of England as by law established, and they stated that that step was necessitated by the course of action taken by the clergy in concert with the Bishop of Cape Town to subvert one of the principles of the Church of England as by law established. In this there was an appearance of just and constitutional jealousy in reference to synodical action being usurped exclusively by the clergy. The question undoubtedly was beset with difficulties, and in the present divided state of opinion in the Church he (the Duke of Argyll) believed it would be impossible with a free Church to maintain in one communion men so divided in opinion. He doubted even whether it was advantageous to the interests of Christian truth that those who so differed should be combined in the same ecclesiastical organization; but he trusted that Parliament and the laity and the country generally would not be deterred from allowing the Churches of the colonies full liberty and freedom by the unfortunate form which synodical action had taken in the Church at Cape Town. They proceeded there without any representation of the laity, so far as he understood, and the sentence pronounced was repugnant to the Christian sense of the world. He did not thus speak of the sentence as merely proposing to depose Bishop Colenso from his diocese, but as excommunicating him from all membership in the Christian Church, and denouncing him as a heathen and publican. He had often heard that sentence discussed, but never defended; and he would refer to what took place in the colony to show the effect of such a sentence upon the minds of the laity and the constituted authorities. Unless the civil government kept the ecclesiastical power in check there was a strong tendency to encroach on liberty. In this case the Dean of Natal was ordered by a Civil Court to give Bishop Colenso access to a registry in his own diocese; but the Dean would not, because he said the Bishop had ceased to be Bishop, and because he had been excommunicated. The Civil Court naturally and properly asserted the supremacy of the Crown, meaning thereby the supremacy of the civil power over the Church, which we might trust the colonies to assert, and this Civil Court insisted upon the Dean giving the Bishop access to those registries. The Dean, however, continued to refuse, and he was found guilty of contempt of court, one of the Judges however observing that they would not im-

prison him because they would not make a martyr of him. They did, however, place him under legal excommunication, the effect of which he understood was that he would not have access to the Civil Courts in any suit in which he might be interested. It was remarked that this civil excommunication would do the Dean more harm than spiritual excommunication would do Bishop Colenso. These were the feelings produced in the colonies by the outrageous form of the sentence passed on Bishop Colenso. The only course open to Her Majesty's Government was to terminate their nominal connection with the Colonial Churches, and to leave them by voluntary agreement to make constitutions for themselves, precisely as had been done in several instances. For example, in New Zealand, according to an Address to Her Majesty contained in papers lately laid before Parliament, the clergy and laity had met and agreed among themselves upon a constitution by which they would maintain discipline among their own members; they had done this as a voluntary body, and they desired nothing more than to be treated as such; they asked for the rescinding of a patent which professed to convey to them a power they did not possess; and they desired to be left to themselves to maintain their own liberties, discipline, and organization. Again, was there a more powerful and thriving religious community in the world than the Protestant Episcopal Church of the United States? In its constitution there was full and complete representation not only of the clergy but also of the laity; its opinions as regarded doctrine were, he believed, Conservative; and the constitution was found to work satisfactorily. He deeply regretted that a Committee was not to be moved for in this matter this Session, because he believed a short investigation would show that there was no choice but to cut entirely the connection which now existed between the Government and the Colonial Churches, which was powerless for good, but most powerful for evil, because it induced the laity to look for protection where none could be found, and because it prevented them from defending themselves against their clergy, or from supporting their clergy if they wished to do so by an efficient voluntary organization. Whenever such a Committee should be appointed he earnestly trusted that its members would not cast such a reproach upon the great communion to which the majority of that House

belonged, as to assume that it was incapable of using to its own advantage, and to the advantage of Christian truth, that perfect freedom from legal restraint which was the natural condition of the Church of Christ, and under which every other Communion had been found to flourish.

LORD LYVEDEN said, he doubted whether any good could arise from discussing this question on the present occasion. From his own experience of the colonies he could assure their Lordships there was nothing more likely to produce irritation in the colonies than bringing the opinion of noble Lords, and especially of right rev. Prelates, to bear on this question. He hoped his noble Friend the Secretary for the Colonies would oppose any legislation on the subject this Session. He had always thought that the establishment in the colonies of Bishops under English episcopal authority had not turned out as well as was expected, and he feared that even the magnificent gift of a benevolent and liberal lady, instead of achieving the object for which it was intended, had only served to produce dissension. A Committee such as had been intended by the most rev. Primate could have attained no practical result in the short period remaining of the present Session. Such an inquiry must eventually take place, but until that time arrived it would be much better to leave these questions undiscussed.

THE EARL OF CARNARVON: My Lords, I think the House will agree that the discussion of this question, in the short period that remains of the Session, can lead to no practical result. I may safely say that of all the questions which have demanded my attention in the Colonial Office, there is none more intricate than this question of the Colonial Church, and none that requires more anxious and careful deliberation. It is now about eighty years since the first Colonial Bishopric was established; and during the whole of that time comparatively little doubt has existed as to the validity of the letters patent. But, last year, came the judgment to which so frequent reference has been made, which had the effect of pronouncing that the letters patent of the Crown issued to a Colonial Bishop in colonies possessed of representative institutions unconfirmed by the local Legislature or by the Imperial Parliament, would be invalid. That judgment constituted a complete revolution in all ecclesiastical matters relating to the Church in the colonies. I will endeavour to steer

clear of many points which I think have been unnecessarily raised during this discussion, but I feel it necessary to say a few words before the discussion closes. The area over which the influence of the judgment of the Privy Council stretches is very large, including at least twenty-five sees. There are sees in Crown colonies which would be unaffected by the judgment. There are, secondly, Colonial sees which have been created under Acts of Parliament, and which would probably be unaffected by the judgment. Thirdly, there are sees which have been created by the authority of these letters patent, which are declared to be invalid in colonies which have representative Legislatures. And, fourthly, there are sees which have been created in colonies that have independent representative Legislatures, the Bishops of which sees have been occasionally alluded to, and sometimes recognized, directly or indirectly, by either the Colonial or the Imperial Legislature. And, lastly, there is the single see of Rupert's Land, which stands upon a somewhat different footing from every other see. Out of all these, only twenty-five bishoprics appear to be affected by this decision. What the effects of the judgment are it is my duty to state in two or three words. The right rev. Prelate (the Bishop of London) has said that there are two principal reasons why we should not legislate hastily; but hasty legislation, for any number of reasons, would be objectionable. But, first of all, there was the doubt raised by this judgment with regard to the status of the Colonial Bishops, and next there was the doubt raised as to the status of the Colonial clergy. Now, in looking at the question as far as it affected the Colonial Bishops, the House must bear in mind the circumstance which has been alluded to more than once this evening, of a Colonial Bishop possessing two distinct kinds of jurisdiction — namely, a spiritual jurisdiction, and also what, for want of a better term, I may call a diocesan jurisdiction. The spiritual jurisdiction comes by virtue of his office, and with it the State is not concerned at all. But when you come to the diocesan jurisdiction, that is obviously derived solely from the letters patent. Now, keeping that distinction in mind, it will be seen that the doubt which Parliament has to remove relates solely to the diocesan jurisdiction. Now, by the judgment of the Privy Council, that jurisdiction, if not annulled, was, at all events, materially altered. The Bishops act in a quasi-civil

capacity. They are trustees; they receive and pay away money, and they have become connected with many transactions of a civil nature in the colony. Their civil functions naturally become considerably invalidated as soon as you invalidate the power which conferred the diocesan jurisdiction. I will express it by a homely but apt illustration. It seems to me that the case of the Colonial Bishops is very much analogous to that of a person who for many years had been supposed to be an unmarried woman, and had entered into all the civil transactions of life, discharging duties, incurring liabilities, accepting trusts and guardianships; and who, in the end, turned out not to have been a single woman, but married all the time. In such a case the whole character of the civil acts which she had performed would be entirely altered; and in the same way it is doubtful whether many of the civil acts performed by a Colonial Bishop are not materially altered in their character, and whether the Bishop himself is any longer that which he was supposed to be. The key-stone of the arch having been withdrawn, the whole fabric is in danger. There is really a very serious doubt as regards the Colonial Bishops, and a still more serious one as regards the status of the Colonial clergy. By an Act passed in the reign of George III. it was provided that no person ordained by any other Bishop than a Bishop possessing episcopal jurisdiction should be at liberty to hold any benefice in England or Ireland, or to officiate as a minister of the Established Church in any part of Her Majesty's dominions. Now, the House will see that the clergy of these twenty-five Colonial sees have been ordained, for the most part, by Bishops who were probably without such a jurisdiction as is contemplated by the Act. The Acts, therefore, performed by these clergymen are of very doubtful authenticity. I think, therefore, that a doubtful state of the law is a great hardship both to the clergy, who are at the mercy of any one who raises the question, and also to the laity, whose marriages have been solemnized by persons who legally had not the power of solemnizing them. With regard to the colony which was the birthplace and is now unfortunately the theatre of all these contentions, I know of nothing more distressing than to see the feuds and contentions of two rival Bishops in one diocese, with the probability of a third being consecrated. But this is not all; for in

consequence of the late judgment several Bishops who have been appointed to Colonial sees have not yet received consecration. Then, again, no fewer than five New Zealand Bishops have tendered their letters patent to the Crown, and asked to be relieved from all the duties and obligations which these letters patent had imposed upon them. Under all these circumstances, it certainly is my opinion that some measure of redress should be introduced with the view of removing the practical inconveniences which now exist. With reference to the Bill introduced by the late Government, without pledging myself to the details of the Bill, I should for myself be perfectly willing to accept a similar measure; but when I come to consider the late period of the Session, that the Bill itself has not gone beyond the first reading, and that opposition to it is threatened, I find it absolutely impossible to proceed with that measure; and, therefore, Her Majesty's Government have reluctantly decided to undertake no legislation on the subject during the present Session. For the same reason I am glad that the most rev. Primate has intimated his intention of withdrawing the Motion for the appointment of a Select Committee. With respect to the other Motion of the right rev. Prelate (the Bishop of London) I shall be glad to supply all the information in my power. The Colonial Office, however, really possesses very little information which would throw light on the subject. As to the Motion of my noble and learned Friend (Lord St. Leonards), I can only say that he shall have whatever information I can give, though he has asked for a great deal which we are unable to supply. I am not, however, in any sense prepared to entertain the proposal of my noble and learned Friend, that we should communicate with the local Governments in order to effect the restoration of these endowments. The question as to whether they do or do not revert to the Crown is one which, it appears to me, neither the Colonial Government nor the Imperial Parliament can settle. It is, as it appears to me, a matter to be decided by the Law Courts alone. Before I sit down I must say two or three words on some of the points raised by the noble Duke (the Duke of Argyll.) Although Her Majesty's Government are not prepared to accede to any legislation this year, I quite agree that the question is one which ought not to be long postponed. It seems to me, my Lords, very important

that we should not look at this matter simply and solely from an English point of view. On the contrary, we ought to ascertain what view the colonists themselves take of it; and I think that the opinion of a Colonial Churchman brought up in the colony, was attached to its institutions, and at the same time a devoted member of the Church of England, should, after all, principally suggest itself to our consideration. Now, how would such a man regard this question? He would take into consideration the advantages and the disadvantages arising from the Church being connected with the State. He would probably perceive that the power of the Crown to make a Bishop a corporation is a useful power, and of advantage to the Colonial Church. On the other hand, he might think that Dissenting and Roman Catholic property in the colonies was held not one iota less firmly under trusts than the Church property was under a corporation. Again, he might also say that there was an advantage in the Crown being able to confer precedence. But what does this really mean? It simply amounts to the Bishop being entitled to go out of a room immediately after the Lieutenant Governor and the Commander of the troops. Again, he might deem it an advantage for Colonial Bishops to have territorial titles. For my own part I feel that a mere title, unsupported by any more substantial advantage is but a barren honour. On the other hand, if a Colonial Churchman, such as I have imagined, looked at the disadvantages of the case, he would see dissensions existing and difficulties arising at-times regarding the standards of faith. At any rate he would feel this—that in a civil point of view an Established Church in the colonies is either in a position of disadvantage or advantage as regards the rest of the community. If of disadvantage, it is obviously unjust to the Colonial Church; if, on the other hand, the relationship with the Church of England at home be an advantage, then it is inconsistent with the general tenour of the Colonial institutions that any religious body should be placed in a position above that of another. On taking a general view of Colonial society you will see from year to year an increase of civil action; and it has been the policy of this country to give almost absolute freedom in many of the colonies which possess representative institutions, and they have deliberately reduced the Church in many instances to the level of

the other religious bodies. Therefore, it seems to me that, such being the case, it would amount to a revolution if we were to attempt to deprive them of that liberty of action in ecclesiastical matters. The Church has met with varied treatment in the several colonies; but, whatever may be the difficulties which prevail, he who looks at the general state of Colonial affairs will perceive that there is a steady, uniform, unbroken tendency in the direction of greater freedom and greater independence in the Colonial Churches. That has been the view which has been held by successive Colonial Secretaries. It is the view which was entertained by a noble Lord (Lord Taunton) not now present, who held the office of Colonial Secretary in a previous Government; it is a view which has been expressed in more than one despatch of the late Duke of Newcastle; and lastly, it was the view taken by my immediate predecessor, Mr. Cardwell, if I may infer so much from the Bill he introduced into the other House. There has even been a distinct tendency in the various legal decisions towards the same end. It was in the year 1835 that the late Lord Lyndhurst laid down the principle of the law on the subject in Dr. Warren's case as applying to Dissenters in England. Subsequently that judgment was taken up by Lord Kingsdown, who applied the case of the Dissenters of England to the Church in the colonies, laying down as a broad principle that the Church of England in the colonies was like any other religious denomination, being neither a better nor a worse position than those denominations. And lastly, came the judgment of the Privy Council in Dr. Colenso's case. I do not wish to argue now upon the right and the wrong of this question. I conceive that it is my duty as Colonial Minister, on taking into consideration the state of the colonies, and the state of things which there exists—especially after the judgment of the highest legal authority in the kingdom, that the Church of England in the colonies is neither in a better nor a worse position than other denominations—to endeavour, as far as possible, to hold the scales equally between all parties. It is the duty of the Colonial Secretary, I contend, as far as he has any weight or authority in the colonies, not to allow any single denomination in colonies which are affected by the judgment in Dr. Colenso's case to attach to itself any advantage or superiority over the others. For my own part, I do not feel that there is

any risk of the spiritual ties being severed by this procedure. On the contrary, during recent years there has been a tendency to increase them. It has been clearly shown by experience that as you give civil liberty to those colonies their loyalty to the Crown increases; and so I believe that if you deal generously with the colonies in ecclesiastical matters you will find that their allegiance to the Church of England will increase in proportion to the liberty you bestow upon them. It appears to me that there is this alternative—Parliament must either re-enact coercive powers and diocesan jurisdiction, or you must accept the principle which has already been laid down in the Law Courts. If you were to re-enact those coercive powers it would be tantamount, as the noble Duke (the Duke of Argyll) remarked, to the creation of an Established Church in the colonies. Upon this supposition, however, it would be idle to waste words. Measures of such a character would neither be accepted by the Colonial Legislatures nor would the Imperial Parliament agree to them. But I believe you may have a Church in the colonies instinct with life and faith—a Church which may become a means of purifying the masses and constitute a great civilizing power—and I believe that those who like Miss Burdett Coutts shall contribute to this in any degree, either by bestowing their wealth or by whatever means, may console themselves with the feeling that they have done their duty both to God and to the State.

THE BISHOP OF OXFORD said, he did not rise for the purpose of continuing the debate, but for the purpose of correcting an unintentional misstatement of his noble and learned Friend (Lord St. Leonards), which, if it went out to the colonies uncontradicted, would give great pain to one of the best and greatest men who had devoted himself to the work of evangelization in the colonies—the Bishop of New Zealand. His noble and learned Friend stated that the Bishop of New Zealand and other Bishops, having first secured the great munificence of Miss Burdett Coutts for the endowment of the bishoprics, were going to transfer the trusts, and so to prevent the action of the law in redressing the wrong that had been done by employing money for one purpose which had been granted for another. Now, in the first place, not a single sixpence of the munificent gift of Miss Burdett Coutts went to the colony of New Zealand; and, conse-

quently, the whole thing fell to the ground. Certain trusts in the colony had been transferred, but those who contributed the money had been consulted by the Bishop of New Zealand in every step. There was therefore not the shadow of foundation for the denunciation which had been passed upon his right rev. Brother in New Zealand. The Bishops of those sees which had been created by the munificence of that good lady had done nothing beyond acquiescing in the decision of the Court at home. He would like also to correct a mistake into which the noble Duke opposite (the Duke of Argyll) had fallen in the course of his clear and able statement. He said that the supremacy of the Crown at home meant the maintenance of the laic right in the Church, and that if that were to be taken away from the Colonial Church much evil would accrue from the jealousy of synodical action. His noble Friend did not appear to know that the laity were abundantly represented in every synod. Every congregation elected two lay members, and had equal votes with the clergy. The whole of this line of argument of his noble Friend, therefore, was beside the mark. The noble Duke was also in error in regard to the sentence of excommunication passed upon Dr. Colenso. The noble Duke had represented that Bishop Colenso was deprived of his episcopacy as part of the sentence for his errors in doctrine; but the fact was the synod called upon the Bishop of Cape Town to proceed to excommunicate the Bishop if he adhered to his errors, and this excommunication was carried out in the same way as until recently in the Ecclesiastical Courts here. Excommunication was the only resource. A man must either be left contumaciously to reject altogether the sentence of the synod, or the only remaining step must be taken—namely, that of excommunication. These were the observations he rose to address to their Lordships, and having done so he did not wish further to prolong the discussion.

THE EARL OF HARROWBY hoped that Her Majesty's Government would take the opportunity now afforded them by the withdrawal of the present Bill for considering and re-considering very attentively the important questions involved in it—no less than the future relation between the National Church of the mother country, and its branches in the several colonies—with all the effects direct and indirect, both civil and Ecclesiastical, of the total

severance of the connection which had hitherto existed. It was no light matter to leave these Churches without the control, without the guidance rather, which that connection had hitherto afforded. It should be recollected that these Colonial Churches were not large aggregations of churches like the Episcopal Church of the United States, whose very numbers and organization with their synod and their two- and -twenty Bishops, formed them into almost a National Church, and gave no mean security for their continued faith and discipline. Our Colonial Churches had nowhere that extended organization—in many cases none at all. Each diocese was an unit in itself—a Bishop and half-a-dozen clergymen. Might not many such spring up in each colony, each claiming connection and communion with our Church, some high and some low—and how was the mother Church to decide which to acknowledge? Or was she to acknowledge several, each claiming authority over the same area? He knew that, as the law was now decided, there was considerable difficulty in the question; but it did not appear to him to be insuperable. Was it impossible by Act of Parliament to give to the Privy Council authority to decide questions, referred to them voluntarily by churches in the colonies, who decided to have their decision, and thus retain that security for retaining the faith and discipline of the Church of England which many of them desired to retain; for it was a great mistake to suppose that this severance was desired by the colonists themselves. At any rate, he had little evidence of it; but rather in the contrary direction. We had reason to believe that many were extremely averse to it. Why should we cut the Gordian knot thus rudely, instead of looking out for some means of disentangling it? He hoped that the Government would make use of the interval now afforded them, both for ascertaining the feelings of the colonists, and for discovering a solution of the difficulty, which should not involve to the Colonial Churches the loss of the connection with the mother Church.

On Question, Resolved in the Negative.

COLONIAL AND FOREIGN BISHOPRICS.
MOTION FOR RETURNS.

THE BISHOP OF LONDON then *moved*—

“That an humble Address be presented to Her Majesty for, Return setting forth,

“1. A List of the Bishoprics of the United Church of England and Ireland in Her Majesty's Foreign and Colonial Possessions, with the Dates of the Appointment of the Holders of such Bishoprics; distinguishing those whose Authority has been recognized by Acts of the Imperial Parliament or the Colonial Legislature:

“2. A Statement of the Revenues of such Bishoprics, and the Sources from which such Revenues are derived:

“3. The Number of Clergymen subject to each Bishop:

“4. The Manner in which such Clergymen are appointed, and the Sources from which their Emoluments are drawn:

“5. The Number of Churches and Chapels subject to each Bishop; with a Statement of the Parties in whom the Property of such Churches is vested:

“6. Extracts from any Colonial Charters relating to the Churches and Clergy of the United Church of England and Ireland in the Colonies, their Appointment and Stipends, and their Powers of meeting in Synod:

“7. A Statement of the Designations assigned by Law to such Colonial Bishops and Clergy in the Colonies.”

THE EARL OF CARNARVON said, if the Motion was withdrawn for the present, he would take care that it should be brought in in a shape which would enable the Colonial Office to give the Returns.

Then the said Motion (by Leave of the House) *withdrawn*.

LAW OF CAPITAL PUNISHMENT AMENDMENT BILL—(*The Lord Cranworth*.)

(NO. 166.) THIRD READING.

Order of the Day for the Third Reading read.

Moved, “That the Bill be now read 3^a.”
—(*The Lord Cranworth*.)

LORD TEYNHAM said, he objected to the Bill, and he hoped their Lordships would not proceed further with it, considering the present period of the Session.

LORD CRANWORTH said, the noble Lord had not objected to the Bill in its former stages, and though the Session might be short there would be plenty of time to pass this measure. There was no reason why it should not be passed. He hoped no further difficulties would be interposed.

On Question, *Resolved* in the Affirmative.

Bill read 3^a accordingly; Amendments made; Bill *passed*, and sent to the Commons.

House adjourned at half past Eight o'clock, to Monday next, Eleven o'clock.

HOUSE OF LORDS,

Monday, July 16, 1866.

MINUTES.]—PUBLIC BILLS—*First Reading*—Consecration of Churchyards (No. 2)* (193); New South Wales and Van Diemen's Land Government* (195).

Second Reading—Dogs (170); Standards of Weights, Measures, and Coinage (208).

Committee—Glebe Lands (Scotland)* (194); Crown Lands* (114); Carriage and Deposit of Dangerous Goods* (159).

Report—Crown Lands* (114).

Withdrawn—Consecration of Churchyards (97).

Royal Assent—Drainage Maintenance (Ireland) [29 & 30 *Vict.* c. 49]; Burials in Burghs (Scotland) [29 & 30 *Vict.* c. 50]; Lunacy Acts (Scotland) Amendment [29 & 30 *Vict.* c. 51].

CONSECRATION OF CHURCHYARDS

BILL—(*The Lord Redesdale*.)

(NO. 97.) BILL WITHDRAWN.

LORD REDESDALE said, that some time ago he had introduced a Bill relating to the consecration of churchyards. Objections had been raised to some of the provisions of the measure, and he would, therefore, with the permission of their Lordships, withdraw it, and introduce another Bill in its stead.

Bill (by Leave of the House) *withdrawn*.

Then—

CONSECRATION OF CHURCHYARDS

(No. 2) BILL.

A Bill relating to the Consecration of Churchyards was *presented* by The Lord REDESDALE; read 1^a; and to be *printed*. (No. 193.)

DOGS BILL—(No. 170.)

(*The Marquess of Clanricarde*.)

SECOND READING.

Order of the Day for the Second Reading read.

THE MARQUESS OF CLANRICARDE, in moving the second reading of this Bill,

said, its object was to render the owners of dogs liable by summary process for injuries inflicted by their dogs to persons or property. The measure was founded on the same principle that had been adopted in several Acts recently passed on the subject.

Moved, "That the Bill be now read 2^a."
—(*The Marquess of Clanricarde.*)

THE EARL OF AIRLIE said, he would offer no opposition to the second reading, although he was of opinion that it would be necessary to alter the Bill very considerably in Committee.

THE LORD CHANCELLOR said, he understood that Bills for Ireland, Scotland, England, and Wales had been already passed, imposing liabilities on the owners of dogs which worried sheep, although there had been no want of care on the part of the owners. One of the first principles of the law was that no one should be answerable for injury happening to another person unless some negligence on his part were proved; but the Acts on this subject formed exceptions to the general rule. The present Bill proceeded still further in this wrong direction, because it provided that the owner of a dog should be liable in damages for any injury done by his dog to the person or property of any other person, notwithstanding he had no previous knowledge of any mischievous propensity in the dog, and had not contributed to the injury by any neglect. Therefore, under this measure, if two dogs were to fight, and one of them were injured, the owner of the dog which inflicted the injury would be liable, without any consideration whether his dog was the one which commenced the fray. Then, again, there might be a cross action, because each of the dogs might be injured, in which event each owner would be entitled to take legal proceedings against the other. A playful dog, intending no mischief, might tear a man's trousers, which would be an injury to property; and the proceedings being by summary process he thought the Bill would tend to increase very considerably the business of magistrates, particularly in the metropolitan districts. Still, as the Legislature had thought proper to go astray with respect to this matter, he supposed he must follow in the same course, and therefore he should not oppose the second reading of the Bill, though when it was in Committee he might make some proposals for the purpose of rectifying too great a

violation of the general principle with regard to personal responsibility.

LORD REDESDALE remarked that they had passed a Bill relating to dogs last Session. The Bill was a very good one, and he saw no reason why they should be called on to legislate year after year on the same subject.

LORD STANLEY OF ALDERLEY strongly objected to the second clause, under which if a dog were to accidentally bite a man, or to tear a man's trousers, the owner would become liable to a summary penalty of £5. He hoped his noble Friend would alter that part of the Bill.

THE MARQUESS OF CLANRICARDE said, that under the present law the owner was liable if it were shown that he knew the dog to be a vicious animal.

LORD STANLEY OF ALDERLEY said, that might be so, but there was not at present a summary procedure.

LORD WENSLEYDALE supported the Bill, because it was only following out the principle laid down by the Legislature in the measures relating to the worrying of sheep by dogs.

Motion agreed to.

Bill read 2^a, and committed to a Committee of the Whole House To-morrow.

TRANSUBSTANTIATION, &c., DECLARATION ABOLITION BILL—(No. 157.)

(*The Marquess of Clanricarde.*)

ORDER FOR SECOND READING DISCHARGED.

Order of the Day for the Second Reading read.

THE EARL OF DERBY: I hope that my noble Friend (the Marquess of Clanricarde) who has charge of this Bill will not persevere in pressing this stage. I think it is a very indiscreet measure. It professes to retain the exclusion of Roman Catholics from certain offices, but to abolish the oath required to be taken for the purpose of showing that the holders of such offices are not Roman Catholics. There is no question of principle involved in the Bill in the slightest degree, the question turning, I think, upon the terms of the oath and the manner in which it is taken. If the terms of the oath are considered by Roman Catholics to be offensive, and if they are offensive, or if the manner of taking the oath be offensive, I have not the slightest objection to apply a remedy. Though there was an almost unanimous opinion in favour of the Bill when it was

introduced in the House of Commons, there was also an expression of opinion that the oath to which it referred should be dealt with in connection with the general subject of the vast number of oaths now required to be taken. It was thought desirable to adopt some resolution which would tend to diminish the number of those oaths; and after this Bill had been read a second time the suggestion thrown out by the late Chancellor of the Exchequer was acted on, and a Commission was appointed to look into all the oaths required to be taken by persons appointed to high offices. I myself took the liberty of throwing out a similar suggestion, and I am glad to say that the Commission of Inquiry is now sitting. This being so, I should think it would be better not to proceed further with the Bill at present, but to await the result of the inquiry. We can then deal with the subject as a whole. This course would appear to be the more desirable in consequence of the fact that the case is not in the slightest degree a pressing one, as far as any practical grievance is concerned. I may observe with reference to this Bill that, while it takes away an existing test, it provides no substitute whatever. The oath which the Bill abolishes is *totidem verbis* the same as the one required to be taken by the Sovereign at His or Her coronation; and consequently the Bill does open up a much larger question than at first sight it would appear to do. I should be quite satisfied to abolish this oath, but I think we ought to provide some substitute for it; and therefore I hope the noble Marquess will not press his Bill till the Report of the Commission is received.

THE MARQUESS OF CLANRICARDE was sorry that there was the slightest opposition on the part of the noble Earl to this Bill being read a second time. The oath which it proposed to abolish was offensive not only to Roman Catholics, but to Protestants. The Lord Lieutenant was obliged to take it in the presence of Roman Catholic gentlemen who, the next minute, were to sit with him at the Council Board. He thought that no time should be lost in doing away with such an oath; but after what the noble Earl had said he would not press the second reading of the Bill. As, however, the House of Commons had put on record its desire that these objectionable oaths should be done away with, and the Home Secretary had said that this declaration ought to be done away with,

The Earl of Derby

and as the noble Earl concurred in that opinion, he hoped the Government would lose no time in bringing forward a Bill on the subject immediately the Commission made its Report. He begged to observe that the Bill had nothing to do with the Coronation oath, to which it did not even refer.

EARL RUSSELL concurred with the noble Earl the First Lord of the Treasury in thinking it better that the subject of these oaths should be dealt with as a whole.

LORD LYVEDEN regretted that this Bill, having passed through the House of Commons, was not to be allowed to pass through their Lordships' House. Still, he was glad to hear that the subject was about to be dealt with comprehensively. He would suggest to the noble Earl at the head of the Government whether it would not be well to enlarge the reference to the Commission, so as to allow it to inquire into the oath taken by the Members of the Houses of Parliament; because it might be that the Commission would report in favour of doing away with all the oaths referred to it; in which case they would have oaths taken by the Members of their Lordships' House and Members of the House of Commons, while all persons appointed to high offices would only be required to make a declaration on their appointment.

THE EARL OF DERRY reminded the noble Lord that the oaths taken by Members of Parliament were settled by a very recent statute.

EARL GRANVILLE said, he thought the noble Marquess had done right in yielding; but he could not agree with the noble Earl at the head of the Government in thinking there was no hurry in this matter. At a moment when a new Lord Lieutenant and a new Lord Chancellor of Ireland were being appointed it would be a graceful act to do away with an oath so offensive to Roman Catholic gentlemen in high employments under the State.

Order discharged.

STANDARDS OF WEIGHTS, MEASURES, AND COINAGE BILL—(No. 208.) (*The Earl of Belmore.*)

SECOND READING.

Order of the Day for the Second Reading read.

THE EARL OF BELMORE rose to move the second reading of this Bill, when he briefly stated its provisions. It was brought

in by the late Government, and its object was to amend the Acts relating to standard weights and measures and the coinage. The Bill was founded upon the Report of the Standard Commission, and provided that the custody of the Imperial standards, which were now deposited in the office of the Exchequer, should be transferred to the Board of Trade, together with all duties connected therewith. The stamp duty and fees on the indentures of verification were abolished; a department of the Board of Trade to be called the Standard Weights and Measures Department was established, who were to make an annual Report. The custody of the standard trial pieces for coinage, &c. was transferred to the Treasury, and it was provided that they should be removed from their present resting-place in the cloisters, Westminster Abbey, to any place the Commissioners of the Treasury might direct, thus leaving that place disposable for any purpose that might be deemed desirable, after the proposed restoration of the Chapter House. It further provided for periodical comparison of the Board of Trade standards with the Imperial standards, and empowered the Queen in Council from time to time to declare what amount of error might be tolerated in the secondary standards, of which there were no fewer than seventy-seven. The noble Earl then moved the second reading of the Bill.

Motion *agreed to*; Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Friday* next.

MARRIAGES (SYDMONTON) BILL.

(No. 141.)

(*The Bishop of Oxford.*)

COMMITTEE. ORDER DISCHARGED.

THE BISHOP OF OXFORD said, that the recent decisions of the Courts of Law having rendered this Bill unnecessary, he would, with their Lordships' permission, move that the Order for Committee be discharged, and withdraw the Bill.

Order *discharged* accordingly.

THE "GREATHAM HALL" PRIVATEER. LETTER OF CAPTAIN FOLEY.

QUESTION.

THE EARL OF POWIS rose to ask, If the Letter from the Captain of Her Majesty's ship *Caledonia* to the Editor of *The Times*, which appeared in that paper on Friday, and detailed the proceedings

of the ship is approved of by the Admiralty. The letter in question, he said, gave an account of Her Majesty's ship *Caledonia* having been sent on a special service to the Channel in pursuit of a vessel called the *Greatham Hall*, the officers of which it was believed had been infringing the Foreign Enlistment Act. He had always understood that it was contrary to the usages and traditions of the naval service that information of any special duty that the ship might be engaged in should be communicated by officers in Her Majesty's navy to a public journal. In the present case no inconvenience had arisen; but it was obvious that in times of emergency such communications might be very detrimental to the service. He had, therefore, thought it right to ask, Whether the conduct of the Captain in this matter had received the approval of the Admiralty?

THE EARL OF DERBY: I had not seen the letter to which my noble Friend adverts when I received notice of the Question he has now put. I find that the letter was addressed to *The Times* of Friday, and that it details the whole course of a pursuit of a vessel which it was supposed had been engaged in illegal practices. I do not, however, understand that my noble Friend desires me to enter into the question of the facts of the case, which at the present moment are undergoing investigation; he only asks the opinion of the Admiralty in regard to the conduct of the captain in publishing the letter to *The Times*. I can only say that it does surprise me that an officer of the experience and standing of Captain Foley should have committed so great a violation of his duty as to make a communication to *The Times* newspaper, and make no communication at the same time to the Admiralty. My right hon. Friend who has recently assumed the head of the Admiralty has expressed his regret at having, on the first occasion on which the Board should be summoned, to express his disapproval of the conduct of an officer of the experience and standing of Captain Foley.

THE EARL OF HARDWICKE said, that although the letter itself was not of much importance, yet it was of the greatest importance that their Lordships should express their opinion that officers employed in the army or navy, or in any department of the State, should not communicate their opinions to the public journals, but should make their reports to the proper officers or to the chiefs at home. He dif-

ferred from his noble Friend (the Earl of Derby) when he said that the occurrence would have contained less ground for complaint had the captain reported to the Admiralty before he caused his letter to be published.

THE EARL OF DERBY said, he had not expressed that opinion.

THE EARL OF HARDWICKE regretted that he had misunderstood the noble Earl.

LORD FOLEY said, that he agreed in the observations made as to the impropriety of any officer writing to the public papers, and therefore he could not defend his brother from the remarks which had been made. His brother himself very much regretted what he had done; but the reason he gave for writing the letter was that he saw a statement in the paper in question to the effect that his ship had been out only ten days, and he wrote the letter to contradict that statement, and to show what operations his ship had performed, and not with any desire to publish information in an irregular manner. However, his brother very much regretted having written the letter.

NEW SOUTH WALES AND VAN DIEMEN'S LAND GOVERNMENT BILL [H.L.]

A Bill to repeal Part of an Act, intituled "An Act for the Government of New South Wales and Van Diemen's Land"—Was *presented* by The Earl of CARNARVON; read 1^a. (No. 195).

House adjourned at Six o'clock,
till To-morrow, half
past Ten o'clock.

HOUSE OF COMMONS,

Monday, July 16, 1866.

MINUTES.]—NEW WRITS ISSUED.—*For* Bridg-north, *v.* Henry Whitmore, esquire, Commissioner of the Treasury; *for* Peeblesshire, *v.* Sir Graham Graham-Montgomery, baronet, Commissioner of the Treasury; *for* Suffolk (Eastern Division), *v.* Sir FitzRoy Kelly, knight, Lord Chief Baron of Her Majesty's Court of Exchequer; *for* Suffolk (Eastern Division), *v.* Right hon. Baron Henniker, now Baron Hartismere; *for* Petersfield, *v.* Right hon. Sir William George Hylton Jolliffe, baronet, now Baron Hylton; *for* Hertford County, *v.* Right hon. Sir Edward George Earle Lytton Bulwer-Lytton, baronet, now Baron Lytton.

NEW MEMBERS SWORN.—*For* Buckingham County, Right hon. Benjamin Disraeli; *for* Stamford, Right hon. Viscount Cranbourne; *for* Belfast, Sir Hugh McCalmont Cairns, knight; *for* Droit-

The Earl of Hardwicke

wich, Right hon. Sir John Somerset Pakington, baronet; *for* Essex (Northern Division), Charles Du Cane, esquire; *for* Oxford University, Right hon. Gathorne Hardy; *for* Durham City, Right hon. John Robert Mowbray; *for* New Shoreham, Right hon. Stephen Cave; *for* Bridgwater, Philip Vanderbyl, esquire; *for* Huntingdon Borough, Right hon. Jonathan Peel; *for* Stamford, Sir John Charles Dalrymple Hay, baronet; *for* Guildford, William Bovill, esquire; *for* Northampton County (Northern Division), Right hon. Lord Burghley; *for* King's Lynn, Right hon. Lord Stanley; *for* Cockermouth, Right hon. Lord Naas; *for* Rutland, Hon. Gerard James Noel; *for* Cambridge University, Right hon. Spencer Horatio Walpole.

SELECT COMMITTEE.—On Standing Orders, Mr. Bonham-Carter *added*; on East India Communications, Mr. Hunt and Sir James Fergusson *added*.

SUPPLY — *considered in Committee*—CUSTOMS, SALARIES AND EXPENSES.—INLAND REVENUE.—SUPERANNUATIONS.—POST OFFICE PACKET SERVICE.

PUBLIC BILLS.—*Resolution in Committee*—Public Works, Harbours, &c. [Advances].

First Reading—Militia Pay*; Public Schools* [212].

Second Reading—Landed Estates Court, &c. (Ireland) [174]; Straits Settlements* [176]; Hundred Bridges* [178]; British Columbia* [186]; Charitable Trusts Deeds Enrolment* [199]; Inland Revenue* [209].

Committee—Local Government Supplemental (No. 2) (*re-comm.*)* [198]; County Assessments* [179]; Rochdale Vicarage (*re-comm.*)* [196]; Oyster Fisheries [169]; Oyster Bed Licences (Ireland)* [175]; New Forest Poor Relief (*re-comm.*)* [193].

Report—Commons Metropolis* [211]; Local Government Supplemental (No. 2) (*re-comm.*)* [198]; County Assessments* [179]; Rochdale Vicarage (*re-comm.*)* [196]; Oyster Fisheries [169]; Oyster Bed Licences (Ireland)* [175]; New Forest Poor Relief (*re-comm.*)* [193].

Considered as amended—Local Government Supplemental (No. 3)* [191].

Third Reading—Revising Barristers' Qualifications* [208].

Withdrawn—Railways Clauses (*re-comm.*)* [60]; Colonial Bishops [160]; Petit Juries (Ireland)* [41]; Common Law Procedure Amendment Acts (Ireland)* [18]; Sale of Land by Auction* [156]; Mines Assessment* [131]; Juries in Criminal Cases* [16]; Local Officers Superannuation (Ireland)* [92].

BANKRUPTCY BILL.

QUESTION.

MR. CRAWFORD said, he wished to ask, What course was intended to be pursued with reference to the Bankruptcy Bill?

THE ATTORNEY GENERAL, in reply, said, he thought that the hon. Member would not be surprised, knowing as he did the magnitude and importance of the subject, and also the length of the Bill, when he heard that it was not the intention of the Government to proceed with the

Bill during the present Session. Seeing, however, that it had been stated in the other House of Parliament that the Government considered this to be one of the most pressing matters to which their attention should be directed, he had only to add that he hoped to introduce either this Bill, or some modification of it, at the earliest moment next Session.

IRELAND—THE QUEEN'S UNIVERSITY. QUESTION.

SIR ROBERT PEEL said, he would beg to ask the right hon. Gentleman the Member for South Lancashire, Whether, notwithstanding the assurance given by the right hon. Gentleman in the early part of the Session that no change would be made in the constitution of the Queen's University in Ireland until an opportunity had been afforded to the House of challenging the policy of the Government, and before the Crown had committed any formal act on the subject, it was the case that a new or Supplemental Charter received the Queen's signature some three weeks ago, and to which the Great Seal had been affixed; and, if so, what was the interpretation to be given to the solemn pledge of the right hon. Gentleman in a matter of this grave public importance? He also wished to say that since he gave his notice that Supplemental Charter had been submitted to the Senate of the Queen's University, and been rejected by a majority of that body.

MR. W. E. GLADSTONE: Sir, my right hon. Friend asks me a Question which refers to a simple matter of fact, on which it is evident, from the supplement which he appended to his Question, that he is already fully informed. It also refers to a matter of argument and contention. As to the matter of fact, it is the fact that a new or Supplemental Charter received the Queen's signature a few weeks ago. As to the matter of argument and contention, my right hon. Friend himself has given Notice that he will call the attention of the House to the subject on going into Committee of Supply, which will, I think, be a more convenient manner of dealing with it than in reply to a Question, and therefore I shall postpone my remarks until that time.

SIR ROBERT PEEL: I wish to ask the Question that stands in my name, Whether the right hon. Gentleman did give a pledge at the early part of the Session

"that no change would be made in the constitution of the Queen's University until an opportunity had been afforded to the House of challenging the policy of the Government."

MR. W. E. GLADSTONE: The pledge is on record, and I will give my view of it when the proper time comes, as far as may be necessary.

IRELAND—MEDICAL OFFICERS AND WORKHOUSE SCHOOLS.—QUESTION.

SIR HERVEY BRUCE said, he would beg to ask Mr. Chancellor of the Exchequer, Whether he proposes to relieve the Irish Poor Rates from the payment of Medical Officers and the expenses of Workhouse Schools; and, if so, when?

THE CHANCELLOR OF THE EXCHEQUER said, in reply, that the question put by his hon. Friend referred to the circumstances which were brought before their notice by the Motion of the hon. Member for Meath. Having been in favour of that Motion he should certainly be ready to take all the steps that were necessary to afford the relief which appeared to be justly required. All he could do was to give instructions to that effect when the next Estimates were prepared.

NAVY—MASTERS AND STAFF COM- MANDERS.—QUESTION.

SIR LAWRENCE PALK said, he would beg to ask the First Lord of the Admiralty, Whether he will inquire into the alleged grievances of the Masters and Staff Commanders, with a view to their redress; and whether he will take steps to ascertain whether it would not be for the benefit of the country and Her Majesty's Service that the Second Class Cadets should be retained in Her Majesty's Navy?

SIR JOHN PAKINGTON said, in answer to the first part of his hon. Friend's Question, he must state that the case of the masters and staff-commanders of the navy was not officially before the Government, but the grievances of those or any other officer of the navy would be taken into consideration by the Board of Admiralty. With regard to the second part of his hon. Friend's Question, he found that for some months past the late Board of Admiralty had discontinued the entry of second-class cadets, from which it might be inferred that they intended to discontinue the class of masters. As that was a most grave matter, the present Board of

Admiralty would not commit themselves to any decision upon it until they had been able to give it their serious consideration.

ARMY—COMMISSIONS IN THE ROYAL ENGINEERS.—QUESTION.

CAPTAIN KEARSLEY said, he would beg to ask the Secretary of State for War, Whether his attention had been given to the small number (only five) of Commissions in the Royal Engineers given to the Woolwich Cadets at the last examination as compared with the number given on the two previous examinations (ten and ten); and if it is purposed to review the award with the object of remedying the apparent injustice which has been done as respects several gentlemen who this year were on an equality in examination with those receiving Engineers' Commissions last year?

GENERAL PEEL, in reply, said, his attention had been drawn to the matter in question. It was perfectly impossible to review the awards; there having been only six vacancies, only six gentlemen could be appointed. The reason why more artillery than engineer commissions had been given was that vacancies had arisen through the transfer of Engineer Officers to the Staff Corps in India.

JAMAICA—ALLEGED OUTRAGES IN.

EXPLANATION.

MR. BARING said, that perhaps he might be allowed to make an explanation with respect to a Question which was put early in the Session to his noble Friend (Lord Clarence Paget), then the Secretary to the Admiralty, in reference to a statement that appeared in the public press, signed by a gentleman named Chamerovzow, and containing a charge against some sailors of one of Her Majesty's ships. The statement was that—

"Twelve of the crew of the *Wolverene* are accused by an eye-witness of having perpetrated during two days upon the person of a Mrs. Henderson, a Methodist class-leader, a series of the foulest outrages; but the witness's tongue was sealed."

His noble Friend, when the Question was put to him by the noble Lord the Member for Haddingtonshire (Lord Elcho) whether that statement was correct, was unable to give any answer except to express his belief that it was utterly unfounded. Since

Sir John Pakington

that time the late Board of Admiralty had received two communications on the subject, one from Sir Henry Storks, Governor of Jamaica, and one from Admiral Sir James Hope, and the House would not be surprised to learn that there was not the slightest foundation for the charge which had been made by Mr. Chamerovzow in the columns of *The Morning Star*. With the permission of the House he would read a few extracts which would show how completely the charge had been disproved. Sir Henry Storks says he transmits—

"An extract from a letter written by Dr. Gerard, a medical man who lives in the neighbourhood of Morant Bay, addressed to the hon. P. Espeut, the Custos of St. Thomas-in-the-East, who placed it in my hands. You will perceive that the outrages referred to in the *Anti-Slavery Reporter* did not take place, and from inquiries I have instituted I believe the story to be without foundation.

"Justice Marshallach and myself went down to her yard the day we heard of the sailors having been there, and we discovered on the spot, by her neighbours and friends in the yard, that she herself had invited a sailor into her house, fed him, told him she had been looking out for him, called him her husband, &c."

The inquiry which was made on board the *Wolverene* completely corroborated the statement which he had read to the House. It appeared that the discipline of the sailors of Her Majesty's navy in the island of Jamaica was such as that it was morally impossible that the alleged outrage could have taken place, and Captain Cochran, the commander of the *Wolverene*, in writing on the subject, used the following words:—

"I consider it only my duty to represent that the officers and men of the *Wolverene* have expressed great indignation, in which I confess I participate, that a charge of such a scandalous nature, which all declare to be utterly false, should have been published to the world without one atom of evidence to support it—a charge which, although totally unfounded, yet, promulgated as it has been, must necessarily entail disgrace on this ship and reflect shame on the whole British navy."

The charge having been publicly made, he (Mr. Baring) thought the House would be glad to have received so complete a refutation of it.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

ARMY—THE 11TH HUSSARS AND BREECH LOADING GUNS.—QUESTION.

CAPTAIN VIVIAN rose, pursuant to Notice, to put a Question to the Secretary for War which he hoped, he said, the right hon. and gallant Gentleman would not think he was pressing on his attention unfairly so soon after his accession to office, particularly as it involved a point of almost immediate importance connected with the 11th Hussars who were shortly about to embark for India. The House was aware that when a regiment was setting out for that country several alterations were made among its officers, and that when a regiment returned from it its second major was compelled to retire on half-pay. By a War Office Warrant which was passed during the administration of Lord de Grey it was provided that an officer so put on half-pay should be placed upon full pay as speedily as possible by being transferred to a regiment going to India. That was a very fair arrangement, and there was in it the advantage to the public that it enabled the Secretary for War to keep down the half-pay list. There were some cases, however, in which an adherence to the exact letter of the law was productive of hardship in a regiment about to embark on foreign service, as, for example, when it occurred that the major whom it was proposed to bring in had—as in the present instance—seen less service than the senior captain of the regiment, or the service of the latter had been so long as to justify him in expecting promotion. The senior captain of the 11th Hussars had seen some nineteen years' service—five years in India—and had held his present rank nearly six years. But the case was even harder with respect to the senior lieutenant, who was twenty three years' standing in the army, and who, having been promoted from the ranks for gallant conduct in the field during the Crimean War, had been since unable to purchase his promotion, and had, consequently, been passed over by purchase nine times. Now, if officers who rose from the ranks were not to have the benefit of being in a position to get a step in advance, especially when about to go to service in a foreign climate, their elevation must be regarded by them as a somewhat doubtful advantage. He did not, at the same time, mean to contend that it was not per-

fectly right that the system of bringing in young officers from half-pay should not be persevered in; nor had he a single word to say against Major Jervis, the officer to whom his question related, and who was, he believed, a very good soldier, although he had not, however, had the good fortune to have seen so much service as the senior captain of the regiment. He hoped, under the circumstances of the case, the right hon. and gallant Gentleman would re-consider the matter, and he was strengthened in that hope by a conversation which he had with his noble Friend the Under Secretary for War. Before he sat down he wished to call the attention of the House to another question of still greater importance to the country at large. He might, he thought, safely say that all Europe had been taken by surprise by the wonderful results produced by the guns with which the Prussian soldiers were armed in the late engagements on the Continent. Without in the slightest degree detracting from the gallantry of those soldiers, or from the skill with which they appeared to have been handled, he thought it might be assumed that the successes which they had achieved were in a great degree to be attributed to the superiority of their weapons over the muzzle-loaders with which their brave, but less fortunate adversaries were supplied. Now, he confessed he was somewhat astonished that Europe should thus be taken by surprise when this arm had been before them for ten years, and further, that in the late campaign in Schleswig-Holstein the Austrians should not have discovered what a formidable weapon their then allies were armed with. It was also an astonishing thing that the French Government, which was generally so much on the alert to avail itself of new inventions to increase their power, should not have secured for its army a weapon equal to the needle-gun of the Prussians. He did not think the Snider gun the best breech-loader that could possibly be desired. The British army ought to be furnished with the very best possible weapon that could be found. There were many most ingenious inventions in the way of breech-loaders, and they all deserved the attention of the Government; but it was important that the army should be supplied as speedily as possible with the best breech-loader of the day, and he therefore trusted that the right hon. and gal-

lant Gentleman would be able to inform the House that he had made arrangements, in addition to those adopted by the late Government, to place in the hands of the British troops breech-loaders of some kind with all possible despatch. The converted Enfield rifle might not be altogether perfect, but it had the advantage of simplicity, and the alteration of the weapon had the effect of improving the shooting rather than otherwise.

SIR CHARLES RUSSELL asked the Secretary of State for War whether the Government small arms manufactory at Enfield was only capable of converting 40,000 per annum of the present Enfield muzzle-loaders into breech-loaders; whether it was the intention of Her Majesty's Government to invite tenders from the gunsmith trade for the immediate conversion of the present service rifle to the approved breech-loading pattern; and whether the approved Boxer ammunition for the converted rifles was being manufactured with expedition? The object, no doubt, of the Government was not only to obtain a very good weapon, but to obtain something that could be expeditiously made to answer the purpose of a breech-loader, and consequently it was determined to convert a number of Enfield rifles on the Snider principle. He thought that any one who had examined the weapon with care would admit that the Enfield rifle converted into a breech-loader was an excellent weapon in its way, but there was already a large number of breech-loading rifles before the public superior even to a converted Enfield. With regard to those who said that our army would be in great danger if it went into action with a converted Enfield, it must be borne in mind that with all repeating rifles there must be a pause after every discharge of a series of shots to recharge; and it was just possible during that awkward pause, for the enemy to make a dash on the men by means of a quicker weapon, and one easier to be discharged. For a long time the impression prevailed that the long range and fine shooting would be the most effective in warfare. He believed that practical officers held a different opinion, and he thought that a return of the number of rounds fired and the number of men killed by the British troops in China and New Zealand would rather astonish the House, as showing the result of the long range and fine shooting. Nevertheless, for re-

Captain Vivian

cruits there was what was called a sight-test, by which, unless the recruits could see the centre of the regulation target at 600 yards distance, they were rejected. The consequence was that many able-bodied men, who would have made admirable soldiers, were not admitted into the service, because it was supposed that everything depended upon shooting at enormous distances. They must bear in mind, however, that if they armed the men with breech-loaders they must give them the means of carrying many more rounds of ammunition—say, 250 rounds instead of fifty or sixty, and this they could do if their packs were carried for them. The present Military Train was wholly inadequate to perform that duty. He hoped that the serious slaughter that was now taking place on the Continent would open the eyes of the Government to the necessity of supplying our army with the best weapon that could be obtained, and with the means of carrying additional supplies of ammunition, without which, in the event of our being engaged in war, they would imperil not only the lives, but even the reputation of our men.

COLONEL NORTH said, great injustice had been done to the gallant officers who had been alluded to. One of them had been twenty-four, another sixteen, and another nine years in the service, and yet they had been passed over in the manner referred to. If they were to be passed over in this way, what chance of promotion had they.

COLONEL KNOX said, he quite concurred in what had fallen from his hon. and gallant Friend who had just addressed the House, as to the injustice done to the officers alluded to. He quite approved of what had been done by the late Secretary for War, and with what was now being done by the present Secretary for War, in respect to the conversion of the Enfield rifles into breech-loaders. But before they had determined upon what should be the permanent breech-loader for the service, he hoped that they would consider why they should not adopt a rifle which had been reported on to the Admiralty as one of the most simple and admirable weapons that had ever been invented.

MAJOR DICKSON considered the claims of Major Jervis, to which reference had been made by the hon. and gallant Officer, would bear favourable comparison with those of most other officers. If they could

not trust the Horse Guards in a small matter like the case of those officers, they could not trust them in greater matters. If they were to consider the claims of the senior captains of the 11th Hussars, they must consider the claims of every field officer who had been put on half-pay without any fault of his own.

MR. J. B. SMITH said, he wished to make one or two observations on the subject of breech-loading rifles. The first occasion on which his attention was directed to weapons of this sort was in the spring of 1851, when passing down the Rhine. Some Prussian soldiers came on board the steamer, having curious looking muskets, which he asked permission to examine; but was not allowed to do so. There happened, however, to be an Englishman on board, an engineer, who had settled in Prussia, and he asked him if he knew what those curious muskets were. He replied, if you should, unfortunately, go to war with Prussia, you will find out what they are; they are called needle-guns, and will carry four times as far as your brown bess muskets, and being loaded at the breech can be fired four or five times as quickly; so that before your men could come within shot of the enemy they would be swept down. He said further that he knew the Prussians were gradually supplying their whole army with these guns, and, in his opinion, the Prussian was the best administered Government in the world, and they would not take such steps unless assured that it was a perfect weapon. He (Mr. Smith) then informed this gentleman that he was a Member of Parliament, and that he considered his information so important that if he would make such inquiries as would enable him to give precise particulars of the needle-gun and would write him a letter on the subject, he would lay it before the Government. A few days after his return to London he received a letter from the gentleman, which he now held in his hand. Mr. Fox Maule was then Secretary at War. He handed the letter to him as he sat on the Treasury Bench, saying, "I wish you to read that letter. It is very important, in my opinion." The right hon. Gentleman took the letter and read it. Without turning round, he handed it back to him on the seat behind, saying, "We know all about it;" but from that day to

this they had heard nothing about these needle-guns. It happened shortly afterwards that it was the duty of Mr. Fox Maule to bring forward the Ordnance Estimates, and move a Vote for replacing 50,000 muskets which had been burnt in the Tower. On that occasion he got up and opposed the Motion, and he believed his hon. Friend near him (Mr. Osborne) seconded him. He said it was like throwing money into the river to store up ordinary muskets, when they knew of a weapon which carried four times further. The answer, however, was that the Government could not be without muskets, and the Vote was passed. Now, perhaps the House would like to hear what was stated in the letter to which he had referred. It was dated April 24, 1851, and was in these terms—

"Agreeably to your request, I have made some inquiries respecting the use of the needle muskets in the Prussian army. They have been introduced since 1847; each regiment has one battalion of Fusiliers armed with them. They are much lighter than the common musket, and carry with great precision, and are quickly loaded at the breech. When firing at the target, 300 'steps' is called point blank distance, but with a slight elevation the distance is increased to 600 'steps.' It is generally admitted that 700 yards is the distance at which they will kill. From an article I lately read in a newspaper, I am inclined to think such arms are used in England, though not generally introduced. The distance at which is fired point blank with the common musket here is 150 steps, or about 140 yards."

He was very glad to learn that the right hon. and gallant Gentleman the Secretary of State for War was taking this question into his serious consideration, and that the army would no longer be left without the finest weapon that could be produced. He happened to be in company with Mr. Whitworth shortly after some experiments had been made with his rifle, and with his cannon and Sir William Armstrong's, and Mr. Whitworth, than whom there was no one who was better able to give an opinion on the subject, remarked—

"We are in our infancy in regard to this matter; we are only just beginning. The scientific mind has only recently been turned to the invention of instruments of destruction; but it will go on and never cease until war will become so destructive that no one will engage in it."

This was a consummation devoutly to be wished; but with 6,000,000 men in arms in Europe, it was indispensable that the army of this country should have an efficient weapon; but, if what Mr. Whitworth said was true as to constant improvements in our muskets

and cannon, it was important, while providing a sufficient number of arms for immediate use, not to lay up great stores even of improved arms, for improvements were being made so rapidly, that the best weapons of the present time might in a few years be shown in the Tower as great curiosities, and prove as useless as the muskets that were stored there by Mr. Fox Maule.

MR. HENRY SEYMOUR had placed a Question on the Paper relative to this subject, and wished to know how many of Her Majesty's Infantry troops in India were supplied with breech-loading rifles, and whether, breech-loading carbines being served to the Cavalry regiments, the 11th Hussars were to be sent to India without them? He also wished to know whether some of the Enfield rifles could not be converted in India as well as in England? This matter was ten times more important in India than at home. The North of India was in an unsatisfactory state. Our troops should have the best arm; and one man would then be as effective as five or seven men. There was a Small Arms Committee; why should they not have a report from that Committee? He thought it was the duty of the House, voting as they did large sums annually for military purposes, to have before them the grounds on which so important a question as that of the selection of arms was decided by the War Department before any serious outlay was incurred.

MR. NEWDEGATE said, that having in former years taken a considerable interest in the arming of our soldiers, and being the survivor of three Members of the House at whose especial request the Small Arms Committee of 1854 was appointed, he might be allowed to make a few observations on the subject then before the House. He believed he was mainly instrumental in introducing to Lord Hardinge Mr. Westley Richards, and other gunmakers, through whose joint exertions that noble Lord adopted the Enfield rifle, which had proved the most efficient of the muzzle-loading arms possessed by any army in the world; and he had been assured by friends of his who were present at the battle of Inkermann that it was the hard shooting of that rifle which enabled our troops to repulse the Russians. He rejoiced to think that in the gallant General who now presided over the War Office the House had given promise of that promptitude, which was essential

at the present crisis, and he fully agreed with his remark that it was better we should have an inferior breech-loader than no breech-loader at all. No further delay ought to take place in arriving at some decision, and he hoped that during the period of conversion the arms would be submitted to continuous tests, in which the Volunteers as well as the regulars might take part. It was very important that the Government should act at once upon the best information they possessed; for, even should they convert 100,000 or 150,000 muskets into breech-loaders which turned out hereafter to be not of the very best construction, it would be easy to sell them off. Since the erection of the Enfield factory it had been asserted that unless every musket was made by machinery each part would not be so exactly identical that the weapons might be taken to pieces and put together indiscriminately. This condition, however, was not insisted upon in any other country, and it would deprive the country of the services of our skilled artisans, who were, after all, the best gunmakers in the world. In conclusion, he would express his hope that the gallant General would appoint a tribunal to test the merits of the arms which should hereafter be adopted, and that he would exclude inventors from that tribunal and confine it to infantry officers, who would be guided only by experience.

MR. OSBORNE: Sir, I for one feel perfect confidence in leaving the decision as to the best breech-loader to the gallant General opposite, for, in my opinion, two better appointments have not been made in the new Government than that of Secretary for War, in the person of the gallant General the Member for Huntingdon, and that also of Under Secretary, in the person of the Earl of Longford, with whom I have been long and intimately acquainted in the House of Lords, and to whose merits I gladly bear my fullest testimony. I think, therefore, that the question of breech-loaders is in perfectly safe hands. But I rose, Sir, not so much to speak upon the merits of any particular fire-arm as to take this opportunity, which is the only one that may present itself, to put some questions to Her Majesty's Government with regard to other appointments which have not given me the same confidence. I very much wish that this duty had devolved on some one else, and I waited till the last minute in the hope that one of the Irish Members, who are so enthusiastic in de-

Mr. J. B. Smith

fence of the rights and liberties of their country when, probably, the emergency is not so serious, would draw the attention of the House to the importance of the administration of justice in the sister country. Now, I am not about to criticize in an unfair spirit the appointments which have been made on the other side, because I think, taking man for man, those appointments have on the whole been very creditable to the Gentlemen opposite, and that they can fairly compete in their list of well-informed Dukes and statistical Baronets with any of the appointments made by this side of the House. I shall certainly be delighted—and I mean—to give them a fair trial, which, I think, under the circumstances, they fully deserve. But at the same time I must beg for an answer, a categorical answer, to the questions which I am about to put to the head of the Government in this House. I wish to ask the right hon. Gentleman whether there be any truth in the statement which I have seen in the newspapers this morning with regard to the law appointments that have been made in Ireland? Those Members who have attended to the legal legislation in this House are well aware that eleven years ago a Court of Appeal in Ireland was constituted, at the head of which a very eminent lawyer was placed—I mean Mr. Blackburne. I believe there have been few greater or more illustrious lawyers, either in Ireland or in this country, than Mr. Blackburne. Well, Sir, what has happened? Within the last few days we have seen it reported that Mr. Blackburne, at the age of eighty-five—the shadow, I am sorry to say, of his former self—has been transferred to the high and important office of Lord Chancellor for Ireland. It is true he had filled that office before, but he filled it many years ago, before the increase of age and infirmities had weighed him down. Of course, having received no official communication upon the point, I do not pretend to make any positive statement upon the subject. I merely ask for information, whether it is true that Mr. Blackburne has been appointed Lord Chancellor for Ireland? There was a gentleman at the Irish bar who I believe might be compared as an equity lawyer with any in this country or Ireland, and whom I hoped that Lord Derby should have appointed to that office in his desire to place his Government in that country upon a broad basis, not by means of a coalition, but by the introduction into his Ministry of men of moderate

political principles. The learned gentleman to whom I allude is Mr. Brewster, whom it is unnecessary for me to praise either as a lawyer or as a man. But to my surprise Mr. Brewster has been passed over. What has happened? A most honourable gentleman, whom we all recollect, distinguished equally for his ability and for his deafness (Mr. Napier) has had his pension of £2,000 per annum taken from him and has been appointed to the office of Lord Justice of Appeal. [An hon. MEMBER remarked that Mr. Napier's pension was £4,000 per annum.] So much the better for him. No one grudges Mr. Napier his pension, as he has fairly earned it, but what I find fault with is that Mr. Napier—a deaf Judge—has been put of all places in the world into that of Lord Chief Justice of Appeal. I ask, can this be true? I refuse to believe it till I hear it from the right hon. Gentleman opposite. It may be said that the Government have made this appointment in order to save money by taking away Mr. Napier's pension of £4,000 a year. But that is no answer; for I say that it is not to the interest of the people of Ireland that the Lord Chancellor should be eighty-five years of age, that the Chief Justice should be ninety-two years of age, and that the Lord Justice of Appeal should be as deaf as a post. I understand that the noble Earl at the head of the Government has already received a "round-robin" on the subject. We on this side of the House have had some experience of "round-robins;" such, for instance, as that of the hon. Member for Kilmarnock. I do not, however, see what right the right hon. and learned Member for the University of Dublin (Mr. Whiteside) has to insist that Mr. Brewster should be passed over, and that a deaf gentleman should be made Lord Justice of Appeal. It is unnecessary for me to say anything about the right hon. Gentleman. I think that for his great talents he merits any promotion at the hands of Her Majesty's Government. He has been of great and material service to his party; but he ought not to be allowed to dictate terms to the Government, so that the Irish people should be subjected to a deaf Judge of Appeals and an octogenarian Lord Chancellor. If this is the notion of the right hon. Gentleman the Chancellor of the Exchequer of what is justice to Ireland, I must say it differs materially from mine. I had

hoped, after the explanation of the right hon. Gentleman at Aylesbury the other day as to his views of Irish policy, that we should not have had such jobs as these perpetrated in Ireland. While speaking on the subject of Irish appointments I take the opportunity of giving Her Majesty's Government credit for placing the Irish Secretary in the Cabinet, which the late Government did not do. I give great credit to them for that; and I have no objection to my noble Friend who has been put there. He is the first Irish Secretary who has occupied that position. [An hon. MEMBER: There was Mr. Horsman.] Oh, I scarcely looked upon him as an Irish Secretary, because he was in no way connected with that country, and had hardly learnt his business. But by some odd shuffle of the cards the Government have got a Scotchman as Irish Lord of the Treasury. I wish that Lord Derby could have selected from amongst his numerous adherents, who, he says, were so anxious to be placed, an Irishman to this post. Without wishing to make any invidious comments upon the policy *in nubibus* of Her Majesty's Government with regard to Ireland, I must ask the right hon. Gentleman the Chancellor of the Exchequer to give us some explanation of the language he made use of in Buckinghamshire a few days since, when he lamented the great emigration from Ireland. Now, the extent of that emigration is doubtless to be deplored, though at the same time it has its good side; but when the right hon. Gentleman, as Leader of this House and Chancellor of the Exchequer, directly hints that he has some measure in reserve by which he will put a stop to that emigration, I think he is bound to tell the House whether he is going to initiate a great scheme of public works in Ireland, and whether the money necessary to carry out that scheme is to come from the English Exchequer. [Mr. OLIPHANT here made some suggestion to the hon. Member.] The hon. Gentleman asks me whether Lord Chief Justice Lefroy has resigned, but the hon. Gentleman must be behind the age. The Chief Justice resigned immediately that Lord Derby came into office. Of course, being a Scotch Member, the hon. Gentleman put the question most disinterestedly. My reply is that the Chief Justice has resigned, and that the only quarrel is now amongst

the lawyers as to who is to share the plunder? I believe that the quarrel is made up, that Lord Chief Justice Lefroy resigned at ninety-two years of age; that the Lord Chancellor is eighty-five years of age, and that Mr. Napier, the new Lord Justice of Appeal, is as deaf as a stone; and that the Member for the University of Dublin is to be the Lord Chief Justice. I believe that is the information you will shortly receive; but I will not anticipate. I do hope that the right hon. Gentleman the Leader of this House and the Chancellor of the Exchequer, in contradicting or affirming these statements, will give us some sketch of his Irish policy, because nothing can be more mischievous to Ireland than to lead the people to believe that some great measure is "looming in the future" which, by means of public works and of loans to railways, is to put a stop to emigration, and to put money into their pockets. I ask, are we to have Irish capitalists and Irish workmen debauched by a policy of this kind? I do not think I am out of order in drawing the attention of the House for a few moments from the subject of breech-loaders to that of Irish politics. I tell the right hon. Gentleman that this subject is a most pressing and a most important one, and that upon it the stability of his Government must in a great degree depend. I hope by the smile that I see flitting across his interesting countenance that he is about to rise and give a total denial to the statements I have made as to these Irish appointments, and I can only say that by doing so he will materially strengthen his own position as the head of Her Majesty's Government in this House, although possibly he may disappoint some of his now ardent Irish supporters.

GENERAL PEEL: With regard to the first Question put to me by the hon. and gallant Member opposite, relating to the augmentation majority of the 11th Hussars on that regiment going to India, I am sorry that I cannot give him any information upon the subject, as the papers relating to it have never been laid before me. I understand, however, that the name of Major Jervis has been submitted to Her Majesty for approval, but the papers have not yet been returned. In the case of appointments of this kind I have always conceived that it is the duty of the Secretary of State for War, for the benefit of the

public, when an appointment of this kind occurs, to call upon the Commander-in-Chief to send in the name of some person from the half-pay list. If the Commander-in-Chief were to point out to the Secretary of State that such a course would inflict great hardship upon the senior captain and other officers, of course the Secretary of State would attend to any advice the Commander-in-Chief might give in reference to the filling up of the vacancy. In the present instance, in accordance with the usual course, a major has been selected from the half-pay list. The second Question put to me by the hon. and gallant Gentleman, with regard to breech-loaders, is much more important. On this subject I can only state what has been done since I have been appointed Secretary of State for War. The hon. and gallant Gentleman correctly stated that these arms are superseding the ordinary rifles over the whole of Europe, and that their great superiority over the muzzle-loader had been amply proved. I do not, however, agree with the statement of the hon. Member for Stockport, that the breech-loaders will carry four times as far as the muzzle-loading rifles. [Mr. OSBORNE observed, that what the hon. Member for Stockport said was that the Prussian needle gun shot four times as far as the old "Brown Bess."] Enough, however, has been proved to show that we should not be justified in delaying a moment in adopting these weapons. Not only have we had accounts of the effects of breech-loaders from the special correspondent of *The Times*—than whom there is not a person more capable of giving an opinion, or whose opinion is entitled to more weight—but the House of Commons is well aware that for some time military officers have been attached to the various embassies, who have had an opportunity of judging of the value of these arms. Among the many letters I have read from these gentlemen is one from Captain Crea-lock, dated Vienna, July 5, wherein that gallant officer says—

"I do most sincerely hope that no delay will occur in immediately and at any cost arming the whole of our army with breech-loaders."

Again, Colonel Walker, in a letter dated 9th July, says—

"As to the needle-gun, I have nothing to say but what I have been repeating for nearly three years. We dare not go to war with a muzzle-loader, and that is the plain truth."

He, however, continues—this may be

taken as an answer to one of the questions of the hon. and gallant Member—

"I like our own gun, from what I hear of it, much better, as I think it is simpler, but breech-loader it must be, and that speedily."

I have the gratification of knowing from Reports on the table of the House that the attention of the late Government had been directed to this subject for some two or three years, and that some two years since a Committee appointed to inquire into the question reported in favour of the army being altogether re-armed with breech-loaders. The question then arose how that recommendation was to be carried into effect—whether by converting the existing Enfield rifle into a breech-loader or by manufacturing an entirely new arm. It was decided very properly by the late Government to convert the Enfield rifles into breech-loaders on the Snider principle, and they ordered 40,000 of them to be ready by the end of the year. But circumstances having changed, it became my object to place as many of these weapons in the hands of the army as speedily as possible, and therefore I directed that the number ordered by the late Government should be greatly increased. On entering office I found that the late Government had resolved to convert the existing rifle. Now, if I had said, "Perhaps, after all, this may not be exactly the best weapon," we should have been met at once by crowds of inventors, each quite certain that he had got the best weapon, and the result would have been that for years we should have got no breech-loaders at all. What we have done, therefore, is to begin by converting at a comparatively small expense what I believe to be the best muzzle-loader that exists at the present moment—the Enfield rifle—into a breech-loader that shoots better after it is converted than it did before. You thus get rid of the ramrod and the copper cap, and at a very trifling expense you have, at all events, a very good breech-loader. Now, I do not think there will ever be that great difference between one breech-loader and another which exists between a muzzle-loader and a breech-loader; but I am willing to admit that great advantage may arise from any invention which secures increased rapidity of fire. However, I am anxious it should be understood that at present we have not gone a single step beyond conversion. I have not ordered the construction of a single new rifle upon the Snider principle.

What has been done is simply with a view to the conversion of the muzzle-loader into a breech-loader. The question was what to do so as quickly as possible. I therefore applied to the head of our manufactory at Enfield, and I found that by some additional expenditure they could produce within the year 100,000 converted rifles, instead of 40,000. At the same time, I have every reason to believe that I can procure another 100,000 from the trade. Already a promise has been made of 50,000, and I believe that we shall get from the trade another 50,000 before the end of the financial year—that is to say, we hope to have 200,000 breech-loaders before the end of the financial year. A larger number than this it would not be advisable to order. The instant I can get any number of these breech-loaders I propose to send them to the Commander-in-Chief, in order that they may be placed at once in the hands of the soldiers and that their merits may be reported upon. Of course, experiments have already been conducted by private hands. I am afraid that experience does not bear out what was said by my hon. Friend (Mr. Newdegate) as to the possibility of hand production. Breech-loaders take too long when made by hand, and such is the expense of this process that work costs £12 by hand which costs only £1 when done by machinery. I am afraid, therefore, that you cannot trust to hand labour. [Mr. NEWDEGATE: I never suggested it.] It will be perfectly understood, I hope, that, beyond the mere conversion, no conclusion has been come to as to the new arm which it will be advisable to adopt. That point is still open. We had quite enough to do to change our present arms, and no time was to be lost in deciding what that arm should be. Now everybody who imagines that he has got a better breech-loader than that of Snider will have an opportunity of showing the superiority of his own invention if he can, and I quite agree that the way in which that point may be best decided, and in the way most likely to satisfy those whose rifles are to be tried, is by a committee composed of infantry officers and others. I think the House will rest satisfied when I tell them that arrangements have been made for the production of 200,000 breech-loading rifles in the course of the financial year, and I have this evening placed upon the table a supplemental Estimate to cover the expense of conversion and of the ammunition, which is, of

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course, an important part of the rifle. With regard to the question asked by an hon. Gentleman opposite, respecting regiments in India armed with breech-loaders, I have to say that as I was not aware that that question would be put, I am not in a position to reply to it. I know there are some cavalry regiments that are armed with breech-loading carbines; but I do not believe there is a breech-loading rifle now in use in India. No doubt if the rifles with which our soldiers are now armed in India can be converted there, that will be an advantageous arrangement. There are altogether 600,000 Enfield rifles which may be converted, and one-third of that number, out of about 300,000 new rifles which have never been issued, will be so dealt with. With regard to the 11th Hussars, we have 700 Sharpe's rifles in store, and we communicated with the Horse Guards as to whether they would desire these rifles to be supplied, but the answer received at the War Office was that they did not wish for them.

MR. HENRY SEYMOUR: Has the regiment got muzzle-loaders?

GENERAL PEEL: I do not know.

MR. OLIPHANT asked whether the attention of the Government had been called to the Spencer repeating rifle, which had done such execution during the American war, and was thought to be superior to the Westley Richards rifles at present being made?

THE MARQUESS OF HARTINGTON: There appears to have been some misapprehension either on the part of my hon. Friend or myself as to the question put by the hon. Member for Truro with reference to the augmentation majority of the 11th Hussars. I had no idea, until what I had heard this evening, that there was an impression that I had entered into any such engagement as that alluded to. I remember perfectly well that the question was postponed from one Friday to another, and that I engaged that nothing should be done until the interval had elapsed; but before the second Friday came, an adjournment had been decided on for a considerable time, and it did not occur to me that I had given a pledge that no further action should be taken until the House had discussed the subject. Had that been so I believe that, according to the original arrangement, the 11th Hussars would have had to leave England without the appointment of a second major at all. No doubt we should have been justified in consider-

ing the case of Captain Harnett and other cases if brought under notice; but the fact is that the Commander-in-Chief had promised the appointment to Major Jervis. When the subject was mentioned to His Royal Highness by me, he said that if the War Office could provide another appointment for Major Jervis he should be glad, but that acting in the spirit of the warrant and of the instructions from the War Office he had already promised the appointment to Major Jervis, and could not draw back from his promise unless some other way of providing for that officer could be found. It is quite a mistake to suppose that the appointment was given to save the half-pay of that officer—it was given only as an act of justice to him and to the claims which he put forward, founded upon what I believe to be his correct interpretation of an existing regulation. With regard to the second question which has been discussed this evening, I have no reason to complain of the right hon. Gentleman (General Peel); on the contrary, I have every reason to be grateful to him for the manner in which he has referred, both now and on former occasions, to the part which the late Government took upon the improvement of our small arms. Neither have I any intention of opposing the proposal which the right hon. Gentleman has announced, of converting a much larger number of rifles than the late Government had intended to convert. I believe the noble Lord who represents the War Department in the other House admitted that, though at one time of a different opinion, yet when he had examined the subject he thought it would have been impossible to adopt any other arm with greater rapidity than had been done. The order given by me for the conversion of 20,000 Snider breech-loaders was given at the earliest possible moment. I only received the first Report of the Select Committee on the subject upon the 19th of February in the present year, and on the 22nd of February Colonel Dixon was directed to prepare for the conversion. Two subsequent Reports were received from the Select Committee, and on receiving those Reports I was prepared to order a still further conversion. As I stated before, in moving the Estimates, the money which we asked on account of the Small Arms Factory was an arbitrary sum, and we could not say what number of breech-loaders it would produce. We afterwards found that it would secure the conversion of 40,000, and it was my inten-

tion to have proceeded with the work in the factory. From the information furnished to me I judged that it would not be possible, under any circumstances, during the present year, to convert a larger number than 40,000, and I am not aware how it has been found practicable to convert 100,000. Perhaps the right hon. Gentleman will give us some further information on this point when he moves the Supplemental Estimate. As to the other 100,000 rifles which he proposes to procure from the trade, I have no objection to make to this, but can only say that, looking at the past history of our dealings with the gun trade, I shall be much astonished if by the 31st of March next the right hon. Gentleman finds himself in possession of that number of converted arms supplied by private firms. He should be very glad if he obtained them, but his own experience taught him that it was very unlikely.

GENERAL PEEL said, that he should have great pleasure in laying upon the table the Reports of the Committee upon which the War Office had acted.

AN hon. MEMBER called the attention of the Secretary of State for War to the case of an officer who had risen from the ranks and served twenty-three years, and yet could receive no promotion, according to the rules of the service, until the officer above him was taken away. The officer who at present stopped his promotion would not purchase, and as long as he served over the head of the other, even if it were for 100 years, the latter could not become a captain. He wished to ask the right hon. and gallant General whether there was any chance of getting that state of things remedied?

IRELAND—THE QUEEN'S UNIVERSITY.

QUESTION.

SIR ROBERT PEEL: The question to which I wish to call attention is one of very considerable importance, and I am sure the House will excuse me for trespassing on its time while I bring the subject under its notice. I wish, at the outset, to disclaim any intention whatever of using any harsh expressions towards my right hon. Friend the late Chancellor of the Exchequer, for I infer from his reply to me, or rather from his manner, that he was displeased that I should in any way have questioned a statement which he made in the early part of the Session. If my right hon. Friend had answered my ques-

tion in a manner satisfactory to the House, I should not have persisted with the Motion which I am about to make on the present occasion. But the matter is one of so much importance, involving, as it does, free unsectarian education in Ireland, that I feel bound after what has passed, and seeing what interest the right hon. Member for Calne and myself have taken in the subject, to bring it under the notice of the House. It will be in the recollection of this House that last year, on the Motion of the hon. Member for Tralee, my right hon. Friend the Member for Morpeth (Sir George Grey) stated that Government would be prepared to consider the question then brought before them during the recess, and in the observations which my right hon. Friend made I entirely concurred at the moment, because they expressed the feelings which I entertained upon this most grave subject. My right hon. Friend stated that the first step towards the foundation of the Queen's University was the establishment of the three Queen's Colleges, and its object—and in that I entirely concurred at the time—was to afford the best possible secular education for the youth of Ireland irrespective of religious teaching, none of which was to be admitted into the system, means, however, being provided for the religious instruction of the students by clergymen of the denominations to which those students belonged. I understood, and I think the House understood, from what fell from my right hon. Friend who was then Home Secretary, that the Government proposed to consider the question during the recess, and in the early part of this Session to bring the matter under the notice of the House. I know that in the course of last autumn my right hon. Friend the Member for Merthyr Tydvil (Mr. Bruce) went to Ireland for the purpose of obtaining information, and I believe he had interviews with the Roman Catholic Prelates and other persons; and from the draught of the charter which I have in my possession I believe that the scheme then contemplated was abandoned, and that the Government could not acquiesce in the proposals submitted to my right hon. Friend. But then the commencement of the Session arrived, and it is only fair to say that men of the highest class in Ireland, and among them the Duke of Leinster and the Marquess of Kildare, observing that it was the intention of the Government to deal—to tamper, I would

almost say—with this great and important question of University education in Ireland, drew up a memorial, most numerous signed, and presented it to the Government, urging them to adhere to the system then in force. I will not read the resolutions contained in the memorial. Every one who has seen the Irish papers is aware that a memorial most numerous signed was forwarded to the Government. In the beginning of this Session my right hon. Friend the Member for Calne and myself had frequent communications with parties in Ireland, who drew our attention to what they believed the threatened invasion of the system of University education there established; and on the 20th of February I put a Question to my right hon. Friend who was then Chancellor of the Exchequer, and Leader of the House, as to the intentions of the Government. I asked what were the intentions of the Government on the subject, and what changes were in contemplation; and my right hon. Friend replied—

“I am by no means prepared to say that they involve a departure from the present system of University education in Ireland.”—[3 *Hansard*, clxxxi. 811.]

The result has proved that that is not the case, because the supplementary charter does involve changes in the present system of University education. “But,” he went on to say—

“I can pledge myself that the charter and the correspondence will both be presented to this House at the very earliest moment in the power of the Government; and, indeed, with regard to the correspondence, some of it is already prepared for presentation, and is about to be moved for.”—[*Ibid.*]

And, in answer to my right hon. Friend the Member for Calne, he said—

“The Government will, upon their own responsibility, make known their advice to the House of Commons, fully admitting the right of the House to call them to account.”—[3 *Hansard*, clxxxi. 812.]

That was the state of the case on the 20th of February. That answer was thought by many in this House unsatisfactory, and, accordingly, that very night I put upon the paper a notice of Motion for an Address to the Crown praying that Her Majesty would be graciously pleased not to take any steps towards altering the charter or constitution of the Queen's University before the House should have an opportunity of expressing an opinion on the subject. Before that Motion could be made a Member of the Government

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came to me from the Chancellor of the Exchequer and told me that it was not necessary to make it, and that if I would ask a question that night the Government would be disposed to give a satisfactory answer. I consulted with my right hon. Friend the Member for Calne, and agreed to waive the Motion then standing in my name on the understanding that the answer of the Government would be satisfactory. Well, what was the reply given? These were the words my right hon. Friend used on the 23rd of February, and recollect it was at the instance of the Government of the day that I did not proceed with the Motion which stood in my name, and which, I believe, would have been carried if it had gone to a division. These were his words—

“I think I may say to my right hon. Friend that he need not be in the least afraid that he will be unable, in point of time, to bring the subject under the notice of the House, and to challenge the Government, if he thinks fit, before the Crown has committed any formal act.”—[3 *Hansard*, clxxxi. 967.]

Well, I certainly understood, and I believe every one who heard these words understood, that this question, this really grave question, of education in Ireland would be discussed by this House before the Government became pledged to any particular course, and before the Crown was in any way committed, as the Chancellor of the Exchequer had said, to any formal act. I think after that assurance of my right hon. Friend I was justified in believing that we might rest satisfied with the conduct of the Government. The House, therefore, can well understand the astonishment with which not only I, but I believe everyone else who knows anything of the matter, heard in the course of the debate on the Irish Reform Bill, when there were not more than a dozen or a score of Members in the House, that grave question raised incidentally and brought in such a manner to the notice of the House. Why, the Prime Minister himself, on receiving a deputation at the very time when I had given notice of Motion for an Address to the Crown, admitted that the present system had worked well, that it was based upon a sound principle, and that he was glad to hear of the success which had attended it. Well, with the positive assurance of the Government which I have quoted, was it to be expected that we should be kept in the dark as to what was doing until the Government failed by their inability to retain the confidence of their supporters

and any longer to count upon that majority with which they met Parliament in the beginning of the year? The hon. and learned Member for Belfast asked a question of the right hon. and learned Gentleman who then represented the Law Officers of Ireland, and a very important question it was—namely, whether the changes contemplated in the condition of the Queen's University were to be effected by a surrender on the part of the corporation of their present charter or in what manner, and, if by the surrender of the charter, whether the assent of the Senate was to be obtained. What was the answer of the hon. and learned Gentleman the Attorney General for Ireland? He said that the changes which were in the contemplation of the Government would be laid upon the table of the House in the form of a letter to the Lord Lieutenant from the Secretary of State, and he would observe that it would be necessary to obtain the assent of the governing body to those changes before they could be proposed, and that consent had not yet been asked. That was the answer which the Law Officer of the Crown gave to the hon. and learned Member for Belfast, and until the other day when the charter was signed the assent of the governing body had never been asked. The late Attorney General for Ireland told the House that they should have an opportunity of discussing the question, and then in this underhand way, as it were, he settled the matter. But for the information I received as a Senator that would have been settled the other day. But I took good care to prevent it. I should like to know what the right hon. Gentleman the Member for South Lancashire thinks of the value of opinions given in that manner. Either the late Attorney General did not mean what he said or he told the House that which he could not believe to have been done, and which he knew well would not have been accepted by the Senate if it had been submitted to them. The correspondence between the right hon. Gentleman (Sir George Grey) and the Roman Catholic Bishops had been presented to us to-day. I do not find fault with the way the right hon. Gentleman has dealt with the question. He has stated the case very fairly, and I should have approved the decision of the Government to consider the question with the view of introducing a measure on a large basis. I have already said that the late Chief Secre-

tary to the Lord Lieutenant in his Reform speech the other night alluded to what had been done in this matter. He stated, three weeks before, that the Sign Manual of the Sovereign had been attached to an instrument which possibly might have no authority, as by the law of corporations a supplemental charter does not become valid until the parties to whom it is granted have surrendered the one they are already in possession of. I see that the late Attorney General shakes his head, but I have obtained the very first legal advice in the country on the subject, and, acting upon this advice, the Senate declined to accept the new charter. I would now make a remark on the position of the new supplemental charter and its submission to the Senate last week. I received last week a sudden notice from the Vice Chancellor of the University. I may state positively that the noble Lord the Chancellor of the University has throughout disapproved of this tampering with the University of which he is the honoured Chancellor. I know that for some time past Lord Clarendon has not been a party to, and has disapproved the conduct of, the Government with respect to this institution. Only last week I received a notice from the Vice Chancellor of the University—the late Lord Chancellor of Ireland—inviting me to attend in Dublin to receive this supplemental charter—the charter in regard to which a positive assurance was given to this House that it would not be granted, and that the Crown would not be committed by any Act, until the House had had an opportunity of discussing the merits of the question, and of approving of the policy of the Government. I was placed in a disagreeable position, but I did not hesitate as to the course I should adopt. I attended a meeting of the Senate on Wednesday morning, to consider that supplemental charter which we were told would make no difference in the constitution of the University. I recollect that the late Lord Chancellor of Ireland said that we had better accept it, because it would not alter the constitution. I asked him whether he had seen it. He said he was only privy to it as the first Law Officer of the Crown, but he was sure it would make no change in the constitution of the University. An animated discussion took place in the Senate, and a resolution was moved by an hon. Gentleman which was not thought suitable for the occasion, and he was persuaded to with-

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draw it. I then moved, with the consent of the Vice Chancellor, a resolution to the effect that the Senate, having had brought under its notice the patent for a supplemental charter to the Queen's University, postponed the consideration of it to a future day. That resolution was seconded, and on a division was carried. When I asked the question some time ago, the right hon. Member for Morpeth said it was not true that the Senate had declined to accept the new charter. [Sir GEORGE GREY: I said they had not rejected it.] It was thought more respectful to the Crown to word the resolution in that way. It was first proposed that the Senate should decline to accept the charter, but the resolution agreed to was to postpone the consideration of the charter, and that course was taken for the purpose of allowing the right hon. Gentleman the Member for South Lancashire an opportunity of clearing himself from the grave imputations under which he laboured. [Mr. GLADSTONE: Oh, oh!] It is all very well for the right hon. Gentleman, so lately the Leader of the House, to break out in that unmannerly manner ["Oh!"]; but I assure the House that the right hon. Gentleman most positively asserted in this House that nothing should be done in the matter without the House having an opportunity of expressing its opinion. Whether it is becoming in the right hon. Gentleman to turn round and "Oh, oh!" me when I make a remark I leave to the good sense and feeling of the House; but I again say that the object of the Senate in postponing and not rejecting the supplemental charter was to afford the right hon. Gentleman an opportunity of stating why he made that declaration, the interpretation he put upon it, and of removing from himself that feeling of dissatisfaction which very many hon. Members of this House feel at the manner in which they have been treated. But then it is said that this supplemental charter really made no difference whatever in the constitution of the University. The supplemental charter was sent down to us three or four days before the Senate met. None of us had seen it—not even the Vice Chancellor. None of us had been consulted on it, and we were asked to pass it because it made no alteration. So far is this from being the fact, the alterations are of the gravest possible character. I do not say whether they are fitting or not, but I do say it is not right that the House should have no opportunity of dis-

cussing their merits before they are forced upon the University. Never has there been for five years, to my knowledge, any personal or religious animosities in the University. The Senate were eighteen in number, but when the late Government were falling, and they knew that their tenure of office was at an end, they appointed six additional members—I admit, gentlemen of the highest character—increasing the number to twenty-four. I do not know what object they had in view, if it were not for the purpose of carrying the charter by force, or, as it is stated in *The Times*, for the purpose of packing the Senate, in order to carry this supplemental charter. That is not the way of dealing with a great and grave question, involving the education of thousands of young men who did not want that these religious differences should be everlastingly brought up under their notice. I think that these Colleges have educated 3,350 of the youth of Ireland. I have asked the Presidents of these Colleges, and have been told that never has any question been raised as to the different religious denominations of the students. The whole system has worked admirably hitherto, and what, then, is the object in appointing these six gentlemen, three of whom are known to be of very ultramontane religious opinions? One of them, Mr. Sullivan, is a Professor in what is called the Catholic University in Dublin. The very first thing done by that gentleman was to write to the newspapers under a feigned name as to what had occurred in the Senate. That was not the way to deal with a question of that kind. I saw the letter in the newspapers. I believe it emanated from him. It could not have emanated from any one else, because there was no one else in the room. And this was the new Senator? One of the statements in the letter was that Sir Robert Peel was greatly taken aback, and then it went into details of a puerile and most unbecoming character. I left Ireland at the end of December, and no question was raised then about increasing the number of the Senate, and I should like to know from the right hon. Gentleman (Mr. Gladstone) why, without the consent of the House, and without any apparent reason for this grave change, these additional Senators have been appointed. The charter of 1845 distinctly lays down that no degrees shall be conferred upon any candidate who has not matriculated at one of the Colleges

of the University. These Colleges were established in order that students might pass through them to the University for examination; but this course is interfered with by the supplemental charter, which says—

“The said University, created by our said charter, shall have power to grant to any person who may have matriculated in the said University, and who may be deemed qualified by the Senate of the said Queen's University in Ireland aforesaid to obtain the same, all such or any of the degrees or distinctions which by our said charter the said Queen's University in Ireland is empowered to grant, notwithstanding that such persons may not have matriculated in any of the said Colleges, or pursued any of their studies therein.”

This is an innovation upon the system established by the late Sir Robert Peel and the Government of 1845. Their object in passing the important Act of that year, which met with a good deal of opposition in this House, was to secure a free and unsectarian education for the youth of Ireland, and they hoped to do that by the establishment of these Colleges. At all events, according to the original charter, no graduate can go up for degree or distinction unless he be a member of one of the three Colleges. The new charter alters that. I should like very much to know what would be said if the Government of the day were to deal in this manner with the Senate of one of our great Universities, Oxford or Cambridge, or Dublin? If the Government were to send down to the Senate of one of them a supplemental charter, altering a fundamental principle of its constitution, would there not be an outcry through the country? What would every man interested in education say? What would this House say if such a grave question were dealt with upon the mere whim of the Government, without their consulting the House, to whom, undoubtedly, they are responsible for their conduct in a business of this nature? I give the late Government credit for the assumed intention to promote freedom of education, and if their intention would be realized my right hon. Friend (Mr. Lowe) and myself would be the last persons to impede their action, and to prevent freedom of education; but, unquestionably, quite a contrary result will ensue if this measure is allowed to pass. In 1845, when these Colleges were established for the purpose of bringing the youth of Ireland under one roof, Sir Robert Peel made these remarks, which were concurred in by Mr. O'Connell—

"Surely this also will be admitted that that education ought, if possible, to be given in common? . . . If I am to plant new academical institutions here and there throughout Ireland, making each of them of an exclusive character, with professors of their own faith, of course I shall have an exclusive and separate education in each, and I must forego the advantages I hope to gain. I should relinquish with the deepest regret the prospect of having education in common for the Protestant, Presbyterian, and Roman Catholic youth of Ireland."—[3 *Hansard*, lxxx. 1282.]

That was the object of the Government of 1845 in establishing a system of united education. We are told that the object now is to second the views of some ecclesiastics, who want freedom of education upon another basis. Let us see what are the ideas of those who are to be the ruling powers in the University on freedom of education. The noble Lord at the head of the Government (Earl Russell) said—

"I hope you will allow the Catholic youth of Ireland still to go to the Colleges where they may desire to receive their education."

But every one who has had any experience of Ireland during the last five or six years should know that, as regards middle-class schools and national schools, children have been driven away by altar denunciations; and especially has this been the case in the town of Galway. That is freedom of education! In 1862, when there was an agitation about a Catholic University in Ireland, which I am proud to think did not unduly influence Lord Palmerston, Dr. Woodloch, the so-called Rector of the Catholic University, said, in a circular which he sent out—

"My definition of freedom of education is 'education free of every appearance of State control.' There is another reason why the Catholics of Ireland should refuse to rest satisfied with the Queen's University. It is a Government institution."

I would ask Dr. Woodloch who ever heard of a University chartered by the Crown and not subject to Royal statute, a charter without condition? He goes on to say—

"The religious liberties of Irish Catholics cannot be safe if the Protestant Government of England be allowed to continue to direct, to govern our education. This is why the people ought to support the Catholic University. We will have freedom of education. We will have free, untainted Catholic teaching, untainted by any breath of Protestant interference, free from every appearance of State control; for let us remember that in the Queen's University the Presidents, Professors, &c., are all nominated by the Lord Lieutenant, and when students have completed a course of studies which must have been

approved by the Lord Lieutenant, and are preparing for the academical grade which is to crown their labours, it is to Dublin Castle they must direct their steps for the examination, and it is there they receive the degree which is at once a badge of political servitude and a protest against the authority of the Catholic Church."

That opinion of Dr. Woodloch is the opinion to which it seems the late Government desired to give effect. My idea of freedom of education is better represented by the great institution founded in 1845. The question of freedom of education was raised the other day at a meeting in Dublin, held in consequence of the course pursued by the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone) and the right hon. Baronet the Member for Morpeth (Sir George Grey). The Archbishop of Dublin (Dr. Cullen) was present, and Mr. Dillon, who is not now a Member of this House, said—

"His right rev. friend had referred to a passage which he took from one of the speeches of the late Lord Macaulay, but he (Mr. Dillon) could not find a better illustration of the danger to which the Catholics of this country were exposed by being brought into contact with English literature than by referring to that very writer."

And Mr. Dillon then quoted a passage and urged that a Catholic University was necessary to keep Irish Catholics from being contaminated by the study of English literature. And Dr. Corrigan coolly proposes to gratify his Ultramontane friends by abolishing the course of History. He says—

"There is one subject in the course of the Queen's College, 'History,' which should, I think, be abolished. It is a fruitful source of discord, and, in my opinion, an absurdity."

In contrast with the views of these gentlemen, who advocate what they call "freedom of education," I place the system pursued in the Queen's Colleges and the Queen's University; and I should like to know whether the House will not concur with me in asserting that the latter is to be preferred. I stated just now that I did not believe the Government had any power to alter the charter, and the late Attorney General for England expressed his dissent from that observation. [Sir ROUNDELL PALMER shook his head.] No! Then he approves it, and he has changed his opinion while I have been making these remarks. There can be no doubt that when a charter is once given to a corporation it is not in the prerogative of the Crown to alter that charter without consulting and obtaining the concurrence

of those persons upon whom the charter was originally conferred. No surrender has been made by the Senate of the University, and I can assure my right hon. Friend (Mr. Gladstone) that the resolution passed the other day was worded as it was out of respect for the Sovereign. We felt strongly, and still feel, that it is not in the interest of Ireland, nor of the youth of Ireland who have been educated by so many thousands under the original charter of the University, that that charter should be changed—at all events, not without reasons being adduced to show that change is necessary. I have, as Chief Secretary for Ireland, taken great interest in the Colleges established in 1845; I have been instrumental in raising over £10,000 to remunerate students of the University, including Roman Catholics and Presbyterians, as well as members of the Church of England; therefore, I naturally take a deep and lively interest in anything which may tend to change the principles upon which that institution is governed; and on these grounds I feel the House will not quarrel with me for having brought the subject under its notice. Over 3,000 young men have been educated in the Queen's Colleges. Conversing with a President of one of the Colleges, himself a Roman Catholic, I said, "Tell me honestly, in the course of the education of these students has there been any collision of religious feeling between them?" Nearly 1,000 students had passed through the College over which he presided, and his answer was—

"So remarkable has been the success of the Queen's Colleges as a channel for exercising an important influence in reconciling the youth of different religions in Ireland to habits of friendly association on absolutely equal terms, that, whereas during fifteen years that these Colleges have been in operation, several thousands of students, being Church of England, Presbyterians, and Roman Catholics, in nearly equal proportions, have been educated therein, not one case has occurred of collision or quarrel among the students on religious or political grounds."

I think no higher testimony can be borne to the existing institution, and I therefore hope the House will be informed what reasons induced the late Government to make most serious inroads upon existing arrangements, and to recommend changes which have been partially effected without consulting this House. I also wish to ask my right hon. Friend how the case stands now. The right hon. Gentleman the Member for Morpeth (Sir George

Grey) said that the supplemental charter would be of no effect unless a Bill was introduced into Parliament to authorize its being carried out. The late Attorney General for Ireland stated the same thing, and I believe that the late Attorney General for England was of the same opinion. I am happy to think that that Bill will probably not now be proceeded with; but the supplemental charter has been signed by the Sovereign without this House being consulted according to the pledge given. I want, therefore, to ask my right hon. Friend when he replies to me and to the House—for it is with the House that he has to deal—I want to ask him, as this supplemental charter has been signed by the Sovereign, but has not been received by the Senate, having, in fact, undergone at the hands of that body what is equivalent to a Parliamentary postponement till this day six months, what is the position in which the late Government stands as regards the University? I pray my right hon. Friend to favour the House with some assurance that they have reconsidered the rash and hasty step taken by the late Government for some political purpose which I cannot fathom; for, certainly, there could be no reason for adopting it for educational purposes. And now that the late Government are relieved from the trammels of office, and more free as regards their political supporters than they were, I do hope my right hon. Friend will say that they admit the error of the course they endeavoured to pursue, that that course was pursued solely for political purposes, and that having failed to answer the end to which it was directed, they certainly do not intend in any way to recommend that the matter should be persevered with. I am bound to say that unless the right hon. Gentleman gives a satisfactory reply to-night, it is very likely that a Motion for an Address to the Crown will be moved, and I believe a majority of this House would support me in that Motion, urging Her Majesty not to make any changes in the charter of the University, until Parliament has been consulted on the subject. I trust that in anything I may have spoken I have not said—certainly I have not intended to say—anything which may have been offensive to my right hon. Friend. I believe, and I have repeatedly stated this to hon. Members—that the right hon. Gentleman had conscientiously intended to do what he had promised, and

that it was only in the pressure of excitement he was induced to overlook his previous pledge.

SIR GEORGE GREY: Sir, although every step which was taken by the late Government with regard to this question of University education in Ireland was taken after full consideration by the deliberate decision first of the Government of Lord Palmerston, of which my right hon. Friend (Sir Robert Peel) himself was a Member, and secondly, by the Government of Lord Russell, still as, owing to the office I held, the communications on the subject and the details of the arrangements connected with it passed through my hands, I feel myself to be perhaps more individually responsible than any other Member of the Government, and I think it right to offer myself at once to the House in order to make some remarks upon the statement of the right hon. Baronet. That statement consists of two wholly distinct parts or subjects, although in the course of the right hon. Gentleman's observations he has mixed them up in a way which makes it difficult to separate them. The first part is the general question of University education in Ireland, and the expediency of adhering on the one hand to that rule by which no degree can be obtained by any person in Ireland who has not studied either in the University of Dublin or one of the Queen's Colleges; and the expediency on the other hand of giving the people of Ireland the same advantages as are possessed by all classes and denominations in this country, and of enabling them to obtain academical degrees irrespective of the place where they have been educated provided they pass a satisfactory examination. Let me on this subject refresh the memory of the right hon. Baronet. He adverted to the Motion made last Session by the hon. Member for Tralee (The O'Donoghue), whom I am sorry I do not now see in his place, and he said that the notice of Motion originally given was for an Address that a charter should be granted to the Roman Catholic University at Dublin, but that it was afterwards altered by the substitution of more general terms, which would secure to Roman Catholics in Ireland, and also to some Protestants who object to the present system of University education in that country, the same advantages as are enjoyed here by their fellow-subjects and fellow-Christians. And that Motion having been made,

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my right hon. Friend says he entirely concurred in it, and I have no doubt that he did, for he was sitting by my side as Chief Secretary for Ireland at the time. But his memory fails him altogether when he states that I met the matter by merely saying that I approved of mixed education, and that the Government would take the subject into their consideration during the recess.

SIR ROBERT PEEL: I meant to convey this—that sitting by the side of my right hon. Friend when he made his speech I approved the intention of the Government to consider the question during the recess with the view of meeting the views of the hon. Member.

SIR GEORGE GREY: That is what I said myself, and the right hon. Baronet may refer to the records in the Library in order to contradict my words if he pleases. Nothing could have been more distinct, clear, and unambiguous than the manner in which, as the organ of Lord Palmerston's Government, and after the subject had been fully considered in the Cabinet, I stated what the intentions of the Government were as to the Motion of the hon. Member for Tralee, and the means for giving effect to them. In the letter which I addressed to the Lord Lieutenant not long ago, and which was laid on the table of this House, there is one sentence which places the matter in its true light. In that letter, after stating the fact that the only means of access to a degree in Ireland was through Trinity College, Dublin, or one of the Queen's Colleges, I went on to say that while this was complained of by many persons on account of its subjecting them to a serious disadvantage as compared with their fellow-subjects—

“The subject was brought before the House of Commons last year by a Motion for an Address to Her Majesty praying that steps might be taken to redress the grievance arising from many of Her Majesty's subjects being at present prevented from enjoying the advantages of University education in Ireland. On that occasion Her Majesty's Government, while declaring their own unshaken conviction of the advantages of a system of mixed secular education, admitted as a matter of fact the existence of the disadvantage which was complained of, and they proposed to remedy that grievance, not by advising the grant of a charter to a Roman Catholic University, which had been asked for, nor by an alteration in the character of the Queen's College, [SIR ROBERT PEEL: Hear, hear!] but by enlarging the powers of the Queen's University, so as to enable it to confer degrees, not only, as at present, on students from the Queen's Colleges, but, in addition to these, either on candidates for degrees who had pursued a

course of study in other Colleges, to be affiliated to the University, or on all matriculated students applying for degrees and passing the required examination, irrespective of their place of education."

Nothing could be clearer or more explicit than that.

SIR ROBERT PEEL: The right hon. Gentleman went on—[*Cries of "Order, order!"*] I am sure that for the interests of truth the right hon. Gentleman will allow me to say that he went on to observe that, admitting the existence of a just ground of complaint to a certain extent on the part of the Roman Catholics of Ireland, they were prepared to consider the means by which the grievance referred to might be redressed.

SIR GEORGE GREY: I have no doubt that I stated that. We admitted the existence of the alleged grievance, and we proposed to remedy it, but not in either of the ways suggested—namely, by granting a charter to a separate University or by an alteration of the character of the Queen's Colleges, questions which the House must remember, although my right hon. Friend confuses them, are wholly distinct. We pledged ourselves in this House and in the presence of the Catholic Members who came down to support the Motion of the hon. Member for Tralee to this—namely, that we were prepared, if we were able to do so, to confer on the Queen's University in Ireland the power of granting degrees either to members of affiliated Colleges independent of the Queen's Colleges altogether, or to students coming from other places of education. Of course, it was impossible for me then to have stated in detail the precise means by which the object in view should be accomplished, but I mentioned generally that we intended to place the Queen's University on a similar footing in this matter as that on which the London University now stands. And I was delighted to hear the right hon. Baronet say, as in fact it might have been inferred from his holding office in the Government, that he entirely agreed in the course which I had indicated. But the right hon. Gentleman now being "free from the trammels of office" has altered his mind. [SIR ROBERT PEEL: So are you.] The right hon. Baronet imputed motives to Her Majesty's late Government, and yet he said he entirely concurred in the course they adopted. [SIR ROBERT PEEL: No, no, I never said that.] And the right hon. Baronet having then expressed his approval of the course

taken by Her Majesty's Government, when the hon. Member for Tralee's Motion was before the House, now entirely dissents from it, and says he will move an Address to the Crown—a legitimate way, certainly, of raising the question—praying Her Majesty to withhold from Her Roman Catholic subjects in Ireland that boon which the Government, with his concurrence, advised Her Majesty to confer upon them. I will not enter into that question now, nor deal with the extracts which the right hon. Gentleman has culled from pamphlets and anonymous letters on University education. That subject can be more properly discussed when he brings forward his Motion for an Address to the Crown, which I hope I am not mistaken in saying he has pledged himself to propose. Then it may be seen whether any practical grievance exists in this matter, and whether the late Government sought to redress it in as objectionable a manner as he alleges. In his speech the right hon. Gentleman altogether objected to any departure from the present system, and deliberately stated that he was opposed to enlarging the power of the Queen's University in Ireland. I do not propose to follow him into that now, as the subject can be more appropriately considered on the Motion of which I hope he is going to give notice. But the second part of the speech of my right hon. Friend related to an alleged breach of faith on the part of the Government, in advising the Crown to issue a supplemental charter granting additional powers to the Senate of the Queen's University in Ireland without having consulted this House on the expediency of taking such a course. Now, I will say at once that I should deeply regret if anything had been done or written by Her Majesty's Government which could in any way be charged upon them as a breach of faith to this House, after the pledge which was given by my right hon. Friend (Mr. Gladstone.) And I think I shall show the House that no such charge can be sustained. Let us see what really took place on this subject, my right hon. Friend (Sir Robert Peel) having given a rather short and inaccurate version of what passed. On the 20th of February a question relating to this subject was asked by the right hon. Baronet of my right hon. Friend who is now sitting near me (Mr. Gladstone.) He asked what changes were contemplated in the charter and constitution of the Queen's University and Queen's Colleges in Ireland, and

whether it was the intention of the Government fully to inform the House before proceeding with any measure involving a departure from the present system of University education in that country. The Chancellor of the Exchequer said—

"In reply to the Question of my right hon. Friend, I had better perhaps first say—the question in its terms including the Queen's Colleges along with the Queen's University—that no changes whatever are contemplated in the charter and constitution of the Queen's Colleges. With respect to the changes contemplated in the charter and constitution of the Queen's University, I may best describe them by saying they are such as were indicated and explained towards the close of the last Session of Parliament in the speech of my right hon. Friend the Secretary of State for the Home Department, having for their object to qualify persons who have received their education in institutions where a particular or exclusive religion is taught to take degrees in the Queen's University, and likewise to make some arrangements for the purpose of obviating and removing jealousies and securing confidence with respect to those degrees. In reference to the last part of the Question of my right hon. Friend, of course I cannot say that it would be in our power to keep the House informed of those steps severally before proceeding with them, although I am by no means prepared to say that they involve a departure from the present system of University education in Ireland. But I can pledge myself that the charter and correspondence will both be presented to this House at the very earliest moment in the power of the Government; and, indeed, with regard to the correspondence, some of it is already prepared for presentation, and is about to be moved for by an hon. Member.

"Sir ROBERT PEEL: Will my right hon. Friend say that the charter of the Queen's University will not be altered without being brought under the notice and knowledge of this House?

"The CHANCELLOR of the EXCHEQUER: Immediately that any charter varying from the present shall be issued, it will be brought to the knowledge of this House.

"Mr. LOWE: Do I understand my right hon. Friend to say that the change will take place without this House having an opportunity of expressing an opinion upon it?

"The CHANCELLOR of the EXCHEQUER: I apprehend that the proceeding, such as I have indicated it, will be in conformity with the universal practice of the executive Government, enabling the responsible Advisers of the Crown to give that advice which they think most for the public interest. They will upon their own responsibility make known that advice to the House of Commons, fully admitting the right of the House to call them to account.

"Sir ROBERT PEEL: My right hon. Friend has not answered the question. What I wish to ask is this—has no alteration at the present moment taken place in the charter of the Queen's University? That is done by the Sign Manual of the Sovereign. Has it not been done, will it not be done without first laying before the House the grounds which the Government have for altering the present system of liberal and united education

to one of a sectarian and denominational character.

"The CHANCELLOR of the EXCHEQUER: That alteration has not been effected. With respect to the rest, I must refer my right hon. Friend to the answer I have already given.—[3 *Hansard*, clxxxi. 811.]

Not being satisfied, my right hon. Friend put another Question on the 23rd of the same month, being anxious to induce my right hon. Friend (Mr. Gladstone) to say that the charter would be laid upon the table of the House before it was signed by the Queen, and before advice was given that it should be so signed. He said he had been privately informed that an alteration had taken place in the intentions of the Government, and he could not forbear expressing his satisfaction at that. In reply to the Question the Chancellor of the Exchequer said—

"I have to say that there has been no change whatever in the intentions of Her Majesty's Government since or before the appearance of the notice of my right hon. Friend. But the Question put to me upon the former day by my right hon. Friend, if I recollect it rightly, was whether I would lay upon the table of the House a draft of the charter as proposed to be altered before advising the Queen to sign it. ["No, no!"] So I understood the Question. Such I believe it to be, and to that question I must answer now, as then, in the negative. But I said at that time that my right hon. Friend the Secretary of State for the Home Department was prepared to lay upon the table of the House at the earliest possible period, the correspondence relating to this subject; and if the object of my right hon. Friend is simply to be fully informed of the advice which the Government may think it their duty to give to the Crown in this important matter, I entirely concur with him in thinking it is quite reasonable that that information should be given. I always thought that last year, when the Government came to its preliminary resolution on this subject, the very first thing done was to state to this House the nature of the changes which it was proposed to make. Since that time there has been much correspondence on the subject. That correspondence is not yet concluded. I believe the House will not think there is anything strange in the delay which has occurred. Naturally, the communications on this subject must be undertaken by the Lord Lieutenant and the Chief Secretary for Ireland, and recently, as the House is aware, these personages have had other more pressing questions to consider than those of University education. My right hon. Friend himself will move to lay on the table the correspondence as far as it has gone, and when it is concluded, and the Government have made up their minds—not before, and are ready to announce their conclusion, they will put the House at the earliest moment in possession of the fullest information on the subject."—[3 *Hansard*, clxxxi. 966.]

It was in express fulfilment of that pledge that at the end of March I laid upon the table of the House a letter, dated on the

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26th of that month, and addressed to the Lord Lieutenant of Ireland. In that letter there is a detailed account of the intentions of Her Majesty's Government with regard to the whole of this subject. The Government, in that statement, informed the House that they intended to do what was done in 1864—though then, I believe, entirely without the knowledge of Parliament—at the time when my right hon. Friend was Chief Secretary for Ireland. In 1864 the charter of the Queen's University was surrendered, and a new charter, which materially altered the constitution of the University, was granted by the Crown, without, I believe, the knowledge of any one except the members of the Senate and the members of the Irish Government. Well, we proposed to adopt the same course upon the present occasion. But now I come to the answer given by the Attorney General with regard to the power of the Government to alter the charter or grant a new one without the consent of the existing corporation. We wished to proceed in such a manner as to prevent the possibility of our infringing the law in any respect, or exceeding the power vested in the Crown. Therefore, we submitted a case to the Law Officers of both England and Ireland as to the proper course of procedure to be adopted in order to give effect to the intentions of Her Majesty's Government. After very full consideration they gave their opinion, the substance of which, and even the very terms—with the exception of a few immaterial words—were afterwards given to the House in a paragraph of the letter to which I have referred. The paragraph is as follows:—

“It is undoubtedly in the power of Her Majesty, by a supplemental charter, to enable the Queen's University to grant degrees to persons who have not received any part of their education as students in any of the Colleges of the University; and if the object in view can be sufficiently attained by granting such degrees only without giving to this class of graduates the status of members of Convocation, or introducing them into the corporation of the University, a surrender of the present charter will not be necessary for that purpose; but if it be desired to make these graduates members of the University corporation, and to give them the same rights and privileges in the University which now belong to graduates educated wholly or in part in the Colleges of the University, or if it be thought necessary to make changes in the present constitution of the Senate of the University for either of these purposes, a valid revocation or surrender of the existing charter will be indispensable.”

That is the authority upon which the late

Government have acted. My right hon. Friend imagined that the effect of the supplemental charter was to alter the existing charter. Now, that is not the case. It is merely a supplemental charter, giving an additional power to the Senate if they choose to exercise it, but depriving them of none of the powers or rights which they at present possess. My right hon. Friend, on the part of the Government, refused to lay the draft of the supplemental charter before the House; but he said that no definite step should be taken before the House had had an opportunity of objecting to such a charter, if they should think fit to do so. Well, the communication to which I have alluded was laid upon the table in March, and until this evening not a voice has been raised in this House deprecating the course intended to be taken by Her Majesty's late Government. During the period which has intervened, my right hon. Friend did not give notice of his intention to move an Address to the Crown on the subject. We, therefore, had no right to assume that there was any objection on the part of the House to the course which we intended to pursue. My right hon. Friend alluded to the correspondence which has taken place with the Roman Catholic Prelates, and I inferred that he approved it. Then, he said I had stated in the letter which was laid upon the table, that a supplemental charter would be wholly inoperative without an Act of Parliament. Now, I did not say that. What I said was that a supplemental charter would fail in accomplishing the full extent of the object which we had in view. We should not have fulfilled the obligation which we entered into with the Roman Catholic Members who came down to support the Motion introduced by the hon. Member for Tralee, but which was withdrawn in consequence of the assurance given by the late Government, if we had been content with issuing a supplemental charter without coming to Parliament for additional powers. There was, it is true, no distinct intimation in the letter that we intended to issue a supplemental charter at all. With the exception of the right hon. Gentleman the Member for the University of Dublin, and Mr. Pope Hennessy, who was disappointed that a charter was not granted to the Roman Catholic University, I believe the House concurred in the object we had in view. My right hon. Friend said just now that

when the Irish Reform Bill was introduced by the late Chief Secretary for Ireland he said that one of its provisions was that Members should be given to the Queen's University. My right hon. Friend the Member for Louth, as Chief Secretary, stated in detail not what had been done, but what we proposed to do. He informed the House that we intended to advise the Crown to grant a supplemental charter. The right hon. Baronet does not say he did not hear this statement made, and he seems to forget that we laid before the House a letter in which the objects which we had in view were distinctly set forth. I do not think that the House will, under those circumstances, be of opinion that there is the slightest ground for the charge which the right hon. Baronet has brought against my right hon. Friend and his Colleagues of having been guilty of a breach of faith. The character of the change which was made seems to be quite misunderstood by the right hon. Baronet. He has confused the supplemental charter with the idea of the revocation of the existing charter, and taking away the rights conferred under it and the conferring of a new charter different in its character. Now, that idea was altogether abandoned, and it is in the power of the Senate to act now under the constitution which has hitherto existed. My right hon. Friend has taken great credit to himself for having gone over to Ireland for the purpose of opposing the supplemental charter, though he was ignorant of what it contained, and having induced the Senate at a meeting—which consisted, I believe, of five out of ten or eleven members of the body—to reject it. I interrupted him when he used the expression “rejected.” There is, of course, as he is aware, a great difference between rejecting a charter and refusing to consider it until further notice, which would mean, I suppose, putting it off until the first meeting in October, when, perhaps, my right hon. Friend may deem it to be his duty to attend in order to induce the Senate still further to postpone it. The charter, I may add, is simply an enabling charter. It does not alter or vary the form of that which is already in existence, and I hope, in the interests of religious peace in Ireland, that the good sense of the Senate will lead them to accede to it. I firmly believe that the opinion of this House, if my right hon. Friend should venture

to take it, will be in favour of relieving the Catholics of Ireland from that which they allege to be a grievance, and of placing them, in reference to this question of education, upon the same footing as other religious denominations. By taking that course we shall, in my opinion, be acting in the manner most conducive to the interests of education generally in Ireland; and when the day arrives when the discussion of the question is, in accordance with the intimation of the right hon. Baronet, renewed, I think we shall be able to show that the course taken by the Government of Lord Palmerston in the first instance, and by that of Earl Russell in the second, was one dictated by sound policy, and a due regard for religious freedom.

MR. LOWE said: On the 20th of June last year a conversation took place in this House between the hon. Member for Tralee and my right hon. Friend the Member for South Lancashire, who was at the time Chancellor of the Exchequer. In the course of that conversation the right hon. Gentleman, speaking of himself and his Colleagues, laid down very clearly the policy which the Government intended to pursue in reference to the question under discussion. The hon. Member for Tralee asked for a charter of incorporation for the Roman Catholic University in Ireland. My right hon. Friend declined to accede to that request, but both the right hon. Gentleman and my right hon. Friend the Member for Morpeth gave it to be understood that the difficulty might be met in another form; not by a charter to the Roman Catholic University, but by a new charter to the Queen's University, by which the Roman Catholic College would be, as it were, affiliated to it, and the students would come up to the University board for examination. My right hon. Friends, also, if I am not mistaken, threw out that not only some alterations might be made in the constitution of the Queen's University, but that the University itself might be so modified in its construction as to bring it more into accordance with the feelings of the Roman Catholic Episcopate in Ireland. I did not concur in the objects which the two right hon. Gentlemen proposed to themselves at the time to accomplish, and my reasons for not doing so shall, when a suitable occasion arises, be at the service of the House. But the question now, he was sorry to say, did not relate to any political matter; it was a

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much narrower question. I approach it with the most unfeigned reluctance, because no good purpose can, perhaps, be served by discussing the matter with a Government which is no longer in existence, and because it is particularly painful to say anything which may wear the appearance of being dictated by a spirit of hostility or enmity to my right hon. Friends. But I am placed in this position. I have undertaken carefully—and I mean to fulfil the undertaking—to watch this question in the interests of mixed education in Ireland, and as I believe a great change has been made affecting those interests, either I have been most remiss and censurable in the manner in which I have carried out my undertaking, or else the Government—I will not finish the sentence. That is the position in which I stand. I do not stand here to accuse the Government, but to defend myself. I contend that the Government have so managed matters as completely to lull to sleep the vigilance of all those who watched this question, and who were anxious that the House of Commons should have the fullest opportunity of pronouncing an opinion with respect to it. As to the causes which led to this relaxation of vigilance, they will be found in the conversation which took place within these walls on the 23rd of February last. From the discussion which then took place I shall, with the permission of the House, read one or two passages which have not yet been mentioned. The right hon. Gentleman the late Chancellor of the Exchequer said, on that occasion, in reply to my right hon. Friend the Member for Tamworth—

“In the first place, let me say that I think no man could blame my right hon. Friend, with the feelings which he ascribes to himself—believing that the House was in danger of being taken by surprise—for having looked for the first opportunity of interposing.”—[3 *Hansard*, clxxxi. 966.] Now, I quote that passage to show that the right hon. Gentleman was perfectly aware that what we had in view was not so much to ascertain the substance of his proposition, but rather to be afforded an opportunity of knowing it before anything definite was done, in order that we might not be taken by surprise. “As to the charter,” the right hon. Gentleman said—

“It will naturally follow the conclusion at which the Government shall arrive upon points which that charter may embrace, and I think I may say to my right hon. Friend that he need not be in the least afraid that he will be unable in point of time to bring the subject under the notice

of the House, and to challenge the Government, if he thinks fit, before the Crown has committed any formal Act, but not before the Administration have given any advice they may think it their duty to give to the Crown before the Crown is committed to that formal Act.”—[*Ibid.* 967.]

[“Hear, hear!”] Some hon. Gentlemen appear to think I can prove my whole case at once, but I must first prove the undertaking before I can show how it has been violated. The right hon. Gentleman added—

“We entirely agree with the right hon. Baronet in thinking this question one of great importance and great difficulty. I promise the right hon. Gentleman that the Government will fully and cordially state their views on the subject to the House, and that nothing shall be done to preclude the House from fully considering the question at the proper time.”—[*Ibid.*]

Again, in answer to a Question put by myself, the right hon. Gentleman said—

“Nothing could be more unworthy on our part than to bring this important question before the House previous to our having made up our own minds as to the course we should pursue. It will be perfectly practical, right, and convenient that no definite proceeding shall be taken by the Crown before the House has an opportunity of expressing its opinion.”—[*Ibid.* 968.]

[“Hear, hear!”] I agree with the hon. Gentleman who cheers that statement, although I cannot cheer myself. Nothing could be more distinct, candid, and fair than the undertaking given by my right hon. Friend. The question we have now to discuss is whether that undertaking has been adhered to. What has happened is this:—Unknown to any Member of this House—whether we had the means of acquiring the necessary information is a point to which I will advert in a moment—without the knowledge of the hon. and learned Gentleman the present Attorney General (Sir Hugh Cairns), who took a great interest in the question—without my knowledge, who was in communication with persons belonging to those very Colleges, without the knowledge of my right hon. Friend the Member for Tamworth, without the knowledge of anybody in Ireland, a charter of some kind or another was granted to the Queen's University. I cannot enter into a controversy with respect to the merits of the charter, because, in point of fact, it is not before the House. I do not know in what it consists. [Sir GEORGE GREY: It was laid upon the table.] But it has not been distributed to Members. This charter was dated the 19th of June, the day after the division on the

Motion of the noble Lord the Member for Galway took place. It was signed on the 25th of the month, and it is not yet in our hands. That is what has happened; and it has also happened that the Senate of the University has been remodelled by the addition of six gentlemen in order to make that body, I suppose, more acceptable to the Roman Catholic Prelates in Ireland. Such are the facts of the case, and I deemed it to be my duty to put a question to the late Chief Secretary for Ireland with respect to them. I called his attention to the undertaking which was given by my right hon. Friend the Member for South Lancashire to the right hon. Baronet the Member for Tamworth, and asked him how, in the face of that undertaking, he could account for the course which his Government had adopted in this matter? In his reply the hon. Gentleman admitted the full force of the undertaking. He repudiated the least intention to quibble about the words, adding that the information to which they referred had been given to the House not only once, but twice—first in the correspondence between the Lord Lieutenant of Ireland and the right hon. Baronet the Member for Morpeth, and, in the second place, in his own speech in introducing the Irish Reform Bill. Now, that being so, the question at issue is narrowed to this point. Has the information which was promised, and for which we sought, been given or not? What was the information for which we asked? We wished to know what steps the Government proposed to take with respect to a charter acting on the Queen's University; and we also desired to be informed on the subsidiary question as to what alterations were contemplated in its constitution. The hon. Baronet who has just spoken now tells us that he gave us that information in his letter to the Lord Lieutenant. Allow me to read the concluding passage of that letter. It is as follows:—

"After a careful examination of the existing charter the Law Officers have come to the conclusion that the powers both of the Chancellor and Senate and of the Convocation are too limited to enable both or either of these bodies to make any valid surrender. It thus appears that it is impossible, under present circumstances, to give full effect to the intentions of Her Majesty's Government. The degrees to be conferred under the power which would be given by a supplemental charter would fail to place the recipients of such degrees on a footing of equality, as members of the Convocation, with other graduates of the University. The inferiority of their position in this respect would give rise to well-grounded dissatisfaction. Her Majesty's Government, there-

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fore, propose to submit a Bill to Parliament, with a view to remove the obstacle which at present prevents the accomplishment of the object which they have in view."

The effect of that is that no new charter carrying out the views of Her Majesty's Government could be valid without a surrender of the previous one, and that surrender was not to be hoped for.

SIR GEORGE GREY: I used the words "full effect."

MR. LOWE: I do not wish to state anything that is not correct, and I was only putting in a few words what I understood to be the view of my right hon. Friend. I will quote my right hon. Friend again—

"It thus appears that it is impossible under present circumstances to give full effect to the intentions of Her Majesty's Government."

That was the communication which my right hon. Friend made. What he wanted could not be done without a new charter, and that could not be valid without a surrender of the previous one, which could not be effected.

SIR GEORGE GREY: Clearly all that I spoke of as being desired would involve a surrender of the old charter. A new charter would be necessary, and that could not be granted because there was no one to surrender the old one. An Act of Parliament would have been required, but what was granted was a supplemental charter.

MR. LOWE: My right hon. Friend said there could not be a charter to give all that he desired to give, but by a supplemental charter some of it could be given. That, however, he added, would be open to grave objection, as placing the persons who would get degrees under the new charter in a position of inferiority to those who got them under the old one. Does he say, "Therefore Her Majesty's Government are bound to content themselves, though reluctantly, with a supplemental charter?" My right hon. Friend said nothing of that kind in his letter. On the contrary, he argued the question as if the Government had no such intention. But does the case stop there? Wait till you hear the end of the letter, and I have no doubt it was a perfectly frank statement of the intention of the Government at the time—

"Her Majesty's Government therefore propose to submit a Bill to Parliament with a view to remove the obstacle which at present prevents the accomplishment of the object which they have in view."

The object which they had in view could not be achieved by a charter which they had not power to grant. They had another alternative. They might grant a charter which would not carry out that object; but they told the Lord Lieutenant, and through him this House and the country, that their intention was to reject the plan of a supplemental charter, and to propose an Act in order to enable them to issue a charter which would give full effect to their views. [Sir GEORGE GREY intimated his dissent.] The last thing I should wish to do would be to misrepresent any hon. Gentleman, and least of all my right hon. Friend the Member for Morpeth, for whom, notwithstanding a difference in some political views, I never can feel anything but profound respect. If I misinterpret his language, let him say so. There were two operations—one desirable but not practical, the other practical but not desirable. Let him tell the House whether from the context there can be any other meaning given to his language than that the Government rejected the alternative of a supplemental charter, and would come to the House with a Bill. What, then, were we, who were watching this matter, to do? Were we to bring forward a Motion for the rejection of the Bill before it was brought in? No; it appeared that when my right hon. Friend should come to this House with his Bill it would be time enough for us to move in the matter. When my right hon. Friend modified his views, and selected a different way of carrying them out from that stated in his letter, was the clear and decisive resolution of the Government conveyed by my right hon. Friend—that a Bill should be introduced—a fair notice to this House to give it an opportunity of expressing its opinion on the subject? Nothing could be clearer than the official declaration of the Government referred to over and over again by the Chancellor of the Exchequer in his speech of the 23rd February, and referred to over and over again by my right hon. Friend to-night. That this declaration should have been departed from and the alternative which we were led to believe had been rejected should have been resorted to without notice to this House is the first part of my charge. I now come to the second part. My right hon. Friend the Member for Louth (Mr. Chichester Fortescue) could scarcely have been serious when he said that he thought we would have taken warning as to the manner of dealing with

the Queen's University from the speech he had previously made on the subject. We always hear my right hon. Friend with pleasure, and never with more pleasure than when he is introducing measures for the amelioration of his native country; but it was too much after the disclosures which the Chancellor of the Exchequer made as to England to expect grouped Members like myself to attend to those points. But my right hon. Friend says he opened the whole subject, and I now ask him whether he regards the statement which he made on this subject when bringing in the Irish Reform Bill as different from or similar to the statement of my right hon. Friend the Member for Morpeth in his letter to the Lord Lieutenant. [Mr. CHICHESTER FORTESCUE: It was conditional.] That is no answer. Did the Government ever change their minds since the right hon. Gentleman the Member for Morpeth wrote that letter? If so, when was that change communicated to the House? Was the speech of my right hon. Friend the Member for Louth the announcement of the change?

SIR GEORGE GREY: The letter and the speech are quite consistent.

MR. LOWE: Well, I will read what my right hon. Friend the Member for Louth said—

“With reference to the Queen's University, the House knew from what had passed in former debates, and from documents laid upon the table, that the Government proposed to throw open the Queen's University to all students applying for degrees, irrespectively of their places of education. By so doing the Government would fulfil the pledge given last year to the hon. Member for Tralee, and thereby remove a well-founded grievance, and give increased usefulness and importance to the Queen's University in Ireland. For this purpose it would be necessary to prepare a supplemental charter, and also to propose to a certain extent legislation in that House, with a view to supply the deficiencies which under the present charter the Crown alone was not able to remedy.”

What is the meaning of that passage? Reading it now with the light of fresh events, I can see how it could be twisted into a notice of the supplemental charter; but reading it in connection with what my right hon. Friend the Member for Morpeth had written before on the subject of an Act of Parliament being wanted, who could doubt that the legislation referred to by my right hon. Friend the Member for Louth was the Act of Parliament mentioned in the letter to the Lord Lieutenant? Taking it that full information was given to us—taking it that there was no

surprise—though that would require no little effort—still I cannot believe till I hear it from my right hon. Friend that, when he made those observations in introducing the Irish Reform Bill he meant to say that the Government had changed their mind, that they were no longer going to proceed by Bill, that they were going to proceed by supplemental charter and to drop the Bill altogether. What ingenuity could torture into such an intimation the words—

“And also to propose certain legislation in that House with a view to supply the deficiencies which, under the present charter, the Crown alone was not able to remedy?”

But my right hon. Friend did not stop there. He proceeded—

“The Government intended, with the sanction of Parliament, to put the Queen's University on a footing with the London University, and consequently proposed that the Queen's University should have the same Parliamentary privilege as was intended to be conferred on the London University—namely, the right of returning a Member to that House.”

Who could suppose when he spoke those words that he meant the Government were not going to ask the sanction of Parliament, but to deal with the Queen's University themselves and put it on a different footing from the London University, without the sanction of Parliament? Those notices which we were told we should have were such as would have enabled us to challenge the proceedings of the Government. I maintain that I, and those who have taken the task of watching this matter, are not to blame. The letter of the late Secretary of State was clear and distinct. The clear and distinct meaning of it was that the Government, before they took any proceeding, would come to this House for a Bill to give them power. The statement of my right hon. Friend the Member for Louth certainly was not as clear as that of my right hon. Friend the Member for Morpeth, because the former was spoken while the latter was written, and I hope my right hon. Friend (Mr. Chichester Fortescue) will give us some further information on the subject of the charter and the Bill. I now turn to the right hon. Gentlemen opposite who have accepted office, and beg their serious attention to this question. I suppose the supplemental charter if not accepted by the Senate will not be a valid charter; but this is a point on which I hope to be informed. I would ask the Government to give their earnest attention to the question with the view of protecting

the interests of education; but, at all events, I feel certain that after what has passed we shall not again have any attempt made to deal with this case without affording Parliament a full opportunity of expressing its opinion.

MR. CHICHESTER FORTESCUE said, he was happy to hear from his right hon. Friend an admission that in the course which the late Government took with respect to this matter they had put the House of Commons in possession of their full intentions with respect to the alterations it was proposed to make in the Queen's University, both with respect to what they did, and what they did not mean to do. When these questions were asked in the beginning of the present Session ideas prevailed, as he was informed, that the Government had it in contemplation to make changes much larger and of a different kind from those indicated in the announcements made last Session by two right hon. Gentlemen, Members of Lord Palmerston's Government. It was thought by many, probably by the right hon. Member for Calne and the right hon. Member for Tamworth, that the Government were going to interfere with the constitution of the Queen's Colleges; that they were going to impose by charter or by Act a religious qualification on the office of Senator in the Queen's University, to give a State recognition to the Roman Catholic University in Dublin, and to interfere in some way with the course and curriculum of education in the Queen's University. The degree of alarm which prevailed induced questions to be put to the Government, and the object of the Government in all they had done since was to meet those questions and that alarm by informing the House accurately and fully of what they meant to do, and what they did not mean to do, on this subject. He gathered even from the speech of the right hon. Member for Calne that in that essential respect they had at least succeeded. The promise given by the right hon. Member for South Lancashire, at a time when there was no question of the introduction of a Bill, because the Government had not then been advised by their legal advisers that any Bill was required, was that the correspondence which had taken place should be laid on the table of the House, and that the House should be put in full possession of the intentions of the Government. In a short time afterwards the correspondence was laid on the

table, and, more than that, a letter, written by his right hon. Friend the late Home Secretary to the Lord Lieutenant of Ireland for the express purpose of informing the House of the intentions of the Government, was also laid on the table. For himself, he half expected that the statement contained in that letter would have been challenged in that House by some enthusiast on the subject, but, as that was not the case, he inferred that that statement had disarmed the opposition of a section of the Liberal party, who, to his regret, had taken up a hostile attitude in the name of Liberal principles to a change in Irish University education which, he believed, would be of the greatest possible benefit to Ireland, and which was proposed in fulfilment of the solemn pledges given by the late Government a year ago. Least of all did he expect that his right hon. Friend the Member for Tamworth would be the person to complain of what had been done, as the right hon. Baronet must be aware that the intentions of the Government, as stated by the right hon. Member for Morpeth, were neither more nor less than the intentions stated last year when the right hon. Member for Tamworth was Chief Secretary for Ireland. Then came the question of procedure, and for the first time he now learnt that certain words at the end of the letter of the late Home Secretary had given rise to a misconception in the minds of some who took an interest in the matter. He heartily and sincerely regretted that such misconception should have arisen. The intention of the Government, under the advice of the Law Officers in England and Ireland, was to issue a supplemental charter for the purpose of effecting as much as such a charter could effect. That was taking the first step—a most imperfect step—and it was intended that the charter should be immediately followed up and made effectual for its purpose by a Bill. But if any misconception as to those intentions had existed it ought to have been removed by the statement he made in introducing the Irish Reform Bill. He must protest against the idea that that statement was not sufficient to attract the attention of the House to the point in question. The late Government proposed to give a Member to the Queen's University. That was conditional on the very change which the Government then contemplated; for no human being would

propose to give a Member to the Queen's University on its present restricted footing, but only on condition that it should be open to all classes of Her Majesty's subjects. He ventured to assert, in spite of all that the right hon. Member for Calne might think or say, that if such a proposition as that did not attract the attention of those who took an interest in the fortunes of the Queen's University, it was their own fault, and not the fault of the late Government. He had, indeed, expected at that time a debate upon the subject, believing that the statements made on the part of the Government must have attracted the attention of those interested, and that, if their alarm remained undiminished, they would have taken an opportunity of interposing their observations and criticism, and of declaring their opposition to the course so clearly announced. Could it be supposed that the Government were simple enough to hope that they would be enabled to escape such a discussion. The idea was preposterous. They were prepared to lay the supplemental charter on the table of the House, and to meet discussion at every stage. They were also prepared to introduce a Bill for the purpose of completing the change of which the supplemental charter was the first instalment. That Bill was ready, and he had undertaken to introduce it, and was going to give notice of its introduction at the very time that the Motion of the noble Lord the Member for Galway (Lord Dunkellin) put a sudden and unexpected stop to public business. They must have encountered the fullest discussion in that House upon the charter and the Bill.

MR. LOWE here observed that the Chancellor of the Exchequer stated—

“It will be perfectly practical, right, and convenient that no definite proceeding shall be taken by the Crown before the House has an opportunity of expressing its opinion.”

MR. CHICHESTER FORTESCUE maintained that the House had enjoyed frequent opportunities of expressing its opinion and of challenging the conduct of the Government before any definite proceeding. There was nothing in the supplemental charter or in the draft of the Bill which had not been previously stated to the House. Such being the case, considering the absolute silence of the House after the intentions of the Government were laid before it, and totally unaware of any misconception having arisen, they believed

that it was their duty to proceed in the fulfilment of their pledges, without doing which they held that they would be laying themselves open to the gravest censure. In treating this question he should have been glad to have gone beyond the narrow ground which he had occupied, and to have dealt with it upon its merits, but he felt that that was not the occasion for doing so. He refused to believe that those who called themselves Liberal Members could have wished to prevent the Government from redeeming the promises that were given last year, with the view of rendering the Queen's University a really national institution. The object was to throw open the University degree, so that it might be rendered accessible to every Irishman who might desire to possess it, by so doing to remove a well-founded grievance, and at the same time, to give an important stimulus to education in Ireland.

THE ATTORNEY GENERAL : I hope, as I have all along taken a very warm interest in the subject of the Queen's Colleges and the Queen's University in Ireland, the House will allow me to make some observations on this subject. And, Sir, I agree entirely in what has been said by the right hon. Gentleman the Member for Morpeth, that there are two questions here which are perfectly distinct; one is the change which it is desired to introduce into the present system of education in the Queen's University in Ireland; and the other is the time and the mode in which those changes have been made, so far as made up to the present moment. As to the merits of these changes, I agree this is not the proper opportunity to enter on the controversy. I am only anxious that the House should understand what the changes are; I shall not say one word as to whether they be desirable or not desirable. The right hon. Gentleman the Member for Morpeth (Sir George Grey), I think, hardly appreciated the gravity and importance of the changes. He said the supplemental charter has not in any way revoked or altered the constitution of the Queen's University as described in the original charter. The supplemental charter, he stated, is merely an enabling one—the Senate may choose it or not; it is for them to say whether they will act under it or not: it is entirely optional. Now, that is a question which may very easily be tested by a reference to the constitution of the Queen's University. There is a Uni-

versity, and the Queen's Colleges affiliated to the University, and the rule of the charter was, that the Queen's University could not confer any degree except on students who had passed through one or other of the Queen's Colleges. The object was to secure not a mere test of attainment, by means of one or two examinations, but a residential system of education at the Queen's Colleges. The student had to reside three years at one or other of the Queen's Colleges before he could come up for his degree. So carefully was this attended to in the constitution that it was provided in these terms—

“ Provided that no degree shall be conferred on any candidate who shall not have pursued his studies in some one or more of the Colleges of the University, so far as is hereinbefore prescribed.”

The *sine quâ non* was a certain amount of residential education at one or other of the Queen's Colleges before a degree could be obtained. Now, observe what the supplemental charter proposes to do. It is called supplemental, but it is not supplemental at all. It entirely alters the constitution of the University. The supplemental charter recites—

“ That it is expedient to extend the benefits of the said University, and for that purpose to enlarge the powers of the said University created by our said charter, by enabling it to grant all such degrees and distinctions as are hereinbefore mentioned to persons who may be deemed qualified to obtain the same, although they may not have matriculated in any of the said Colleges of the University, or pursued any part of their studies in such Colleges.”

I beg the House to observe that this is really not a question between the different denominations in Ireland. It would be a great mistake to suppose that it does not affect Roman Catholics and Protestants alike. The question is as to the system of education, and the rule—be it a good one or not—is, that under the supplemental charter a young man having lived in his father's house, never entering one of the Colleges at all, may go up to the Queen's University, and after passing the minimum examination obtain a degree.

MR. CHICHESTER FORTESCUE : That is the case at present at Trinity College.

THE ATTORNEY GENERAL : The right hon. Gentleman never was under a greater mistake, because at Trinity College there was a regular curriculum. At present, residence within the walls may not be necessary; but there must be attendance at three examinations in every year.

Mr. Chichester Fortescue

If the right hon. Gentleman is correct in his view, the question must arise, if Trinity College will admit all comers, where is the necessity for giving to the Queen's University the power of conferring degrees without residence at one of the Queen's Colleges? But the right hon. Gentleman is quite in error in supposing that there is any resemblance between what the supplemental charter prescribes and what is done at Trinity College, Dublin. The right hon. Gentleman the Member for Morpeth was entirely in error when he stated that this was merely optional in the Queen's University. The supplemental charter provides this—

"We do, for us, our heirs and successors, further will and ordain, that once at least in every year the Senate of the Queen's University in Ireland shall cause to be held an examination for matriculation in the said University of all such students as may present themselves as candidates for matriculation under this our charter."

This is what the right hon. Gentleman the Member for Morpeth calls merely an enabling or empowering clause. Why, it is a compulsory clause. The University is obliged—"we will and ordain that they shall cause to be held an examination of all such students as may present themselves," no matter where they come from. That may be very wise or very unwise; but it is a complete subversion of the whole system of education as pursued at the Queen's Colleges up to the present time. The constitution of the University secured a residential system of education, through the medium of the Colleges; but now it is proposed to substitute a system of providing degrees for all comers. This is a subject on which great difference of opinion prevails, though the system proposed is at present in operation at the University of London. This is not a question of Roman Catholic or Protestant education, it is a question of general education. The change proposed is a very important one, and it is one on which I wish to speak most temperately. I do not wish to impute wilful and deliberate misconduct to the right hon. Gentleman opposite. I trust that in this House they all speak and think as gentlemen. I believe every one of the Gentlemen I see opposite is incapable—utterly incapable—of committing a breach of faith upon this or any other question; but I must say that a most unfortunate mistake has been committed, the effect of which has been to put the parties interested in this question off

their guard. My belief is that if the statements which have been made from time to time on this subject were to be laid before the Gentlemen opposite—not in the heat of debate, but when they might calmly review them—they would say, "We are obliged to admit that, although nothing of the kind was intended by the statements which have been made, yet they were well calculated to mislead, and we regret extremely that they should have misled, any one." Let me now ask the House to attend to the manner in which the change has been effected. If I am misinformed on the subject of dates I shall accept correction. The warrant for affixing the seal of Ireland to the supplementary charter reached Dublin on the 20th of June; the division of this House which resulted in the tender of the resignation of the Government on the following day took place on the 18th of June. That was not all. The addition of six members to the Senate of the Queen's College was made as usual by the Queen's letter; and I am told that that Queen's letter—if wrong I shall be glad to be corrected—was dated the 27th of June, nine days after the division to which I have referred. The Queen's letter named the six new members of the Senate, a circumstance which would have an important bearing on the acceptance of the charter. These dates may be wrong, but I think they are right. [Mr. CHICHESTER FORTESCUE admitted that they were correct.] Well, then, the Queen's letter, appointing six new members to the Senate was actually dated nine days after the resignation of the Government. How does this fact tally with what the right hon. Gentleman the Member for Louth has just now said? He said, "We desire the House to have every information upon the subject laid before it; the matter was dealt with in a Bill laid upon the table of the House which was liable to discussion at a future stage; and we also intended to bring in a Bill in pursuance of our object, which would likewise be open to discussion."

Now, my objection is this, that the late Government had no intention of bringing in a Bill at all. [Mr. CHICHESTER FORTESCUE: I beg your pardon. We did intend to introduce a Bill.] But the Government on the 20th of June, when they tendered their resignation, could not have had the remotest idea of bringing in a Bill; the time for doing so was gone. That is the first objection I make; the supplemental charter was

actually sealed when the functions of the executive Government, to use the language of the late Chancellor of the Exchequer to this House, were "in abeyance," and when, therefore, the Government had no right to affix the seal. This being the case, it is idle to say that the Government were pursuing one complete and entire course in regard to the matter in question, because the supplemental charter was preliminary to the introduction of a Bill. The right hon. Gentleman the Member for Louth stated that that charter was sealed merely with the view of bringing in a Bill. [Mr. CHICHESTER FORTESCUE: Hear, hear!] All I can then say is the right hon. Gentleman has a very singular notion. It is desirable when ideas are ventilated that we should have a full and explicit expansion of them; for, observe, this is a question for discussion by the House of Commons.

MR. CHICHESTER FORTESCUE: I stated just now that the supplemental charter received the Sign Manual a week before the division on the Motion of the noble Lord the Member for Galway.

THE ATTORNEY GENERAL: But I think I am right in stating that the issue of the warrant for affixing the seal—which is an Act of the executive Government—did not follow as a matter of course. The warrant for affixing the great seal was issued after the Government were—I will not say *in extremis*—but when their functions were in abeyance. The dilemma of the right hon. Gentleman is this—either the Government were or were not serious when they tendered their resignation. If they were not serious when they tendered their resignation, I can quite understand the smooth and even mode in which they conducted the business of the country during the interval; but if they were serious, the act was of a most singular description. Observe, it is not a question whether the Sign Manual was affixed a week before the resignation or not; it is a question, as the right hon. Gentleman has himself put it to the House. He has said—"This supplemental charter was granted as part of one complete alteration; for we intended to bring in a Bill to effect the changes we desired." I say at the time the charter was sealed the introduction of a Bill into Parliament was utterly impossible. Nor does the matter rest there. I will concede what the right hon. Baronet the Member for Morpeth (Sir George Grey) said as to the statement

The Attorney General

made last Session, when the Government expressed in terms sufficiently clear the changes which they desired to make with reference to the Queen's University; and I agree with the right hon. Baronet that one of the changes at that time intended was to open the University to all comers, no matter where they were educated. The question is, what took place last year? I will avoid what has already been read on the subject, and first I will take what the late Chancellor of the Exchequer said on the 23rd of February. There are words in the speech of the right hon. Gentleman which entirely misled me; I might not have been as vigilant as it could have been wished, but I appeal whether they would not have misled any one. As to the charter, he said—

"Naturally the communications on this subject must be undertaken by the Lord Lieutenant and the Chief Secretary for Ireland, and recently, as the House is aware, these personages have had other more pressing questions to consider than those of University education. My right hon. Friend himself will move to lay on the table the correspondence as far as it has gone, and when it is concluded, and the Government have made up their minds—not before—and are ready to announce their conclusion, they will put the House at the earliest moment in possession of the fullest information on the subject. As to the charter, it will naturally follow the conclusion at which the Government shall arrive upon points which that charter may embrace, and I think I may say to my right hon. Friend that he need not be in the least afraid that he will be unable in point of time to bring the subject under the notice of the House, and to challenge the Government, if he thinks fit, before the Crown has committed any formal act, but not before the Administration have given any advice they may think it their duty to give to the Crown before the Crown is committed to that formal act. It was our intention, whether we are or are not compelled by law to do so, to clearly place under the view of Parliament the opinions we hold on the subject of University education in Ireland, and the advice which in consequence of these opinions it would be our duty to give the Crown."

Now, will the House attend to what follows?—

"It was and is our intention to raise the question by asking the House to vote certain sums for scholarships to be opened to candidates from the Queen's Colleges, and to any other persons entitled to be examined in the Queen's University."—[3 *Hansard*, clxxx. 967.]

Now, in the name of common sense and plain language, could any person, after hearing this statement, do other than think that it was the intention of the Chancellor of the Exchequer to propose a Vote in Committee of Supply upon this subject, and thus raise the question for discussion,

as he said, in that way? Whether he was bound by law or not to do so, he had pledged himself to this House that the question should be raised in this way. That is what the Chancellor of the Exchequer referred to when he said—"There will be full and ample opportunity for the House to express its opinion before the Crown is committed to any formal act." That may not be the meaning of these words; but if not, I confess I do not know what they mean. I appeal to anybody present whether he would put any other construction upon them. "It was, and is, our intention to raise the question." What question? The question of the changes the Government contemplated—no matter how those changes were to be effected—and it was to be raised by asking the House to vote certain sums of money for the scholarships. The right hon. Gentleman does not fail to repeat his views in various forms; for he said—"In that manner I thought we should bring the matter fully and clearly before the House." Then, in response to the right hon. Gentleman the Member for Calne (Mr. Lowe), he said—

"Our first duty will be to make up our minds on the question. Nothing could be more unworthy on our part than to bring this important question before the House previous to our having made up our own minds as to the course we should pursue. It will be perfectly practical, right, and convenient that no definite proceeding shall be taken by the Crown before the House has an opportunity of expressing its opinion."—[*Ibid.* 968.]

Now, my impression was that, taking the 23rd of February as a starting point, the intention of the Government was to raise the whole question in the form of a Vote of Supply. The next question was this:—I took the liberty of asking the late Attorney General for Ireland a question, on the 6th of March, in reference to the changes, and the mode in which they were to be effected. In answer, the right hon. Gentleman said the Government had not finally decided as to the mode of effecting the changes in the constitution of the Queen's University; but that the changes would be laid on the table of the House in the form of a letter to the Lord Lieutenant from the Secretary of State. He also said that it would be necessary to obtain the assent of the governing body of the Queen's University to those changes, and that that assent had not yet been given. I cannot, of course, answer for other hon. Members, but the effect pro-

duced on my mind by that statement was this—it assured me that I might be perfectly content to wait until a letter was laid on the table from the Home Secretary or the Lord Lieutenant, in which I should find an explanation of the mode in which these changes were to be effected. I waited, therefore, for that document, and, when it came, what did it say? The right hon. Baronet (Sir George Grey) rested his case upon the letter, but I appeal to the House to say what interpretation they would put upon its concluding statement as to the manner in which the changes were to be introduced. The Secretary for the Home Department wrote to the Lord Lieutenant as follows:—

"After a careful examination of the existing charter, the Law Officers have come to the conclusion that the powers both of the Chancellor and Senate and of the Convocation are too limited to enable both or either of these bodies to make any valid surrender. It thus appears that it is impossible, under present circumstances, to give full effect to the intentions of Her Majesty's Government. The degrees to be conferred under the power which would be given by a supplemental charter would fail to place the recipients of such degrees on a footing of equality, as members of the Convocation, with other graduates of the University. The inferiority of their position in this respect would give rise to well-grounded dissatisfaction. Her Majesty's Government, therefore, propose to submit a Bill to Parliament with a view to remove the obstacle which at present prevents the accomplishment of the object which they have in view."

Now, what do these words mean? They mean, if they mean anything, "We tried to do what we desired through a supplemental charter, but we find it would be inoperative to accomplish the object we have in view; and Her Majesty's Government therefore"—what does the word "therefore" mean if it does not refer to the fact that a supplemental charter would be insufficient?—"therefore we propose to submit a Bill to Parliament." I see the right hon. Member for Portarlington (Mr. Lawson) opposite, and I challenge him to deny that this letter, written by a Minister of the Crown, meant anything but this, "We might, if we chose, do a halting and imperfect act through the medium of a supplemental charter, but we will not do it because it would be halting and imperfect, and we intend to come before Parliament and submit a Bill for the purpose of accomplishing the object in view." That, I say, is the pledge which the right hon. Baronet gave in those sentences, and if, by any miserable special

pleading those words could be now made to bear a different interpretation, it would be unworthy of the position of right hon. Gentlemen opposite to rest their defence upon any quibble of that sort. The meaning to any plain reader of the Home Secretary's words was, "We are not going to resort to a supplemental charter, because it would be inefficacious, or, if we resort to it, it will be as a part and parcel of a Bill which we intend to submit to Parliament in order to obtain its sanction on the whole matter." But the pledge did not stop there, for on the 17th of April an hon. Member who represents a Scotch burgh asked the Home Secretary whether a Bill was to be brought in for granting a new charter or for altering the position of the Senate of the Queen's University, and the Home Secretary replied that he proposed on an early day to introduce a Bill to give effect to the intentions of the Government as stated in his letter to the Lord Lieutenant, but that the Bill would not be of the precise character implied by the question. Now, what did those words mean? Did the right hon. Gentleman tell the hon. Member he was quite mistaken, and that the Government were going to grant a supplemental charter, and afterwards, if it proved inefficacious, would have occasion to bring in a Bill? No, he said he proposed to bring in a Bill to give effect to the intentions of the Government, though it would not be so large or extravagant as the question implied, thus giving the House the impression that a Bill was to be introduced, and that the sanction of Parliament would be asked. Well, did the pledge stop even here? The right hon. Gentleman (Mr. Chichester Fortescue) has referred us to his speech on the introduction of the Irish Reform Bill, but, speaking in all humility for myself, I must say that if I had not been convinced up to that time that the Government had pledged themselves to ask the sanction of Parliament for the whole of their scheme, I should have been entirely convinced by that speech that that was what the Government intended to do. I will not stop to deal with the question whether a speech on the Reform Bill was the natural occasion for giving an explanation of the intentions of the Government with regard to the Queen's University. Passing that by, what did the right hon. Gentleman say? He began by referring to former debates and to documents which had been

laid on the table. The only document, however, that had been placed on the table was the Home Secretary's letter.

MR. CHICHESTER FORTESCUE : There was also the printed correspondence which had taken place between the Government and the Roman Catholic Prelates?

THE ATTORNEY GENERAL : But that correspondence and the Home Secretary's letter were all, I think, in one paper. [Mr. CHICHESTER FORTESCUE : No.] Well, I accept the correction of the right hon. Gentleman, but my impression was that I read the whole in one paper. That, however, is not at all material. The right hon. Gentleman's words were these—

"With respect to the Queen's University the House knew from what had passed in former debates and from documents laid on the table that the Government proposed to throw open the Queen's University to students applying for degrees, irrespective of their place of education. By so doing the Government would fulfil the pledge given last year to the hon. Member for Tralee, and thereby remove a well-founded grievance and give increased usefulness and importance to the Queen's University in Ireland. For this purpose it would be necessary to prepare a supplemental charter and to propose to a certain extent legislation in that House with a view to supply the deficiencies which, under the present charter, the Crown alone was not able to remedy. The Government intended, with the sanction of Parliament, to put the Queen's University in Ireland on a footing with the London University, and consequently proposed that the Queen's University should have the same Parliamentary privileges as was intended to be conferred on the London University—namely, the right of returning a Member to that House."

Thus the right hon. Gentleman wound up his statement by saying that the Government intended, "with the sanction of Parliament," to put the Queen's University upon the same footing as the London University. Well, now, does the right hon. Gentleman mean to say, after hearing these statements read, that he has kept faith with the House? [Mr. CHICHESTER FORTESCUE : Yes.] Well, I wish to exculpate hon. and right hon. Gentlemen opposite from any intention of wilfully breaking faith, but is it too much to say that the words which fell from the Members of the late Government must have had the natural effect of deceiving the House? Speaking for myself, I may state that I was applied to by various persons interested in the Queen's University with reference to presenting petitions upon the subject of the contemplated changes, and the uniform language which I held was—"We are

promised, either in the shape of a Vote in Supply or of a Bill to be laid on the table, an opportunity for discussing the proposed measures. We have been promised again and again that the changes are not to be made without the sanction of Parliament, and, therefore, there will be ample opportunity of appealing to Parliament as soon as a Bill is introduced or a Vote is proposed." I must say, therefore, that although there has been no intention of misleading the House, there certainly has been a most unfortunate misleading of the House upon this very grave and important question.

MR. LAWSON said, that the House might naturally ask what was the question it was then discussing, for the Attorney General himself had just stated that he did not impute to the Members of the late Government any breach of faith in that matter. But he was certainly surprised to hear the right hon. and learned Gentleman say that that was not a Roman Catholic question. The whole history of the subject proved that it was pre-eminently a Roman Catholic question, and nothing else. During the last Session of Parliament the right hon. Gentleman the late Secretary for the Home Department, having the right hon. Baronet the Member for Tamworth by his side, declared, in reply to the demand made by the hon. Member for Tralee for the grant of a charter to the Roman Catholic University, that the Government would not assent to the proposal, while he added that the Roman Catholics of Ireland were subject to a real grievance in that matter, and that the Government would endeavour to remove that grievance by enlarging the basis of the Queen's University, and enabling it to confer degrees on all students who underwent a certain examination. Then there was an exception made in the case of the Magee College in Ireland, which was a Presbyterian College. If this charter were carried out, it would enable Roman Catholic graduates to come forward and to contend with the graduates belonging to other religious denominations for degrees. That was not the case at present, inasmuch as no Roman Catholic students, educated in Catholic Colleges, were capable of obtaining degrees in any of the Irish Universities. Because the parents of these young men, from conscientious motives, declined to send their children to the Queen's Colleges, were the advantages of the Uni-

versity to be still withheld from them, and the basis of it confined to its present narrow limits? He repeated this was pre-eminently a Roman Catholic question, and the Attorney General could not evade it and decline to pronounce an opinion upon its merits. But because it was a Roman Catholic question, and because the late Government intended to remove a disability under which Catholic students in Ireland were placed, they had been visited with the present debate. The right hon. and learned Gentleman endeavoured to establish that those acts of the late Government were done at a time when that Government was *in extremis*, and actually after they had resigned their places. But the Attorney General could only make that out by a system of special pleading. He (Mr. Lawson) said that from beginning to end there was no change in the intentions of the Government upon this question. On the 15th March the Law Officers of Ireland had given their opinions upon this point. The letter of the late Home Secretary was then laid upon the table, founded upon that opinion, and stating that two things were necessary for the purpose of giving effect to the proposed object. First, a supplemental charter; and secondly, in order to remedy the defect that would still exist; for the degrees conferred under the supplemental charter would not give the students the proper status in the University without an Act of Parliament in addition. They could not, for example, be members of Convocation, and it was obviously undesirable that there should be two different classes of graduates separated by religious distinction. Immediately after the publication of that letter the late Law Officers prepared two documents at the same time—the one was the draft of the supplemental charter, and the other was the draft of the Bill which recited that charter. They were prepared on the same day, and submitted to the Government upon the understanding that they were to go on *pari passu*. The right hon. Gentleman the Member for Louth had the draft of the Bill, and was ready to lay it on the table of the House. The Sign Manual to the charter was obtained on the 13th June, a week before the Motion was made upon which the Government went out of office, but the preparation of the document itself had occupied the attention of the Law Officers for a considerable time previously. Their advice

was that the charter should issue, and be submitted to the Senate for its approval, and when that was done the Bill should be introduced. There was therefore no ground for the assertion of the right hon. and learned Gentleman that all this was done after the late Government had determined upon resigning. As he (Mr. Lawson) now saw the right hon. Baronet the Member for Tamworth (Sir Robert Peel) in his place, he would take the opportunity of addressing some observations to him. He would first say that there was not a particle of foundation for the charge he had made against him (Mr. Lawson), that his answer to the question of the Attorney General was one of an evasive character, and that he had stated that something was to be done which he well knew would not be done. To that charge he (Mr. Lawson) gave the most unqualified contradiction. What he had stated was, that the mode in which the proposed changes were to be effected in the constitution of the Queen's University had not yet been finally settled, but it would soon be laid upon the table. On the 20th June the right hon. Baronet went minutely into the statement, that he proposed to put the Queen's University on the same footing as that of the London University, and enable its Senate to grant degrees to all candidates who presented themselves for them, although not members of the Church of England. The right hon. Gentleman continued to be a Member of the Government who proposed to make that change. But when he heard that a supplemental charter had been submitted to the Senate of the Queen's University having the effect of working out that change, he went to Ireland for the purpose of defeating the acceptance of that charter which he had before stated he entirely approved of. That was the position which the right hon. Baronet had the bad taste to take up against the late Government. He congratulated the right hon. Baronet on the liberality of sentiment and consistency of conduct which he exhibited in thus coming forward to oppose the concession of so small a boon to the Catholic students of Ireland. The right hon. Gentleman told the Irish students in effect to go to the London University, and as they could get their degrees there they had no ground of complaint. He (Mr. Lawson) called that an emigration of the worst kind, and he did not understand the nationality of the

Mr. Lawson

right hon. Baronet. He could not think what hon. Gentlemen were afraid of; for this charter, so far from interfering with mixed education in Ireland, would be one of its best preservatives. If the Queen's Colleges themselves could not afford to breathe the free air of competition, they had not the vitality which he believed they possessed. The only effect of this change would be to give a fair opportunity for rivalry between the two different systems of the University Colleges and the Denominational Colleges. The change would not in the least degree interfere with the Colleges themselves, and he could not see how it could injure the system of mixed education in Ireland. The right hon. Baronet the Member for Morpeth had sufficiently answered the charge brought against the late Government of having been guilty of a want of good faith. There could not have been a more idle supposition than that the late Government should have sought for concealment in this matter, and the matter had been carried out by them from beginning to end in the most full and complete manner with an earnest desire to realize the pledges held out by the then Home Secretary during the previous Session. No injury whatever had been done to the cause of mixed education; the supplemental charter was only to enable the University to confer degrees upon persons who had not been educated in the Colleges. If the Senate of the University chose to reject the charter it would become inoperative; but if, as he believed, the Senate, in the interests of their country and of their own University, accepted it, it would then be for the House to say whether it would be put in motion to confirm that charter so accepted, and to take care that there should be no improper distinction or difference drawn between men brought up at the University and those brought up at Denominational Colleges. It would then be for the House to say whether they would or would not carry out and complete that system. The question was looked upon with great interest in Ireland, and it was by no means a wise or a just thing for the advocates of mixed education to endeavour to promote their own system by proscribing, denouncing, or placing under disabilities those who were attached to a different system.

MR. MAGUIRE said, that from the speech of the right hon. Baronet (Sir Robert Peel), it was manifest that he was still influenced by the same spirit of edu-

cational fanaticism which seemed to possess him ever since Ireland was fortunate enough to have him as Chief Secretary. Indeed it was curious that on a subject of such a nature there should be so much bitterness and ill-feeling. The right hon. Baronet hurled imputations and accusations on all sides. He charged the late Government with having yielded to a base pressure on this question, and with having made this concession to the Catholics of Ireland in order to gain the votes of Catholic Members. Now he (Mr. Maguire) did not believe that any such pressure could possibly have been put upon the Government in June, 1865; and so far from any compact or bargain having taken place between the Irish Members and the Government, the Irish Members simply urged on the Government a most just and legitimate claim on behalf of their Catholic countrymen, and the Government dealt with their proposal in a wise and statesmanlike spirit. The language held by the Government in June, 1865 was not of that vague and general character which the right hon. Baronet affected to think it had been. On the contrary, it was so full and clear, so minute and yet so comprehensive, as to their intentions, and the mode in which those intentions were to be carried out, that the hon. Member for Tralee withdrew his Motion—a Motion which seemed to command unanimous assent. The House on that occasion appeared to have come to a right and rational conclusion—namely, that there was in Ireland a large body of Catholics whose only offence was that they held the same opinions and principles on the subject of education as were held and acted upon by the great majority of Englishmen. When the right hon. Gentleman the Member for Calne (Mr. Lowe) was in office, he defended the English National system of education, which was based upon religious teaching, and was in fact denominational, and he represented it as dear and precious to the mass of the English people; and yet Irishmen were denounced as bigoted and retrogressive, fanatical and desirous of going back to the policy of the Dark Ages, because they asked to have the principle of English legislation applied to their country; and the Government were to be branded as base because they made a concession to Irish Catholics which had an apposite precedent in the boon granted to English Dissenters. When one listened to such a speech as that deli-

vered by the right hon. Baronet, one was inclined to ask when was there to be anything like consistency and honour among statesmen and politicians? The right hon. Baronet was in office, sat on the Treasury Bench, when the Home Secretary and the Chancellor of the Exchequer—his Colleagues in the Government—made the proposal on the part of the Cabinet, not in a vague, but in a precise and specific manner. He listened to the statements made by his Colleagues in the Ministry, and not one word of objection or remonstrance fell from his lips. By his silence he assented to that proposal; by his remaining in office he equally concurred in the policy which it announced; and yet in twelve months after, and out of office, he discovered that the proposal and policy to which, as a Minister, he virtually assented, were repugnant to his conscience. If the offer made by the Government in 1865 were so repugnant to his conscience, so dangerous and subversive of the principles which he cherished, why did he not rise in his place and say so at the time? Why, instead of remaining in office, did he not at once separate himself from the Government on a question which he held to be so vital? He charged the right hon. Baronet with moral cowardice in not having stood by his principles on that occasion, and he held him responsible, in the face of Parliament and the country, for not having, as a Member of the Government, repudiated their proposition if he believed it to be injurious. What the House had a right to complain of was, that while holding the most important and responsible of all offices, that of Chief Secretary for Ireland, he concealed his real opinions, and that after acquiescing in the policy of his Colleagues when in office, he should turn round on them in a year after, and condemn them for the very thing to which he had virtually assented. There had been too much of the same inconsistency in the late debates on Reform; and it would be well for Parliamentary morality and statesmanlike consistency that, when a Minister did not agree with his Colleagues on any really important matter, involving principle, he should separate himself at once from them, and then free himself from further responsibility. The question had excited a good deal of unnecessary acrimony; but let them look at the matter calmly. [*Laughter.*] Hon. Gentlemen might laugh; but while perhaps he spoke warmly where principle

and consistency were involved, he could state the views of his countrymen on this subject of education quite calmly. The late Sir Robert Peel had been referred to as the founder of the Queen's Colleges. But if Sir Robert Peel, who was one of the wisest and most sagacious of statesmen, were then alive and in office, he would do the very same thing that the late Government had done, or that the present Government, if they were wise, would do. The late Sir Robert Peel was not one of your pig-headed statesmen—who having once got hold of an idea, could never change or modify it; he went with the times, and yielded to the force alike of conviction and circumstances. He had been the most strenuous supporter of the Corn Laws; and yet he was the very man who, as a Minister at that table, proposed and carried their repeal. In the same way he would have yielded to reason and justice in the present case, and respected conscientious convictions which he could not overcome. He hoped the son of that great statesman would have the moral courage to bring this question fairly before the House, and test his friends opposite on the subject. He would venture to say, whatever hon. and right hon. Gentlemen opposite might assert in this House, they considered the right hon. Baronet a most dangerous ally. If the Government could evade the difficulty, they would do so, and perhaps wisely; but the question was one of those which, from its present position, was one that could not be shirked or evaded, but should be dealt with sooner or later. The state of the case was this:—There was a vast majority of the Catholics of Ireland attached to the principle of separate education. Was that a crime? If so, then they sinned in common with the vast majority of the English people. One of the supporters of the separate system was Dr. Cullen, whom the right hon. Baronet might perhaps shortly term “the so-called Cardinal.” [SIR ROBERT PEEL: No, no!] Well, the right hon. Baronet once said that he did not care three rows of pins for his opinion. Was it because Dr. Cullen held that separate education was the best system that the right hon. Baronet opposed it, and refused any fair concession to those who shared in the feeling of the Catholic Bishops on that point? The great body of the Catholics of Ireland held opinions in common with their Bishops, and, at considerable pecuniary sacrifice, founded a

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Catholic University, which cost about £100,000, including contributions from Catholics in the colonies and America; and their interest in the institution was still shown by their generously responding every year to the appeal made in its behalf. That showed the sincerity of their attachment to the system on which this University was based. And surely this sincerity of belief was entitled to the fair consideration of Parliament, which annually votes an immense sum for the maintenance of a similar system of education in England. The Irish Catholics—not all, certainly, but the vast majority—held the same opinions on this subject of education which were proclaimed by the right hon. Gentleman the Member for Calne when he was Minister. Well, Bishops, priests, and the great body of the Catholic laity asked for a charter for their University; and what possible harm could it have done to give that institution the power of granting degrees to its students? The charter was refused by successive Governments, mainly owing to the noise and clatter got up by a few bigots—educational bigots—who would tolerate no views which were not in accordance with their own. The same demand was made on the late Government by a Motion in this House. But the Government said “No; we will not give a charter to the Catholic University, but we will make a compromise. We will give power to the Queen's University to grant degrees to all students, whether educated at the Queen's Colleges or the Catholic University; and we will so modify the constitution of the Senate of the Queen's University as to inspire general confidence in that body.” This was the compromise offered by the late Government; and, taking all circumstances into consideration, it was about as much as the Government could hope to carry, so long as the absurd excitement on the subject continued. In giving this privilege to the students of the Catholic University, they would not do away with or impair the mixed system, which would be amply sustained by the State; but they would bring about what was most essential, and would be beneficial to the general cause of education in Ireland—a wholesome rivalry between the students of the two institutions. If the students of the Catholic University could not win in the academic race, they should be content to remain without the honours and distinctions of success; but if they established their pro-

ficiency in the studies necessary to qualify them for degrees, was there any just reason why they should be denied the advantages granted to students of other institutions? There had been a great deal of petting and fostering of students in the Queen's Colleges up to a certain period, and honours were lavished in cases where they had not been hardly won; but with a new system, under which all students should have to compete in a common arena, the greatest benefit would be the result. Would the right hon. Gentleman the Chancellor of the Exchequer consent to the proposal of the right hon. Baronet to undo what the late Government had done? The Chancellor of the Exchequer and the noble Leader of the present Government had made all kinds of promises to Ireland. What, then, were they going to do in this matter? Here was an opportunity of testing the sincerity of their professions. To the mind of any unprejudiced man nothing could be fairer than the compromise of the late Government. If the present Government were wise and politic, they would do as the late Government had done. When he was Member for Dungarvan a constituent of his told him that he would sooner cut off his hand than send a child of his to the Queen's Colleges. The gentleman who thus expressed himself had realized a large fortune by industry, energy, and integrity; and he (Mr. Maguire) believed he would have made very great sacrifices in defence of his educational views. That gentleman was strongly in favour of the separate system—which exists in this country; and that was the feeling among the general body of the Catholics of Ireland. He asked the right hon. Gentleman the Chancellor of the Exchequer to respect the honest convictions of those who were unwilling to barter their feelings for the advantages to be derived from the system of education of the Queen's Colleges, and to redeem the promises given not only by the late Government, but by the Parliament itself.

SIR PATRICK O'BRIEN expressed a hope that the appeal made by the hon. Member for Cork would be answered by the Chancellor of the Exchequer, and that a statement would be made of the policy of the Government, not only with reference to education in Ireland, but as to other subjects which were regarded with interest by the people of that country. He might be permitted to say that a rumour prevailed that the people of Ireland were to

be subjected to a dictatorship, and that the Government was not to be carried on by the Constitutional Advisers of the Crown. It was said in former days that Mr. O'Connell was dictator to the Whigs. Was it to be said in 1866 that the Member for the University of Dublin (Mr. Whiteside) was to be dictator to Her Majesty's Government? These were not mere words. The people of Ireland saw with terror that they were to be legislated for not by the Government of the day, but by the right hon. Gentleman. He did not intend to say a word derogatory to the distinguished individual who had been appointed Lord Chancellor for Ireland; but he asked whether it was true that Mr. Blackburne had not in 1858 declined the great seal on the ground of advancing years? He hoped the Chancellor of the Exchequer, who had spoken of checks to Irish emigration, would state whether it was the intention of Her Majesty's Government to bring in a Bill in reference to the relations between landlord and tenant in Ireland. The effectual check to emigration and disaffection would be the declaration that the Government intended to deal in a fair and liberal spirit with that question.

MR. W. E. GLADSTONE: I wish for my own sake and for the sake of the House that I could have refrained from taking part in a discussion which, so far as the late Government are concerned, has been exhausted by the speeches delivered from this Bench. But my right hon. Friend (Sir Robert Peel) has not left me that option, because he has been so kind as to treat this matter, not simply with reference to a default of duty on the part of the late Government, but as a personal breach of faith on my part—acquainting me, as he did in his speech—and, certainly, I am not accustomed to such imputations—that an imputation rests upon me individually as regards the non-fulfilment of my promises in this House, and that a motive of kindness to me operated—I forget whether with respect to himself or the Senate—in causing him to give me an opportunity of freeing myself from these grave imputations. And then, at the close of the speech of my right hon. Friend, stretching his Christian charity to the utmost in order to devise a more favourable interpretation, he was kind enough to let me off easy, on the ground that so favourable and so high was the opinion he entertained of me, that he had no doubt I should have kept my promise but for the pressure and

excitement of the fallen fortunes of the Government. I return my best thanks to my right hon. Friend for his kindness in raising this discussion with a view to my special personal advantage, and more especially for the mild judgment that he has been pleased to pass upon the breach of my engagement, mitigated by the considerations he has so kindly adduced. But, Sir, I cannot accept the statement of my right hon. Friend. I must gravely question the discretion with which, so far as he is concerned, he has raised the present question. I must contrast his recital of the facts with the far more accurate recital of the right hon. Member for Calne (Mr. Lowe). The statements of these two Gentlemen were fundamentally at variance upon the more important points of the case. The right hon. Baronet the Member for Tamworth (Sir Robert Peel) represented the case generally in this way:—In the summer of 1865 there had taken place a discussion in which my right hon. Friend the Member for Morpeth (Sir George Grey), on the part of the Government, promised, in large and general terms, the consideration of the question with regard to the higher class education in Ireland; and then my right hon. Friend (Sir Robert Peel), leaving it to be understood that the House at that time remained in total ignorance as to what were the real intentions of the Government, came down in his narrative to the present Session of Parliament, and described the feelings of astonishment and dismay with which he at length discovered that it was our intention to open, if we could, the Queen's University so that it should no longer admit to degrees exclusively those persons who were trained in the Queen's Colleges, but that it should admit to degrees all who had complied with the requisite conditions, and had attained the requisite degree of fitness, even although they might have been so ill-judged, as he considered it, to receive their education only in an establishment where their own religion was specifically taught. That my right hon. Friend now declares to be a fundamental change in the system established by the late Sir Robert Peel; and I believe he has given indications to-night of his intention to challenge that change, and to invite the judgment of the House upon it, which I hope he will do. But has he totally forgotten that to the official pledge to Parliament and to the people of Ireland to introduce that very change, he himself was a party. My right hon. Friend, as

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the representative of the Irish Government, sat upon the Ministerial Bench by the right hon. Gentleman the Member for Morpeth, when the latter, on the part of the Government of Lord Palmerston, not merely in vague and general terms intimated that it was the intention of the Government to consider this or that, but in the most specific manner announced the very object the Government had in view, and which at the very first opportunity it was our supreme desire to make thoroughly known and understood by Parliament, as well as by the people of Ireland. Here are the very words that were then used by my right hon. Friend the Member for Morpeth with the assent and approval of my right hon. Friend the Member for Tamworth—

"Her Majesty's Government think it (their object) would best be effected by an enlargement of the powers of the Queen's University in Ireland, by amending its charter so as to remove the restrictions which now prevents it from granting degrees to any students except those who have passed through a course of instruction in one or other of the Queen's Colleges, thus adopting a system analogous to that found to work satisfactorily in the University of London."—[3 *Hansard*, clxxx. 555.]

These are the terms of the declaration made by my right hon. Friend the Member for Morpeth with the official and responsible approval of my right hon. Friend the Member for Tamworth.

SIR ROBERT PEEL: May I just interrupt my right hon. Friend for a moment? What I stated in the earlier part of this discussion was not that I approved entirely of the speech of my right hon. Friend the Member for Morpeth, but that the Government had given a pledge to this House, in answer to the speech of the hon. Member for Tralee, that during the Session the Government would consider the question, with a view to the enlargement of the scheme for the University.

MR. W. E. GLADSTONE: I do not undertake to state whether my right hon. Friend approved every word in the speech of the right hon. Gentleman the Member for Morpeth or not. What I stated was this, that my right hon. Friend was Secretary for Ireland at the time that a measure of a specific character and of vital importance was announced by the Cabinet under which he served, and he, the organ of the Irish Government, remained silent upon the Ministerial Bench, and became responsible as much as was any one of us for the measure announced by the right hon. Baronet the Member for Morpeth.

SIR ROBERT PEEL: With the permission of the House I must again interrupt the speech of the right hon. Gentleman. It is not the case that I sat silent upon the Bench while that statement was made by my right hon. Friend. I stated to Lord Palmerston, the then Prime Minister, that if the Government intended to introduce any measure affecting the Queen's University in Ireland, I would not consent to hold the position I did.

MR. GLADSTONE: I am unable to follow the reasoning of my right hon. Friend. He says that because he made some statement to Lord Palmerston, of which I have now heard for the first time, it therefore follows that I am not correct in saying, what I must repeat, that he sat silent upon the Bench as an organ of the Irish Government while a statement was made announcing Irish policy, and therefore by that silence he was, and could not but be, and in the sense of the constitution or usages of this House must have been, and could only be understood to be, fully and completely responsible for the whole measure then announced. But my right hon. Friend the Member for Calne has given a much more accurate statement of what has taken place. I must say that if there is anything for which I should be disposed to claim credit on the part of the late Government in connection with this matter, it is for our extreme anxiety to place Parliament from the first in possession of our intentions. I do not say that we were entitled to any special credit for this, because any Government that pursued a different course would find itself involved in infinite embarrassment. It would have been possible to have made vague and general declarations, but the greatest care was taken to make specific statements; and the right hon. Member for Calne, with his clear perception and accurate memory, has stated fully and clearly the declaration that was made by the Government in June, 1865, of their whole intention with respect to this matter. When we came to the commencement of the present year, the very first thing we did was to lay upon the table of this House every document connected with the subject the moment we were in a position to do so. As I stated on a former occasion, we always looked forward to the opportunity we should have, in the natural course of business, to challenge the judgment of the House upon the measures we had taken, by the proposal it was our intention to make for the

foundation of scholarships in the enlarged University. It was not supposed by us that that was a security given to the House in order to enable it to prevent things of which it might disapprove. On the contrary, it was quite evident that the proposal of these scholarships must follow and not precede the changes to be made in the constitution of the Queen's University. We looked to that as a means by which we should bring under the judgment of the House those measures which undoubtedly we should have adopted on our own responsibility, without question, but not without the full cognizance of the House. Since July, 1865, I distinctly affirm that our plans and intentions have been well known to this House; and that they were well known is proved by the questions put in February of the present year. It is so far satisfactory that there can be no doubt at all of the meaning of the terms then used. I do not complain that they have been misconstrued by either of the two right hon. Gentlemen who have appeared disposed to complain of the conduct of the late Government. The promise was certainly not to associate the House by acts of our own in the responsibility for those measures anterior to their being adopted—that is to say, so far as they were measures within the compass of the prerogative of the Crown. It would have been wrong on our part if we had endeavoured to throw upon the House the responsibility for these measures, so far as they were within the compass of that prerogative. At the time I speak of we were not aware, from an examination of the case, that it would be necessary to invite the aid of Parliament; but, when challenged, we cheerfully promised to place it in the power of Parliament to interfere if it pleased, for the purpose of preventing beforehand the accomplishment of that of which it might disapprove. When that pledge was given it appeared to be satisfactory; and, undoubtedly, we did believe that when the Secretary of State laid upon the table the letter he had addressed to the Lord Lieutenant we had substantially fulfilled that pledge. I grant, as the right hon. Member for Calne has urged, and as the Secretary for Ireland has admitted, it could not be inferred from that letter that it was intended by us to prepare the draft of a supplemental charter and to advise the Crown with respect to the charter before introducing a Bill into Par-

liament. I admit that, and I join with the late Secretary for Ireland in regretting that that letter of my right hon. Friend was not, as I have said, clear and indisputable upon that subject; but I cannot admit that it conveyed the sense which the right hon. Member for Calne has put upon it. I admit that upon that point it was ambiguous, and I regret it. I must say this: it did appear to me that that ambiguity, whatever it was, was made sufficiently clear by the speech of my right hon. Friend the Member for Louth (Mr. Chichester Fortescue). It has been said by the right hon. Member for Calne that it was not to be expected attention should be paid to that speech considering the circumstances under which it was delivered; but my right hon. Friend the Member for Tamworth has given us to-night a lively description of the alarm and dismay that that speech excited in his mind.

SIR ROBERT PEEL: I was not present when it was made.

MR. GLADSTONE: I thought I understood him to say—

SIR ROBERT PEEL: You have stated many things I did not say.

MR. GLADSTONE: I did not say my right hon. Friend was present, but he learnt from that speech the intentions of the Government. My right hon. Friend the Member for Louth said—

“In order to carry into effect the purposes of the Government it would be necessary to prepare a supplemental charter; and also to propose, to a certain extent, legislation in that House, with a view to supplying deficiencies which under the present charter the Crown alone was unable to remedy.”

I must remind the House of a well-known and recognized principle, that there is no declaration more formal and more solemn than that which a Minister of the Crown makes in his place in the House of Commons; and I cannot conceive how anyone, listening to the words I have quoted, could have rested in the comfortable conviction in which the right hon. Member for Calne appears to have rested, that the first step to be taken by the Government was the introduction of a Bill into this House. The right hon. Member for Calne will do me the justice to recollect that all along we have said we could not produce the charter as a draft to this House, and that we distinctly declined to do so; and then the Secretary for Ireland said it would be necessary to prepare a supplemental charter, and also to propose certain

legislation to supply deficiencies in the present charter which the Crown alone could not remedy. Under these circumstances, when my right hon. Friend the Member for Calne says he finds himself reduced to this dilemma, that either he must accuse himself of some laxity or inattention in the pledge he gave to follow up this question, or else he must accuse the Government of that which he would not describe by finishing the sentence, I have not the least hesitation in stating that between these alternatives I accept the milder one, and I think my right hon. Friend must see that after he was told that a supplemental charter would be prepared, and told likewise that it could not be laid before the House until it had been acted upon, he must have shown either a little inattention to the duties he had undertaken or he must at the moment have been under such an excess of liberal and favourable temper as prevented his exercising his habitual vigilance.

MR. LOWE: Read the next sentence.

MR. GLADSTONE: What is the next sentence?

MR. LOWE: It runs—“We therefore propose, with the sanction of the House,” &c.

MR. GLADSTONE: My right hon. Friend now calls the words to my recollection—

“We therefore propose, with the sanction of Parliament, to bring the Queen's University in Ireland into the same condition as the University of London.”

Undoubtedly, because without the sanction of Parliament it cannot be done. The powers of the Queen's University can be extended as far as the point we had immediately in view is concerned—namely, as to the granting of degrees; but that does not place the Queen's University on the footing of the London University. A supplemental charter was requisite; but in order to put the Queen's University on the same footing as the University of London, it was necessary that those who received the degrees should be invested with all the privileges attaching to those degrees, and that could only be done through Parliament. As far, then, as I am able to review the circumstances, it does appear to me that my right hon. Friend the Member for Tamworth has entirely mistaken, and therefore misstated, the nature of the case, because his view clearly is that the real substance of the intentions of the Government was never made known

to Parliament during the Session of 1865, or before the time when he himself had promised to move an Address to the Crown. No doubt, if that had been true, the foundation would have been broad enough to sustain the charge which he has made. But I think I have shown unequivocally by quotation from the speech of the right hon. Baronet (Sir Robert Peel) that the foundation of fact is wanting for his argument. As to the case of the right hon. Member for Calne it is of a totally different nature. He does not hesitate to admit from the first that the disclosures made in the debate of 1865 were full and ample as to the nature of the measures we should take. And I must in passing say this on the part of the late Government, that we may have been, I grant, in some degree misled by the exceedingly favourable reception given by the House to these disclosures when made in June, 1865. What happened then? My right hon. Friend the Member for Calne offered, as I understood, no objection at the time. Objection was, indeed, offered by an hon. Gentleman then a Member for the King's County (Mr. Hennessy) on the specific ground that our measure did not go far enough, and that unless they went much farther we could not expect them to give satisfaction to the people of Ireland. Objection was likewise offered by the then right hon. Member for Dublin University (Mr. Whiteside), and, considering the unequivocal tone of his observations, I must say I thought the views of that right hon. Gentleman were of a narrow description; but the general character of the debate was a character of approval. What said the right hon. Member for Oxfordshire (Mr. Henley)? He dealt with this question of mixed education, and stated that if there was one thing for which the hierarchy of another religious persuasion were entitled to credit it was for the strenuous manner in which from the beginning they had stepped forward and denounced the system of mixed or godless education—holding out, as it did, temptations for acquiring a good academic education—as fatal to faith and morals. [Mr. HENLEY: Hear, hear!] We did not adopt that statement of the right hon. Gentleman, but it was a most important statement as proceeding from him, and as expressing what we knew it did express, a wide-spread conviction among those who surrounded him adverse, root and branch, to mixed education. [Mr. HENLEY: Hear, hear!] That indi-

cated what we had to expect from that quarter. And what had we to expect from the supporters of civil and religious liberty in this House? I would speak with the greatest respect of Gentlemen who are not numerous, but at the same time whose judgment and character entitle what proceeds from them to the utmost respect and consideration; and I know that there are Gentlemen on this side of the House—firm friends to Ireland, and firm friends also to liberty—who by some process to me wholly inexplicable have arrived at conclusions nearly the same as those of the right hon. Member for Tamworth—that is to say, who disapprove of this enlargement of the Queen's University. Well, Sir, when we get upon this ground we get upon a ground which is much wider than that of the comparatively limited discussion of to-night. I must say that if the Parliament of this country is prepared to adopt that opinion, if it is prepared to mulct the Irish Roman Catholic in respect of his civil rights, because on account of his conscientious convictions he does the very thing that nineteen-twentieths of the parents of England do in the higher classes of society, and that we encourage the parents of every peasant child to do by schools supported at the public expense in every parish—that is to say, to send his child to be taught at places where the religious instruction conveyed to him by his teachers is made part of the system of education—if this House while maintaining this system in England, while refusing in England to recognize any school that is without religion, and while saying to everybody in England who seeks to establish a merely secular school, that not one farthing shall such a school get of the public grant—is to turn round and tell the people of Ireland that, "With all the respect which we entertain for religious convictions in this country, we will show you that Irish feelings and convictions are to be treated with no such deference—that we have one weight and one measure for this side of the Channel, and another weight and another measure for the other side of the Channel"—I must say, Sir, that if this be the sentiment and intention of this House—I care not whether it be Liberal or whether it be Conservative, I look upon the question as a national question, I look upon it as a question of political justice, and it is well that no time should be lost, that we should not too long occupy our-

selves in critical and minute examinations of this or of that misunderstanding, of this or of that expression, but that the Parliament of this country should arrive at some clear and distinct enunciation of its convictions and intentions upon a question with respect to which I venture to assert that, although its immediate practical consequences may be grave, those immediate practical consequences are not to be weighed for one moment in the balance against the enormous weight of the principles involved. I hope therefore, Sir, that my right hon. Friend the Member for Tamworth will understand that when he was warmly challenged by my right hon. Friend the Member for Morpeth (Sir George Grey) to bring this question before the House, that challenge was not one delivered merely in the heat of debate, nor did it aim at any object so comparatively unimportant and secondary as the vindication of the late Government. It aims at giving the people of Ireland information on the vital question whether or not they are to be governed on the principles of political and national equality. And although we have advanced far in the Session, and although this certainly is not the time at which I for one should wish to see raised any question involving the existence or the distinctive opinions of the new Administration, as compared with those of their predecessors, yet this is a matter which I look upon as broader and deeper—it is a matter on which, whatever may have been said by the learned Gentleman the Attorney General, I cannot view the present Government as committed—it is a matter on which I am bound to say I believe that the convictions of many hon. Gentlemen who sit opposite are in unison with the feelings of the representatives of the Irish people, and that they will give utterance and effect to those convictions when the time may come. But whether the decision is to be adverse or whether it is to be favourable, I do put it to this House, and to my right hon. Friend, that the matter is not one which is to remain in doubt. If the Irishman is to be deprived of the strictly civil privilege of a degree on account of a conviction strictly and absolutely religious and flowing for him—I do not mean for all Irishmen, but for that portion of them who choose so to view the matter—flowing, I say, for them straight out of their religious conviction and belief—if that is to be the conduct of the

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Parliament of the United Kingdom towards Ireland, then not one day should be lost in making it none. I may be permitted just to remind the House that there are two or three points involved in the present question which are quite distinct from one another. There is the point of the appointments made by the late Government of members of the Senate of the Queen's University. I do not know that there would be any great advantage in entering upon that discussion at the present moment, because the debate has already been sufficiently laden with matter which does not directly belong to it. But we are here to defend those appointments—to defend their propriety in themselves, and the propriety of their being made by us under the circumstances and at the time when they were made. To make appointments of that character and to nominate to the Senate a moderate portion of persons whose names would render them in some degree representatives of those for whose benefit the other changes were intended was, in our view, a portion of the pledge which we had publicly and formally given to the people of Ireland, and which, if it were our very last act of administration, we were bound, as far as it lay in our power, to redeem. We saw nothing hostile to the system of mixed education in such a proceeding. I have already stated that we are not able to adopt the strong expressions of the right hon. Gentleman, much as we respect him. I am one of those who twenty years ago—though I was not then a Member of the Government—supported the late Sir Robert Peel in his Bill for the establishment of the Queen's Colleges, and I have never repented in the least degree of the course I then took; but I must say, as has been said before in the course of this discussion, that although they may be perfectly faithful friends of the Queen's Colleges, yet they are not the wisest friends, who would seek to stamp them with the character of a public monopoly, maintained at the expense of the State, and not only invested with those favours and privileges which can be given by supplies from the public purse and the general countenance of the Government, but likewise with severe prohibitions imposed on others, who are excluded from the natural and ordinary advantages which crown an educational career for the purpose of fostering an odious monopoly. We are prepared, therefore, to say that it was wise not to effect

a fundamental change in the character of the Senate of the Queen's University, but in a degree, and in a mild degree, to colour and modify that character by the appointment of men wisely, I think, and carefully chosen, who, I believe, will respect the system of mixed education as much as its original promoters, but who, besides respecting that system, have some sympathy also with those who are unable to avail themselves of its advantages. Then an important question, which must be solved in order to effect the equalization of the system of the Queen's University with that of the London University, remains, and must remain, unsettled until Parliament can deal with it. Whether the Government were right or wrong in issuing the supplemental charter, that question is not in the slightest degree affected by it, for nothing that the Government can do can convey any governing power to any persons in the Queen's University other than those who have been educated in the Queen's Colleges. That is an important subject, I fully grant, but it remains intact, and must hold over till the time when this subject comes under the consideration of the Legislature. The only question with respect to which it was in the power of the Executive to do anything independently of Parliament, and that only in case of the concurrence of the Senate of the University, was that one simple question whether those persons in Ireland, be they Roman Catholics, or be they Protestants—for there are a considerable number of both who do not choose to partake of the benefits of mixed education, thinking it important that they or their children should be educated in places where religion is taught as part of the system of education—should be admitted to the benefit of a degree. That was the only point upon which it is possible that Parliament or even my right hon. Friend can lose anything in consequence of what has taken place. My right hon. Friend can lose nothing. He is in time now, as I have already pointed out; for the Senate has postponed to October the consideration of the question of the admission to degrees of persons educated elsewhere than in the Queen's Colleges. As the Senate has postponed the consideration of that question on which it could act under the authority of the charter, do not let it be supposed that any one who holds the views of my right hon. Friend is placed at a disadvantage. He can

even now challenge the judgment of Parliament, and Parliament, if agreeing with him, can easily give effect to his view. I must say that I not only hope, but am firmly convinced, that when that judgment is challenged by my right hon. Friend, though I am sure his views will be sustained with all the force that argument and eloquence can give to them, yet be his argument and eloquence what they may, I am confident that they will be shattered in the conflict with those principles of justice and equality upon which the Government of the two countries must be conducted.

THE CHANCELLOR OF THE EXCHEQUER: My right hon. Friend has appealed to me to express upon this occasion the opinions of the Government on the question before us. Now, my complaint is that there is no question before us, or rather the question before us is, whether we should go into Committee of Supply; and I think it most inconvenient that if the opinions of the Government are desired on so momentous a question as Irish education, they should be sought to be obtained without any notice and in a manner so incidental as has occurred this evening. The present discussion has originated in a misconception between the right hon. Baronet the Member for Tamworth and the late Government respecting some engagement that was made about the Queen's Colleges. I myself do not wish to enter at all into that argument. It is clear that Her Majesty's late Government entered into an undertaking in which, from some circumstance or other, they have not been successful. I agree, however, that it is impossible to leave the question in the position in which we find it. We will consider it with candour and endeavour to make ourselves acquainted with all the facts, and I think, with reference to the result, it will be interesting to know what will be the decision of the Senate in the autumn. As this discussion has gone on, we have seen the subject developed into a variety of aspects, until at last, in the speech of the right hon. Gentleman the Member for South Lancashire, it really has touched upon the very principles upon which the whole system of Irish education is to be founded. Now, I will put it to the House whether it is desirable that an issue of so much importance should be discussed in this House in a manner so incidental, and, practically speaking, absolutely without any notice whatever. I do not say this

to defend the Government from any expression of opinion on the question. I say at once that if proper notice had been given—even at this period of the Session and under the circumstances in which the Government finds itself—of soliciting and challenging the opinion of the Government on the whole question of Irish education, we should have been prepared to meet the discussion. We should not have shrunk from the discussion, though I think that under all the circumstances of the case it would not have been a very fair proceeding. But as the right hon. Gentleman proceeded, he touched on the vital principles upon which the whole system of Irish education is founded, and I declare that, though I listened to him with the attention which he always commands, I am at this moment in ignorance as to whether he is in favour of mixed education or not. I only say this to illustrate the inconvenience of treating these vast questions in a manner so unexpected, so occasional, and so desultory. We recognize fully the importance of the whole question of Irish education. It will receive from us an earnest and anxious consideration, and when the matter is brought before Parliament in a natural manner, we shall be prepared to state to the House those opinions which we think it expedient to adopt. On the present occasion I think it is unnecessary for me to say more; but I recollect that an hon. Gentleman who spoke early in the discussion made some inquiries of me which it was not convenient that I should then answer respecting some appointments in the Irish Government, and it would not be respectful to the House if I passed them over in silence. The hon. Member for Nottingham favoured the House with an eulogy of Mr. Brewster. Now, I very much agree, so far as I can form an opinion, with the character of Mr. Brewster drawn by the hon. Member for Nottingham. I believe Mr. Brewster to be a most eminent lawyer, and a temperate and sagacious politician, and I have no doubt that he would have discharged the duties of Lord Chancellor of Ireland with great ability and satisfaction. After the glowing character of him given by the hon. Member for Nottingham, I am only surprised that he and his friends did not make him Lord Chancellor of Ireland. The hon. Gentleman inquired of me whether the Lord Chancellor of Ireland was Mr. Blackburne. Well, I believe I may say that Her Majesty, by the advice of Her

The Chancellor of the Exchequer

Ministers, has been graciously pleased to appoint Mr. Blackburne Lord Chancellor of Ireland, and that he has accepted the office. The hon. Gentleman did not deny that Mr. Blackburne was a lawyer of great eminence, and a man of great ability and experience. The hon. Gentleman opposite referred to the past as having been the period when Mr. Blackburne was distinguished. But three months ago Mr. Blackburne was Judge of Appeal in Ireland. Now, what is the Judge of Appeal? Why, he is the Judge who revises the decisions of the Lord Chancellor of Ireland. So if Mr. Blackburne only three weeks ago was deemed by the late Government competent to revise the judgments of the Lord Chancellor of Ireland, why should he not now be competent to perform the duties of the Lord Chancellor, and to give decisions himself. Then, Sir, the hon. Gentleman seemed to complain that Mr. Napier had been appointed as the successor of Mr. Blackburne, although another hon. Gentleman sitting near him has just delivered a panegyric on Mr. Napier. I believe no one will deny that Mr. Napier is a very eminent lawyer. I think it will be conceded that when the Act was passed which first established the Judge of Appeal in Ireland it was contemplated that if there were an individual who had been ex-Chancellor he should be preferred to the office. Indeed, it is, as I am informed, so expressed in the Act itself, and there are other reasons, besides legal qualifications, that would recommend such a course. I believe there is no one—certainly not the hon. Member who spoke before the right hon. Gentleman the Member for South Lancashire—who doubts the legal qualifications of Mr. Napier. The hon. Member for Nottingham, with that delicacy which sometimes distinguishes him, touched upon an infirmity to which Mr. Napier is subject. Mr. Napier, he says, is as deaf as a post. I have for several years sat in Parliament with Mr. Napier, and I am sorry to say that during the whole of that time he was to a certain degree subject to this infirmity. He nevertheless took an eminent part in the discussions in this House, and succeeded in obtaining the respect and confidence of its Members for his judgment and learning. He much assisted in the transaction of the business of the House in Committees, and the value of his impartial judicial power was very generally recognized. I am told—and I can, of course, speak only from

information which I have received on the subject—that Mr. Napier's infirmity not being one which was the result of age, has not increased since he was a Member of this House, and therefore I cannot believe that there is any foundation for the charge that he is incompetent to perform the duties of the office to which by the favour of his Sovereign he has been appointed. I do not know that I need say anything further in reply to the remarks of the hon. Member for Nottingham. He has to-night, indeed, declared that it was my duty to announce on the part of the Government the policy which we intend to pursue with respect to Ireland. I remember taking seven years ago, under nearly similar circumstances, my place at this table. The hon. Member for Nottingham, who was then Member for some other town, for he really has been an almost universal representative, insisted then that it was my duty to favour the House with an exposition not merely of the policy of Her Majesty's Government towards Ireland, but upon all possible subjects. A debate ensued, in the course of which due reference was made to precedents which regulate the conduct of this House, and it was, I think, all but unanimously admitted that the hon. Member for Nottingham did not take much by his Motion, and that he failed to establish the position which he sought to maintain. No one, I may add, has, under any circumstances, placed as I am, felt it to be a portion of his duty to make an exposition of the policy of the Government upon taking his seat for the first time on this Bench. To-night, Sir, the hon. Member for Nottingham is more modest. His opinions during the lapse of seven years have become somewhat modified, and he now confines his demand to a mere explanation of what the policy of the Government is towards Ireland. Well, I will not on this occasion shield myself, as I did before, under precedents. The hon. Member for Nottingham accuses me of possessing some secret by which emigration from the sister isle may be checked, and he demands that I, as Chancellor of the Exchequer, should, with perfect frankness, explain at once what the nature is of this specific. He seemed darkly to intimate that I was about to impose an export duty upon emigrants, but I protest against any such interpretation of our policy. The hon. Member tells us there are some things he will not endure. He will not hear of

Votes for Public Works, but there is one thing which, above all others, he declares he will oppose, and that is a Vote for Railways. Well, I am obliged, in the display of that frankness which he invites, to inform him and the House that it is part of our policy towards Ireland to assist her railways. This announcement may deprive us of the confidence of the hon. Gentleman, although, as he himself is deeply interested in that country, I hope it may not altogether disinherit us from his favour. We may, however, obtain the confidence of others by the declaration that we are about at this moment, under the present stringent circumstances of Ireland, to propose that a loan should be made to her railways, and I think it only fair to say that we are not entitled to the full merit of so expedient and just a policy, because it has been handed over to us by our predecessors. We intend to act upon it, because we are of opinion that they wisely decided that the loan should be granted. I have now, I hope, answered the questions which have been put to me by the hon. Member for Nottingham both with regard to our Irish policy and our Irish appointments. I have confidence in both, and I trust that whether in dealing with questions relating to the railways of Ireland or to her system of education Her Majesty's Government will be able when they come again before Parliament to propound a policy which will entitle them to the confidence of the House of Commons.

Motion agreed to.

SUPPLY—CIVIL SERVICE ESTIMATES.

SUPPLY — *considered in Committee* —
CUSTOMS, SALARIES AND EXPENSES.—IN-
LAND REVENUE. — SUPERANNUATIONS. —
POST OFFICE PACKET SERVICE.

(In the Committee.)

(1.) £598,493, to complete the sum for Customs, Salaries and Expenses.

(2.) £995,645, to complete the sum for Inland Revenue, Salaries and Expenses.

(3.) £1,836,016, to complete the sum for Post Office Salaries and Expenses.

MR. WALDEGRAVE-LESLIE took occasion to complain of the manner in which money was doled out to the provincial postmasters. The country post offices, so far as he had been enabled to ascertain, were provided for by means of small allowances which were granted by

the Post Office surveyors, and which comprised house rent, office rent, and other expenses, including the painting of the post offices on the outside. Now, the country postmasters had to answer all inquiries in reference to the conveyance of letters, to sell stamps, to attend to all the business of Post Office savings banks, and also to transact the new business connected with Post Office insurances. He had been told by a postmaster that these insurances had entirely failed in his district because of the questions which he was obliged to put to those who sought to effect them. He was compelled, for instance, to ask a woman, no matter how many persons might be present in the room—which sometimes was not more than four foot square—at the time, such questions as what was her age, whether she was married or single, and whether she was of sober habits. Much inconvenience, in short, was the result of the want of accommodation, but he should not at the period of the Session at which we had arrived enter further into the matter, but he hoped the hon. Member for Northamptonshire would look into it during the recess.

MR. AYRTON, who had given notice of his intention to bring before the House the course taken by the late Postmaster General, in entering into certain contracts for the Indian Mail Service, said, that, as the noble Lord had retired from office, he thought it would be useless to enter into the subject at any length. It was, however, of some importance that the Government of the day should be warned of the necessity of paying attention to the Resolutions to which the House had some years ago come for the purpose of protecting the public revenue in the case of such contracts. These Resolutions were of the utmost importance. One declared that if any contract were entered into by the Postmaster General, it should be laid on the table of the House in order that Parliament might have an opportunity of expressing an opinion on the subject, and another provided that no contract should take effect unless it was approved by the House of Commons. Last Session he had called the attention of the House to the state of the Post Office Service for India, and the Postmaster General took the subject into consideration. He, however, entered into a new contract in February last, but it had not been laid on the table of the House in accordance with the Resolutions to which he had referred. The

matter had come within his cognizance, and he had given notice that he would bring it under the consideration of the House. The result was that the Postmaster General caused the contract to be laid on the table, but when he looked into it he found that it had been framed in contravention of the Resolutions, a state of things for his part in which the noble Lord rendered himself liable to a Vote of Censure. He had fortunately, however, retired from office, and it might be said on his behalf that in entering into the contract he had not imposed any new charges upon the public.

THE CHAIRMAN reminded the hon. and learned Member that the Vote for the Packet Service was not before the Committee, and therefore his remarks on a Packet Service contract were not in order.

In reply to Mr. WALDEGRAVE-LESLIE,

MR. HUNT said, that in the smaller offices in which accommodation was provided by the persons who kept the Post Office, an allowance was made on that account in the amount of salary paid to them. There was a second class of cases, in which a sum was directly allowed for the accommodation; and there was a third class, in which the premises were supplied by the Government. Periodical surveys were made by the Post Office; but if his hon. Friend would bring any particular case of grievance under the notice of the Department, it should receive attentive consideration.

MR. BASS called attention to the fact that in the Scotch limited mail, passengers who required to travel only a part of the journey performed by the train were obliged to pay the fare for the entire distance. He wished to know whether the Post Office had any objection to travellers by the mails between England and Scotland, and between England and Ireland, being booked for those points at which mails were deposited?

MR. HUNT said, that there was no condition whatever required by the Post Office that passengers should not be set down at those points.

COLONEL SYKES complained that some of the Post Office runners in Scotland were very badly paid. There were cases in which runners who travelled twenty miles a day were paid only 7s. or 8s. a week.

MR. O'REILLY drew attention to the great interval that elapsed between the deliveries of letters in the island of Alderney.

Mr. Waldegrave-Leslie

MR. CHILDERS said, there were very few persons in the island, and the inconvenience referred to by his hon. Friend was experienced principally by the contractor there. The postal communication with the island would not justify a large expenditure.

Vote agreed to.

(4.) £355,544, to complete the sum for Superannuations, &c., Customs, Inland Revenue, and Post Office.

(5.) £591,164, to complete the sum for Post Office Packet Service; no part of which sum is to be applicable to or applied in or towards making any payment in respect of any period subsequent to the 20th day of June 1863, to Mr. Joseph George Churchward, or to any person claiming through or under him by virtue of a certain Contract bearing date the 26th day of April 1859, made between the Lords Commissioners of Her Majesty's Admiralty (for and on behalf of Her Majesty) of the first part, and the said Joseph George Churchward of the second part, or in or towards the satisfaction of any claim whatsoever of the said Joseph George Churchward, by virtue of that Contract, so far as relates to any period subsequent to the 20th day of June 1863.

MR. CHILDERS, in reference to the observations made by the hon. and learned Member for the Tower Hamlets, said, that, under a Resolution of the House, contracts for the conveyance of mails which created a charge on the revenue were not binding till they had lain on the table of the House for a certain time. The contract alluded to by his hon. Friend was not of that character, because it was one effecting modifications which had the effect of reducing the net charge of a contract previously entered into.

MR. AYRTON contended that the contract in question was one which did not come under the Order of the House. It granted a premium to the contractors to delay the mails to the prejudice of the public.

CAPTAIN VIVIAN called attention to a matter connected with the arrival and despatch of the West Indian mails. Twenty years ago the West Indian mails used to be landed at a point in the West of England, but the mail station was afterwards removed to Southampton, because there was a railway between that place and London. Now, however, railways went almost to the Land's End, and it would be of very great importance to merchants in Scotland and the North of England if the West Indian mails should be landed and despatched at some point in the West of England. In that way a saving of nine hours might

be effected in the arrival of the letters in London, and forty-eight hours in Glasgow. The advantage would be equal as regarded the despatch of mails.

MR. SCLATER-BOOTH said, the question as between Falmouth and Southampton was one of many years' standing, but a change would probably entail considerable cost upon the public. He believed that the sum spent on the West Indian mail service was far beyond what ought to be expended. He was also told, with respect to the conveyance of mails to America, that there were several lines of packets constantly crossing the Atlantic ready to carry the American mails without any subvention. He should be glad to know what was the present position of the contract.

MR. RUSSELL GURNEY said, that he had ascertained by careful observation, that during a whole year there would have been, with a single exception, no saving of time by landing of the mails at Falmouth. At present there was considerable convenience to the public in the adoption of Southampton as the port for the arrival and departure of the West Indian mails; and the substitution of Falmouth would be attended with inconvenience, and even danger.

MR. CHILDERS stated that the Cunard contract terminated at the end of next year, and it was anticipated that the postage of the letters would be sufficient to pay for the service, the shilling rate being reduced to sixpence, and all letters being carried to New York. By the arrangements which were contemplated there would be something like a daily postal communication between this country and America, and it was hoped that the confederation of the North American Colonies would facilitate improved arrangements for the mail service between them and England. The subject of the removal of the West Indian mail station from Southampton to a point further west had received the attention of the late Government. He believed that the removal would lead to some saving in the time required for communicating with Scotland and the North of England, but that London would gain very little by the alteration.

MR. W. E. FORSTER said, that the removal of the West Indian mail station as proposed would be attended with the advantage of giving more time to merchants in the North of England for answering their letters. He never heard

before of the danger of entering the port of Falmouth, but had always supposed it to be the best harbour in England. A case had been made out for the consideration of the present Government, and he hoped it would receive attention.

MR. MOFFATT stated that as regarded the postal communication between the East and West Indies and the metropolis, there was a clear gain by continuing the use of the port of Southampton, and that in regard to the northern towns, any disadvantage in regard to them might be easily and cheaply remedied by some alterations in the postal communications from Southampton to Birmingham, making the deliveries of letters more speedy, punctual, and economical than by any alteration of the port of arrival and departure.

CAPTAIN VIVIAN said, he should be prepared to prove before a Committee that forty-eight hours would be saved in the case of Glasgow letters if the mails were landed at Falmouth.

MR. HUNT was sure the Committee would not expect him to give any opinion on this matter at present, but it should receive his very best consideration before Parliament met again.

Vote agreed to.

House resumed.

Resolutions to be reported To-morrow.

Committee to sit again upon Wednesday.

OYSTER FISHERIES BILL—[BILL 169.]

(*Mr. Milner Gibson, Mr. Monsell.*)

COMMITTEE.

Order for Committee read.

Bill considered in Committee.

(*In the Committee.*)

Clauses 1 to 13, inclusive, agreed to.

Clause 14.

MR. CAVE proposed an Amendment extending the provisions of the measure to private oyster beds already formed, which was agreed to.

Clauses 15 to 22, inclusive, agreed to.

Clause 23.

MR. CAVE said, it had been represented to the Board of Trade that thirty years was not a period sufficiently long for the duration of rights of fisheries to induce persons to invest capital in the formation

of oyster beds. He therefore proposed that sixty years be the maximum term.

Clause agreed to.

Remaining clauses agreed to.

House resumed.

Bill reported; as amended, to be considered upon Thursday.

COLONIAL BISHOPS BILL—[BILL 160.]

(*Mr. Secretary Cardwell, Mr. Attorney General, Mr. William Edward Forster.*)

SECOND READING.

Order for Second Reading read.

MR. ADDERLEY moved that the Order for the second reading of this Bill be discharged.

MR. AYRTON observed, that if the Bill had been proceeded with it could not have been passed in its present form. It was a very difficult subject, and he recommended that a Royal Commission should be appointed to investigate it, and present a Report to the House next Session.

MR. WALPOLE said, the Government were fully alive to the importance of the Bill. He would not go as far as to say that it was necessary to appoint a Royal Commission to investigate the subject; but the Government would make every possible inquiry, and lay before the House all the information they could respecting it.

MR. CARDWELL expressed his satisfaction with the statement that the Government would carefully consider the subject, and observed that an erroneous opinion prevailed that the difficulty of the matter was connected with the property of the Church; but it was in reality connected with the false idea that the Imperial Parliament could rectify matters by legislation.

Order discharged; Bill withdrawn.

LANDED ESTATES COURT (IRELAND) BILL—[BILL 174.]

(*Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland, Mr. Chichester Fortescue.*)

SECOND READING.

Order for Second Reading read.

THE ATTORNEY GENERAL said, there were several urgent reasons why this Bill should be immediately proceeded with, and he therefore moved that it be read a second time.

Bill read a second time, and committed for Thursday.

Mr. W. E. Forster

BANKRUPTCY LAW AMENDMENT, &c.

BILL—[BILL 106.]

(Mr. Attorney General, Mr. Solicitor General,
Sir George Grey.)

COMMITTEE.

Order for Committee read.

THE ATTORNEY GENERAL said, it was impossible to proceed with the Bill. He had, however, received a communication from the right hon. Member for Richmond (Sir Roundell Palmer), who had been good enough to inform him that he intended to move several Amendments, of which he was anxious the House should be in possession, as they might be advantageous in future legislation. He therefore proposed that the order for going into Committee should stand over till that day fortnight. The House could then go into Committee *pro forma*, and the Bill would then be withdrawn.

Committee deferred till Monday, 30th July.

House adjourned at a quarter
after One o'clock.

HOUSE OF LORDS,

Tuesday, July 17, 1866.

MINUTES.]—PUBLIC BILLS—*First Reading*—
Revising Barristers' Qualifications* (196).

Second Reading—Tenure (Ireland) (No. 2) (175); National Gallery Enlargement (171); Pier and Harbour Orders Confirmation* (185); Dean Forest (Walmore and the Bearce Commons)* (178).

Committee—Dogs [170], *negatived*.

Report—Glebe Lands (Scotland)* (194); Carriage and Deposit of Dangerous Goods* (159).

COLONIAL BISHOPRICS.

QUESTION.

LORD ST. LEONARDS, anticipating future legislation of some kind in reference to Colonial Bishoprics, desired to know, if the Government would deem it expedient to furnish the House with information as to their respective endowments, so that the House might be the better prepared for discussion?

THE EARL OF DERBY replied that the Colonial Secretary had already expressed his willingness to give the House all the information upon the subject that he possessed.

LORD ST. LEONARDS said, that if

the endowments consisted of property in this country or abroad, the trustees of which were resident in this country, the English Courts of Law would have jurisdiction, and it might be left to them to determine to whom the property belonged. If, as in the case of New Zealand, the endowments were in the colonies, and the diversion of the endowment from its original purpose were sanctioned by the Colonial Legislature, there was no remedy for the donors except through the action of Parliament. He gave notice that, if any Bill shall be introduced into this House relating to the status of the Colonial Bishops who have surrendered or shall surrender their letters patent under the Crown, or shall no longer act under them, and which shall not provide for the return to the donors, after the deaths of the present Bishops, where such donors have not consented to the Bishops in succession enjoying the endowments although not acting under the authority of the Crown, he would move as Amendments to the Bill clauses for securing to the donors the return of their endowments upon the deaths of the present Bishops.

THE BISHOP OF OXFORD said, that the money was paid to all the New Zealand Bishops by the Colonial Bishoprics' Council. The endowments of the Colonial Bishoprics were vested in the Colonial Bishoprics' Council at home, and the interest paid to the Bishops; but if the Bishops saw an opportunity of investing the money to better advantage in the colony they made application to the Council, and if the Council were satisfied with regard to the proposed investment they gave their sanction to it. In the case of the New Zealand group the money had been allowed to be invested in colonial instead of home property, and particular arrangements had been entered into with the Bishops and synods of the different dioceses. There was one point of which, he supposed, he should differ from his noble and learned Friend. He maintained that these Colonial Churches constituted the Church of England in the colonies, although they were not by law established and no peculiar advantages were conferred upon them. In every other respect they were the same body as the Church of England. Strictly speaking, therefore, they were the very body to which the money was originally given and no other. This being the case, there was no ground whatever for Bishop Selwyn or any of his brother Bishops bringing an accusation that the

Colonial Churches had received the money for one purpose and then tried to transfer it to another.

TENURE (IRELAND) (No. 2) BILL.

(*The Marquess of Clanricarde.*)

(NO. 175.) SECOND READING.

Order of the Day for the Second Reading read.

THE MARQUESS OF CLANRICARDE, in moving the second reading of this Bill, said, he was taking what might, perhaps, be thought an unusual and unreasonable course. He was anxious that their Lordships should read the Bill a second time. It had been a long time before the House, and from the information which he had received from all parts of Ireland, and from communications which he had had with Members of the other House, he had reason to believe that the principle on which the Bill was based was generally approved. He was, of course, well aware that any attempt to pass this Bill, or any other measure of the sort in the present Session, would be absurd; but he was anxious that their Lordships should affirm its principle, although he should not attempt to proceed with it beyond the second reading. Their Lordships would recollect that the first Bill which he had had the honour to lay before them was introduced into that House as long ago as the 20th of March. Some time since he was desired by the late Government to let the Bill rest until the measure on the same subject which had been introduced into the House of Commons should be brought into that House, so that the two Bills might be considered together. He had learnt with satisfaction that the Government Bill would not be further proceeded with that Session; but he thought that, as this subject had given rise to much discussion in Parliament, and also out of Parliament, especially in Ireland, it was highly desirable that some sound principle of legislation with regard to it should be recognized at least by one House of Parliament. The present Bill, though not identical in all its provisions with, was substantially the same as, that which he introduced about three months ago. Some changes had been made in matters of detail, but the principle remained the same. The clauses, for instance, had been condensed, and this Bill thereby made considerably shorter than its predecessor. Another alteration of some importance was the withdrawal of the re-

trospective clause. The principle of the Bill was a system of voluntary contracts between landlords and their tenants. He thought the tenure of land in Ireland ought to be in principle the same as that which prevailed in England. At the same time, he did not object to the principle that the tenant was entitled to compensation in respect of labour and capital legitimately laid out by him in improving the land; but he was far from recognizing the proposition which had been advanced that a tenant might make any outlay, or might at any time say he had made an outlay, and might claim compensation for it, even though such expenditure might have been made without the knowledge or positively against the will of the landlord. He had not introduced a retrospective clause in the present measure, because though such a provision might in some cases possibly be just, the effect of it would be to open a door to all kinds of fraud and offer many inducements to perjury. The doctrines which had been disseminated in Ireland had been brought into notice more or less prominently by the Bill of the late Government. The three principal clauses of that Bill had been discussed all over Ireland; and really the principle affirmed by those clauses was almost sufficient to create a revolution in the country, because it was the principle invariably put forward by those who sought to make the people rise against the Imperial Government—namely, a division of the ownership of land. He felt quite convinced that there was no intention to put forward these doctrines, either by the Government or by his right hon. Friend who introduced the Bill. But those who asked Parliament to pass the Bill did not rest their case on the assertion that its enactments would be just. They simply argued that it was desirable to do away with the present state of what was called “landlordism” and to create a peasant proprietary in Ireland. He had a great respect for learning and for men who distinguished themselves by their writings; but he had come to the conclusion that practical men, even though they might be much less learned, were more fitted to deal with these questions than some of the writers to whom he alluded. It was new to him to learn that the whole rural economy of England was a vicious exception to the rules which prevailed among mankind generally, and that ours was an exceptional case. Our whole agricultural system, including all the improvement in agricultural implements, turns out, it is now said, to be a mistake and quite

The Bishop of Oxford

unsound on economic principles. We ought to have no large proprietors, but only small ones; and this was the way things ought to be arranged in Ireland. We were told that the example of England ought to be avoided, and that of the Continent adopted. Now, he knew what the condition of small farmers in some other countries was; and he ventured to assert that the small farmers of Belgium and Germany were not in a better state than those of Ireland. He should like to know where good farming was to be found among small proprietary farmers? Certainly not in France, where the small proprietors of land were deeply in debt to the usurers in the neighbourhood. There was nothing new in the proposals of the Government, which were precisely those which were mentioned in the writings of Wolfe Tone—and just such a system of confiscation as was to have been introduced if the French had succeeded in their descent on Ireland. In Ireland there had been small proprietors on tenures similar to those of copyholders in this country; and those who knew anything of Ireland from personal experience, or who had read much about that country, knew what the effect of such fixity of tenure had been. The land had then been the property of middlemen; it was sublet again and again; and nominal proprietorship, with holdings insufficient for the support of the tenants, was the result. If Parliament did away with the large proprietors, the farms of Ireland would continue “to grow small by degrees and beautifully less.” He objected to proposals of this kind being made, even supposing they were not carried into effect, because they kept the country in a ferment. There was as good agriculture in Ireland, on a small scale as well as a large, as in any other part of the United Kingdom. The agricultural improvements which had been adopted in this country were gradually finding their way into Ireland; but if one wanted to look for improved machinery and improved stock in Ireland he would not think of going among the peasant proprietary for that purpose—such things must be sought for on the lands of those who held at least tolerably large farms. It was untrue that the tenants of Ireland were all at variance with their landlords, and that the lowest class of the peasantry were the miserable beings which some persons represented them to be. On the contrary, the lowest class of the Irish peasantry were a great deal better off than the lowest class in Continental countries,

except where there were peculiar circumstances which told in favour of the latter, and as well off as the lowest class in this country. No doubt the present state of the law was not satisfactory, and he should wish to see their Lordships manifest a disposition to legislate on the subject. On a former occasion he mentioned an instance to show that legislation was required; and since then the case “*Chute v. Busted*” had been heard. It was reported in the *Irish Common Law Reports*, and the facts were thus stated—

“Appeal from the Court of Exchequer Chamber on the construction of the Landlord and Tenant Act of 1860. The Court of Exchequer had decided by three Judges to one that the 12th section was retrospective. The Court of Appeal, consisting of seven Judges, decided unanimously that it is not. The main question was whether the Act had completely abolished a feudal principle or not. Mr. Justice O’Hagan said—‘It is manifestly difficult to exaggerate the importance of the question to the proprietors of land in Ireland.’ The minor points discussed were whether the Act was a consolidating or amending Act. The Court of Exchequer had held that it was the former, so had the Court of Common Pleas, by three Judges to one, in a late case of ‘*Bayly v. Lord Conyngham*.’ But now this is overruled. Mr. Justice Christian: ‘It is not, I think, remarkable for skill in composition, for acquaintance with its subject, or for circumspection or foresight in anticipating or providing against questions, I will not say possible, but probable, and, like the present, even certain to arise.’ All concurred in condemning the defects of the Act. Mr. Justice O’Hagan said—‘It is a very ponderous piece of legislation, not quite homogeneous in all its parts, or easy of construction in all its provisions. Many of the sections are expressly prospective, many of them expressly retrospective, many of them in terms both prospective and retrospective, and many equivocal. . . . I shall not go through them in detail, but numerically. Six are in terms prospective and retrospective; twenty-four are in terms prospective; seventy-five have no terms making them expressly either retrospective or prospective. The 12th section properly ranges itself in the last class; its terms are equivocal.’ Chief Justice Lefroy said—‘Some of the views taken of the statute, and pressed upon us in the course of the argument, would upset the foundations of the laws of real property, and no new foundations were suggested.’”

It was curious that the next two cases in the book were appeals on the same Act, which now regulates the tenure of land in Ireland. Many of the Judges had expressed themselves in strong terms upon the present state of the law, when cases arising out of its unsatisfactory condition had come before them. He was fully persuaded that Parliament was able by wise legislation to meet the wants of the country, and he held that he was quite justified in bringing the

present Bill forward. What he sought now was that their Lordships would read the Bill a second time, in order to affirm the principles it embodied. Ireland was in a very depressed condition, the effects of the financial crisis being felt through all classes of society; and were Parliament to show that it would set itself in earnest to deal with the subject great good would be done. Wise enactments regulating the relationship between landlord and tenant would do much to further the prosperity of agriculture.

Moved, "That the Bill be now read 2^a."
—(*The Marquess of Clanricarde.*)

THE EARL OF DERBY: I not think this Bill gives us a fair opportunity of discussing the very large and complicated questions relating to the landlord and tenant of Ireland. I am not about to follow the noble Marquess through the statement he has made and the principles he has laid down, though I entirely concur with him that our object should not be to subvert the arrangement now existing between landlord and tenant and introduce a class of peasant proprietors, but to simplify and improve the laws which regulate the matter. While I am desirous to uphold the rights of property, I would also remove all possibility of pressure or injustice being inflicted on the tenant farmer. My noble Friend, of course, has not proposed to do more than ask your Lordships to read the Bill a second time in order to affirm the principles which he has laid down without binding ourselves in the slightest degree to the details of the Bill. I cannot help saying that most of the principles are sound, just, and reasonable, and that the House and the country are under great obligations to my noble Friend for the great pains he has taken in examining this exceedingly complicated subject, and adopting a just and reasonable course between the somewhat conflicting interests of landlord and tenant. The principles of the Bill are—first, that all encouragement should be given to agreements in writing between landlord and tenant, which is a very important provision; and next, that great latitude should be given between landlord and tenant for entering into voluntary agreements for the management of the land. In order that this should be done, my noble Friend has introduced various forms of lease and various terms of agreement which may be adopted by the two parties. In this way a record would be

The Marquess of Clanricarde

secured which could not be disputed. Then, again, the Bill contains provisions for facilitating an action for recovery on the part of the landlord or tenant, and thus by a simple and easy mode of procedure settling all difficulties. It further establishes a tribunal, cheap and easy, to which might be referred the interpretations of covenants; and lastly, it lays down rules by which the tenant at the expiration of a certain time may claim, according to the stipulated conditions, compensation for the improvements he has made in pursuance of the terms of his contract. These, my Lords, shortly stated, are the leading principles of the Bill, which I hold are fair and reasonable. I do not, however, in consenting to the second reading of it, bind myself in regard to the adoption of its details. It is a question which it will be the duty of the Government to take into consideration during the recess; and I can only say that my noble Friend by introducing the present Bill has given increased facilities to the Government in the further consideration of the subject. Without pledging myself to the details of the Bill, and without entering into the large question of landlord and tenant, I shall give my cheerful assent to the second reading of the Bill.

EARL GRANVILLE said, he understood that in consenting to the second reading of the Bill their Lordships did not pledge themselves to the acceptance of its details, for there were various provisions requiring amendment. Under these circumstances, he would not oppose the Bill of the noble Marquess.

Motion agreed to.

Bill read 2^a accordingly.

NATIONAL GALLERY ENLARGEMENT

BILL—(*The Lord President.*)

(No. 171.) SECOND READING.

Order of the Day for the Second Reading read.

THE DUKE OF BUCKINGHAM, in moving the second reading of this Bill, explained that its object was to authorize the purchase of a certain portion of land belonging to the parish of St. Martin, and gave permissive power to purchase the site of schools in the hands of the Charity Commissioners, called Archbishop Tenison's Schools. The land in question was little more than an acre in extent, and was situate at the back of the

National Gallery. It would further authorize the closing of the passage through the basement of the National Gallery, and also of the street behind that building. He did not think it was necessary to say anything further in explanation of the Bill as it had undergone discussion in the House of Commons, in which it had been introduced by the late Government. It was desirable that the Bill should be passed through the House without delay, as there was a private Bill depending upon it, introduced by the authorities of the parish of St. Martin, authorizing them to re-build their schools on other land. The expenditure which would be necessitated by the Bill was estimated at £120,000, which was held by the architect to be a fair and reasonable sum.

Moved, "That the Bill be now read 2^a."
—(*The Lord President.*)

VISCOUNT HARDINGE wished to ask the noble Duke whether he had any objection to postpone going into Committee on this Bill. The matter had been freely discussed in the House of Commons, and he understood that the whole question would shortly be raised in that House, and until then it was desirable that the further progress of the Bill should be delayed. The Burlington House scheme had been well considered by the late Government. There were various and weighty objections to the scheme of the present Bill, and, as it was a matter in which a large sum of money was involved, it would be more satisfactory if the whole question should be thoroughly sifted and discussed in the House of Commons.

LORD HOUGHTON said, he trusted a final decision upon the question would not be come to by passing the second reading of the Bill. The questions relating to the National Gallery and the Royal Academy had been long mixed up with extraneous matter and regarded with an amount of prejudice which was truly amazing, and it had given rise to most violent and unseemly discussions in the House of Commons; but it seemed likely that the whole matter would now be considered in a fair and reasonable manner on the basis of a Motion soon to be brought before the House of Commons. The old objections to the propositions to remove the National Gallery and Royal Academy to Kensington were now completely met. The assertion that Kensington was too far distant from the rest of

the metropolis for the purpose of a National Gallery site could now no longer be made, seeing how largely metropolitan railway accommodation had been increased. There was no doubt that Trafalgar Square formed a very handsome site; but it was in the midst of a populous district, crowded by traffic, and by no means fitted for an exhibition which people visited with a view to continued study rather than cursory inspection. As to the proposition with regard to Burlington House, if acted upon, it would, in his opinion, be a wanton destruction of one of the few handsome buildings London possessed. It was certainly unadvisable that a final decision should be come to before the House of Commons had further considered the matter in the light of the Motion of which notice had been given; and he trusted that inquiries would be made of Members of the House of Commons as to their present opinion upon the matter. When that had been ascertained and the feeling of the country properly estimated the Government might during the recess give the matter their careful consideration, and come to a decision upon it satisfactory to Parliament and the country.

THE EARL OF HARROWBY was understood to support the request for postponement.

THE EARL OF POWIS asked for information with respect to the agreement come to between the Government and St. Martin's parish. As matters at present stood it appeared to him that if St. Martin's Workhouse were not taken before the 31st of December, 1869, the parochial authorities would not have compulsory powers to acquire land as a site for their buildings, as their powers lapsed at that date.

THE EARL OF DERBY: I think it is hardly possible to accede to the proposition for delay. Without entering into the question whether the present is the best arrangement that could be made, I am quite certain that after the twelve or fourteen years this question has remained unsettled, the very worst arrangement that could be made would be better than nothing at all. During the whole time this matter has remained unsettled both the National Gallery and the Royal Academy have been cramped for room, and the greatest possible injury and inconvenience has arisen to the public in consequence. It is most important that no more time should be lost in coming to a decision upon the question. The noble Lord opposite

(Lord Houghton) says that the House of Commons should have an opportunity of expressing an opinion upon the subject, notwithstanding that the Bill we are now considering was framed in accordance with a vote of the House of Commons passed in 1864, that the Bill itself has passed through all its stages in that House, and that the money for the purpose of making the changes proposed by the Bill has been voted—and I know no better way in which the House of Commons can express its views than by passing the Bill and voting the money. When all this has been done, and contracts have been entered into in consequence, and only three weeks of the Session remain, we are asked to wait until we have ascertained whether the House of Commons will pass a Resolution in direct opposition to the principles of a Bill which it has read three times and sent up for your Lordships' endorsement. I cannot help regarding that as an unreasonable request. I have every possible respect for the opinion of the House of Commons, and if that House before the passing of the Bill through its various stages shows in an undoubted manner that it has changed its opinion with reference to the measure, I do not mean to say that that might not be sufficient ground to warrant your Lordships in considering whether it would be advisable to proceed with the Bill. But to ask me at this period of the Session, when the House of Commons has passed the Bill introduced by the Government, to postpone the measure for further consideration, appears to be only calculated to continue that uncertainty which has existed for so many years. I have not the slightest wish to hurry the Bill through its stages, but I am afraid that I cannot consent to the postponement which is, I think, unreasonably demanded.

Motion agreed to ; Bill read 2^a accordingly, and committed for Thursday next.

PUBLIC COMPANIES BILL—(No. 105.)

(*The Earl Nelson.*)

SECOND READING. ORDER DISCHARGED.

Order of the Day for the Second Reading read.

EARL NELSON said, he had been requested to take charge of this Bill which was one of those that had come up from the other House without any natural parent, and that when he did so he believed that the evil it sought to remedy was sufficient to justify his so doing. Their

The Earl of Derby

Lordships might remember that the voting in public companies was carried on by means of proxies as well as by voting in person, and the object of the present measure was to permit the adoption of a third plan—that of using voting papers. The objection to the present mode of voting by proxy was that by the regulation providing that the proxies should be sent in to the Secretary forty-eight hours before the holding of the meeting, the Directors were enabled, knowing the number of proxies held by themselves and the number held by their opponents, to frame such a report as was likely to be carried. In 1864 it was stated by the Chairman of the Great Western Railway that the Directors held proxies representing nearly £8,000,000, before they drew up their report, for the consideration of which the meeting was called ; and in 1865, in the case of the Great Eastern Railway, a great wrong would have been committed under the existing system. The Vice Chairman of that company had withdrawn from the direction, and brought some charges against the Directors, who refused the committee which was asked for. A poll was demanded and refused by the Directors, who would have succeeded but for some informality which was detected in some of the proxies. This vitiated the proceedings ; the consequence was that as the matter came to be ventilated many of the proxies which the Directors possessed were not replaced by the shareholders, and the Directors were obliged to grant the Committee, and the charges were proved to be correct, involving the constitution of a new Board of Directors. The Bill, when first introduced, appeared to be calculated to remedy the evil complained of, but unfortunately in its progress through the House of Commons the clause permitting the voting by voting papers to be applied to the poll was struck out. He could not, therefore press the second reading, unless he proposed the restoration of that clause in Committee, and such a restoration it would scarcely be possible to carry at the present late period of the Session. He should, however, be glad if their Lordships would affirm the principle of the Bill by reading it a second time.

LORD REDESDALE thought that if the objection to the present method was the fact that proxies must be lodged with the Secretary forty-eight hours before the holding of a meeting, the objection would be obviated by dispensing with the neces-

sity of sending in the proxies forty-eight hours before the holding of the meeting, and not by the establishing of a third system of voting.

THE DUKE OF BUCKINGHAM said, that in its original form the Bill might perhaps have raised the question of voting by proxies fairly enough; but as it at present stood, he hoped the noble Earl would not press its second reading. He did not think it would act satisfactorily.

EARL NELSON said, he had no wish to press the second reading, and would move that the Order be discharged.

Order discharged.

DOGS BILL.

(*The Marquess of Clanricarde.*)

(NO. 170.) COMMITTEE.

Order of the Day for the House to be put into Committee read.

Moved, That the House do now resolve itself into a Committee on the said Bill.—(*The Marquess of Clanricarde.*)

LORD CRANWORTH objected to the Bill, on the ground that there was not the slightest necessity for the petty legislation it proposed to effect, as there were already three Acts of Parliament in force for the protection of sheep from dogs, and a man was punishable under the present law if he permitted a savage dog to be at large. He did not know at what point legislation on this subject was to stop. In the case of two dogs quarrelling, was it to be ascertained which was in fault; and if they fought and one was killed, was compensation to be made to its owner? If Parliament were to multiply Acts of this character, there would be no end to the litigation that would arise out of them.

Amendment *moved*, to leave out ("now") and insert ("this Day Six Months.")—(*The Lord Cranworth.*)

THE MARQUESS OF CLANRICARDE said, the noble and learned Lord would not think so lightly of this subject had a child of his been worried by a savage dog. Persons should be compelled to keep their dogs tied up. He should support the Bill which was useful in itself, and had received the assent of the House of Commons.

On Question, that ("now") stand Part of the Motion? their Lordships *divided*:—Contents 14; Not Contents 37: Majority 23: *Resolved* in the *Negative*: and House to be in Committee on *this Day Six Months.*

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POLLUTION OF RIVERS, &c.

PETITION.

THE EARL OF SHREWSBURY, in presenting a Petition from Thomas Hawkesley, M.D., and others, praying for an inquiry into the best means of Disinfecting Sewage and preventing the Pollution of Rivers, said, that the question to which the petition referred was a most important one, as our rivers were suffering very much from the increasing amount of sewage which was poured into them. The certificates of scientific persons attested the efficacy, importance, and practical value of Mr. Dover's system of filtering and odorizing sewage. He could testify that the liquid which the process left, although it might not be particularly desirable to drink it, was yet clean and pure enough to be used for common washing purposes. At all events, it could not be at all injurious to rivers; and the adoption of the process along the banks of the Thames would produce the purification of that river. Those who had tested its results declared them to be important enough to justify an investigation at the public expense, and, as

the matter lay in a nutshell, an inquiry need not occupy more than two or three days.

THE EARL OF DERBY said, that he was not quite clear whether his noble Friend meant merely to present the petition, or move for the appointment of a Committee on the subject. There was a considerable difference between the two; and if a Committee was to be moved for, though he did not see of what use it could be at the present state of the Session, his noble Friend had better give notice to that effect.

THE EARL OF SHREWSBURY repeated, that an inquiry need not occupy more than a few days, and gave notice that he would move for a Committee.

EARL FORTESCUE said, that when he was Chairman of the Committee appointed some time ago to inquire into the subject of the Pollution of Rivers, Mr. Dover's invention was brought before it, and the results appeared to be as satisfactory as those of any process could well be expected to be. The liquid was perfectly free from smell and colour, and the extracted manure had been shown by experiment to possess practical value. But it was a question whether it would not be too expensive to adopt. Much good could hardly be expected from such an inquiry as could be made this Session. In regard to the purification of rivers and the utilization of sewage, he had arrived at the conclusion that we made a great mistake in allowing the rainfall to mix with the sewage of our towns. The sewage was a pretty constant quantity, and there was practically little difficulty in providing the means for dealing with it; but the uncertainty of the rainfall involved many difficulties. It was calculated that the average rainfall was about equal to the sewage of London for a year; but, whereas the sewage was equally distributed over the year, the rain fell within 140 or 150 days, and three-fourths of it in the course of from thirty to sixty days. He thought that if the more rational course were adopted in the metropolis and other towns of keeping separate what was originally separate—namely, the rainfall and the sewage—an inquiry into Mr. Dover's invention, and other kindred inventions, would have been of less importance; but, as things stood at present, it was highly desirable that such an inquiry should be instituted. From what he had seen of Mr. Dover's invention, he did not despair of its proving

The Earl of Shrewsbury

workable, and he felt satisfied that it deserved to be carefully inquired into.

LORD EBURY remarked, that the case was very urgent, and if Mr. Dover's invention was such as the noble Earl had described, it would be productive of very great advantages, and would prove a boon to the country.

Petition ordered to lie upon the table.

PIER AND HARBOUR ORDERS CONFIRMATION BILL.

Moved, That the Resolution of the 25th of June last, viz., "That no Bill confirming any Provisional Order made by the Board of Trade under the General Pier and Harbour Act, 1861, shall be read a Second Time after Friday, the 6th of July," in respect to, be dispensed with; *agreed to*: (*The Earl of Belmore*;) Then the said Bill was (according to Order) read 2^a, and committed to a Committee of the Whole House on *Thursday* next.

House adjourned at Seven o'clock,
to Thursday next, half past
Ten o'clock.

HOUSE OF COMMONS,

Tuesday, July 17, 1866.

MINUTES.]—NEW MEMBERS SWORN—Right hon. Lord John Manners, *for* Leicester County (Northern Division); Right hon. Sir Stafford Henry Northcote, baronet, *for* Devon County (Northern Division).

SELECT COMMITTEE—On Expiring Laws *appointed*. SUPPLY—*considered in Committee*—Resolutions [July 16] *reported*.

PUBLIC BILLS—Resolutions *in Committee*—Public Works, Harbours, &c. [Advances].

Ordered—Overseer of the Poor (Small Parishes)*; Coinage*; Drainage and Improvement of Lands Acts (Ireland) Provisional Order*; Courts of Justice*; Public Works, Harbours, &c. [Advances].*

First Reading—Overseer of the Poor (Small Parishes)* [214]; Coinage* [215]; Drainage and Improvement of Lands Act (Ireland) Provisional Order* [216]; Courts of Justice* [217]; Public Works and Fisheries* [218]; Public Works Loans (Ireland)* [219]; Railway Companies (Ireland)* [220].

Second Reading—Militia Pay.*

Report of Select Committee—Tramways (Ireland) Acts Amendment [418 & 213].

Committee—Thames Navigation (*re-comm.*) [205] [R.P.]; Straits Settlements* [176]; Hundred Bridges* [178]; British Columbia* [186]; Charitable Trusts Deeds Enrolment* [199] [Lords].

Report—Straits Settlements* [176]; Hundred Bridges* [178]; British Columbia* [186]; Charitable Trusts Deeds Enrolment* [199] [Lords].

Considered as amended—Rochdale Vicarage * [196]; Oyster Bed Licences (Ireland) * [175].
Third Reading—Local Government Supplemental (No. 2) * [198]; Local Government Supplemental (No. 3) * [191]; New Forest Poor Relief * [193], and *passed*.
Withdrawn—Execution of Deeds * [122].

THAMES NAVIGATION (*re-committed*) BILL.

(*Mr. Milner Gibson, Mr. Monsell.*)

[BILL 205.] COMMITTEE.

Leave to the Committee to sit till Four of the Clock, and report at Six of the Clock.

Bill considered in Committee.

(In the Committee.)

Clause 6 (One of the Five Conservators to be appointed by the Board of Trade.)

COLONEL WILLIAMS said, he wished to call attention to the fact that no compensation was provided under the Bill for certain persons who had property on the Thames which would be largely affected, and in some cases confiscated, if the provisions of the measure were carried out. He therefore trusted some means would be taken to remedy the defect to which he alluded. He also thought that this being a hybrid Bill, the petitioners against it had been put to an unfair expense.

THE CHAIRMAN said, that the Bill was a Public Bill, and having passed through a Select Committee upstairs, it was now going through a Committee of the Whole House in the ordinary way. The question at present before the Committee was that Clause 6, which provided for the appointment of a Conservator by the Board of Trade, should stand part of the Bill.

MR. AYRTON said, it was important that the inhabitants of the metropolis should in some way or other be represented on the Board, in order that their interests might be protected. He therefore proposed to leave out all the words after "appointed," and insert—

"By the Metropolitan Board of Works, who shall be at liberty from time to time to revoke any appointments made by them and to appoint another Conservator instead, when and as they may think fit."

The Metropolitan Board of Works represented the ratepayers, and he thought they were more entitled to a voice in the matter than the Board of Trade, who were empowered by the Bill in its present form to appoint five Conservators.

MR. CAVE said, he regretted the necessary absence of the President of the Board of Trade. He did not think that the inhabitants of the metropolis had much to complain of in this matter as the expenses were defrayed out of the tolls of the upper navigation, and the London Water Companies had agreed to contribute £5,000 a year towards the expenses. The Government were of opinion that the clause should stand as it was, inasmuch as the Select Committee, who had carefully considered this subject, had come to the conclusion that there was no reason why the Metropolitan Board of Works should be represented on the Board.

MR. MILNER GIBSON said, that the Bill simply transferred to the Thames Conservancy Board the jurisdiction over the Upper Thames from Staines to Oxford. The Metropolitan Board had no authority over the navigation of the Lower Thames, and it would, therefore, be anomalous to connect them with the Conservancy Board, and give them a jurisdiction over the Upper Thames. There was no more reason why the Metropolitan Board of Works should be represented on the Conservancy Board, than there was that the Conservancy Board should have a seat on the Board of Works. The navigation of the Thames was a public right, and was best placed in the hands of the Board of Trade, which had a general superintendence over the navigation of the Thames as had been suggested by the Select Committee.

MR. HENLEY said, the Metropolitan Board of Works might be an excellent body, but he objected to appointments of this kind being made by public bodies, as in case of bad appointments it was difficult to put the finger on those who had made an injudicious selection.

MR. AYRTON said, that the ratepayers of the metropolis had to sustain the expense of the upper navigation, and ought therefore to be represented. But as the Government opposed the Amendment, he had no alternative but to allow it to be negatived.

MR. THOMSON HANKEY thought the appointments should rest with the Board of Trade. The ratepayers of the metropolis merely sustained a share of the general burden.

SIR GEORGE BOWYER said, the Select Committee had carefully considered this subject, and they had come to the conclusion that the Metropolitan Board of

Works had no valid claim to be represented on the Conservancy Board.

Amendment *negatived*.

Clause *agreed to*.

Clauses 7 to 14, inclusive, *agreed to*.

Clause 15 (Votes for the election of Conservators should be given either personally or by proxy.)

MR. HENLEY said, that considering the scattered nature of the constituency, he thought it would be better that the election of Conservators should be by voting papers instead of by proxies.

MR. MILNER GIBSON said, that the proposal was a good one.

MR. CAVE said, he would move that the clause be struck out with the view of framing a new clause on the Report in conformity with the suggestion of his right hon. Friend the Member for Oxfordshire.

Clause *struck out*.

Clauses 16 to 42, inclusive, *agreed to*.

Clause 43 (Conservators to repair Dams, &c., in lieu of Millowners, &c.)

MR. GOLDNEY moved an Amendment in order to prevent persons being compelled to repair certain locks, dams, and weirs after they had no longer become of use for navigable purposes.

MR. MILNER GIBSON said, he would support the clause in its present form, inasmuch as it merely enacted that no locks, dams, and weirs should be removed unless by lawful authority.

MR. CAVE said, that he would consent to consider the subject of giving power to the Conservators to remove the weirs, because under the clause as it at present stood no such power existed, and so long as the weirs were not removed, the persons using them were bound to keep them in repair.

Amendment, by leave, *withdrawn*.

Clause *agreed to*.

Clauses 44 to 57, inclusive, *agreed to*.

Clause 58 (Contributions of £1,000 a year by each of the five Water Companies of London.)

MR. AYRTON said, that this clause would never have been introduced if the late President of the Board of Trade had acted with a due regard to the rights of the public. He did not see why the metropolis should be taxed to provide the funds necessary for this Act.

Sir George Bowyer

MR. CLAY said, that the Water Companies were quite willing to pay the sum in question, for they would derive the greatest benefit from the purification of the river effected by means of the Bill. The hon. Member for the Tower Hamlets spoke of the metropolis being taxed as if the Water Companies intended to raise their rates in order to defray this sum. He could speak with authority, however, for two of these Companies—the Grand Junction and the Lambeth Water Companies—and he believed he might speak with equal certainty of the other Companies, that they had never thought of raising their rates for this purpose. The inhabitants of London would not be required to pay a farthing more for their water, although they might expect it to be of purer quality.

MR. A. PEEL said, that the Metropolitan Water Companies had a direct interest in the purity of the stream from which they drew their supplies, because it relieved them from the danger of possible competition. He feared that the Thames would be in danger of becoming an open sewer unless this Bill passed.

MR. HENLEY observed, that the Bill enacted that no new drains were to be opened into the Thames, and it would preserve the water at least as pure as it was now.

MR. MILNER GIBSON: It does more than that.

Clause *agreed to*.

Clauses 59 to 61, inclusive, *agreed to*.

Clause 62 (Provision for Compensation to Robert Danbe.)

SIR WILLIAM HEATHCOTE said, that the Select Committee had recognized the claim of Mr. Danbe alone to compensation, although a claim was set up on behalf of Lincoln College, Oxford, which appeared to be equally worthy of consideration. He moved to leave out the words "Robert Danbe," in order to insert the words "any person or persons." This would enable the claims of other parties to be determined by the arbitrator.

SIR GEORGE BOWYER said, that all the owners of tolls upon the upper navigation agreed to give up their claims except Mr. Danbe, Lincoln College, and Captain Phillimore. The latter claim was made too late before the Committee, but it would be heard before a Committee of the House of Lords. The Committee were

averse from making any exception, but after hearing counsel they were of opinion that there were reasons for making an exception in Mr. Danbe's favour, which, however, did not apply to Lincoln College.

MR. GATHORNE HARDY said, that Mr. Danbe and Lincoln College claimed the tolls in question by an ancient title prior to any Act of Parliament on the subject, but confirmed by Acts of Parliament. They were entitled to these tolls between Oxford and Abingdon in equal moieties, and those tolls were increasing with the increase of population. It seemed very extraordinary that, although they were joint owners, full compensation was to be given to Mr. Danbe, while Lincoln College was left out of the clause.

SIR GEORGE BOWYER said, the Committee was informed that Lincoln College, being the owners of a mill, had certain obligations in regard to conserving the river which they would now be relieved from. Mr. Danbe, on the contrary, received his tolls as private property, without any corresponding duty being imposed upon him, so that the two cases were not identical.

Amendment, by leave, *withdrawn*.

Clause *agreed to*.

House *resumed*.

Committee report Progress; to sit again *this day*.

METROPOLIS—BATHING IN THE THAMES.—QUESTION.

MR. GOLDNEY said, he would beg to ask the First Commissioner of Works, Whether he is prepared to make or recommend some temporary arrangement, with a view to a permanent arrangement, for affording facilities for public bathing in the River Thames, at spots and places to be determined on.

LORD JOHN MANNERS, in reply, said, he thought that the Thames was not yet in a state that would fit it for bathing, but if the hon. Member would call upon him at his office he should be happy to confer with him upon the subject.

IRELAND—THE CONSTABULARY. QUESTION.

MR. O'BEIRNE said, he rose to ask the Chief Secretary for Ireland, Whether he intends to introduce a measure during the present Session of Parliament to carry

out the recommendations of the Commission upon the Irish Constabulary?

LORD NAAS said, in reply, that notice had already been given of a Bill for that purpose, and the Secretary to the Treasury would ask leave to introduce it that night.

NAVY—MEDICAL OFFICERS.

QUESTION.

MR. DYCE NICOL said, he would beg to ask the First Lord of the Admiralty, Whether he has any objection to lay before the House the Report and Evidence of the Commission on the position of the Medical Officers of the Army and Navy, presided over by Vice Admiral Sir Alexander Milne, of which a summary has appeared in the public papers, and whether it is intended to adopt the recommendations of the Commission in favour of the Medical Officers of the Royal Navy?

SIR JOHN PAKINGTON said, in reply, that, so far as the navy was concerned—though he did not know what his right hon. Friend (General Peel) might be disposed to do with regard to the army—he had no objection to lay on the table the Report of the Royal Commission. It was his intention to adopt their recommendations, and he had that evening laid upon the table a Supplemental Estimate with a view of carrying them into effect.

ARMY—BREECH LOADING AND REPEATING CARBINES.—QUESTION.

MR. OLIPHANT said, he would beg to ask the Secretary of State for War, If it be the case that 20,000 breech-loading carbines on the Westley Richards system which use the percussion cap are being made at Enfield; and if the attention of the Government has been called either to the Smith or Spencer repeating carbine now used by the United States Cavalry?

GENERAL PEEL said, in reply, that 19,000 Westley Richards carbines had been ordered in the course of last year. A portion of them had been delivered in store, and the remainder were in such a state of forwardness that it was not thought advisable to put a stop to their manufacture. There would not be the slightest difficulty in disposing of them without any loss to the Government. With regard to the other portion of the Question, he might state that the Spencer breech-loading repeating carbine had been brought before

the Department in the years 1864 and 1865, and was reported on by the Ordnance Select Committee as ingenious, but liable to be damaged by exposure to weather. The Committee reported against repeating rifles generally at that time; but it had since been found expedient to change that opinion, and a supply of six repeating arms of different patterns had been ordered, and they would be tried as soon as possible.

THE POOR LAW BOARD AND THE METROPOLITAN WORKHOUSES.

QUESTION.

MR. FAWCETT said, he wished to ask the President of the Poor Law Board, Whether it is the intention of Her Majesty's Government to introduce during the present Session any measure for improving the sick wards in the Metropolitan workhouses; and further, how it has happened that Mr. Farnall and others whose duty it has been to inspect these workhouses have not made known the lamentable condition of these sick wards until attention was directed to the subject by non-official persons?

MR. GATHORNE HARDY: In reply, Sir, to the questions of the hon. Gentleman I beg to state, in the first place, that Her Majesty's Government do not intend to propose during the present Session any legislative measure on the subject. I should think I was extremely rash if, during the very short time that I have had access to the official information of the Poor Law Board, I should undertake to introduce a measure of such importance at a time when the House could not possibly give it sufficient attention. I quite admit the present evil condition of these workhouse infirmaries throughout London, and of course the subject will receive my earliest attention. But if I had taken steps to introduce any great measure on the subject it could not have dealt with the present evils. With these evils I propose, in the first instance, to deal under the powers, which I believe sufficient in the main, now possessed by the Poor Law Board, but which I believe have not always been, from the difficulties connected with them, enforced. I trust with the assistance of the Boards of Guardians and the medical officers we shall not be obliged to ask the Legislature to confer powers which have not hitherto been demanded, and that it will not be necessary

to exercise the existing powers under seal to compel the Guardians to the proper discharge of their duties. It may be necessary that I should ask the House to give me one power intended to be conferred by the original Poor Law Act, and which was included in a Bill prepared by my predecessor. The 25th clause of that Act was framed with a view to compel the alteration and enlargement of workhouses when required, but it was never once put into force in consequence of a proviso at the end of the clause to the effect that no parish should be charged with a larger sum than £50. Consequently, where several parishes were combined, one parish was enabled to put an end to the proposed alteration. To correct that defect I will ask the House to enable me to go to a certain extent of the annual amount of the rates of the union, with the view of enforcing such alterations as may be necessary. As to the powers at present possessed by the Poor Law Board, it has the right to require sufficient accommodation for the poor, to regulate the numbers to be accommodated in the workhouses, to prescribe how many beds should be in a room, and what amount of space should be afforded for each bed. If the asylums of the poor should be filled up to the highest point, it is then necessary for the Guardians to find additional accommodation elsewhere or to give relief to the persons for whom they have not accommodation out of doors upon a scale appropriate to the sufferings of these poor people. It is in the power of the Poor Law Board to take care that there is efficient and sufficient medical superintendence, and that the salaries of the medical officers should be fixed at a proper sum. It is also in the power of the Poor Law Board to secure that there is sufficient nursing by providing that there should be a suitable number of nurses, and also that proper salaries should be given to them. I say I think these powers have not been put in full force, and I think I ought not to ask the House to legislate for temporary remedies until I have tried them. I trust that the House will allow me a little time, now that I am wading through a vast mass of information, for I can assure hon. Gentlemen that I am as desirous as the hon. Member for Brighton (Mr. Fawcett) or any other man to apply a speedy remedy. I came to this office without anything in the past to fetter my conduct. I do not wish to make any reflection on the past. I look forward simply to the

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future, and my endeavour shall be to bring the sick wards in the metropolitan work-houses into a proper condition. In the next Session of Parliament, I shall be prepared to state what course I may think proper to recommend with respect to any new legislation on the whole subject. The other question of the hon. Member relates to what is past. I thought it right when the hon. Member wrote to me to lay the question which he put, and which at that time referred to Mr. Farnall alone, but now takes in others also, before Mr. Farnall, and he has sent me a paper which, with the permission of the House, I will read. The paper is as follows:—

“As regards the proceedings of Mr. Farnall in reference to the metropolitan workhouses he desires to refer to the many reports which he has made from time to time to the Poor Law Board and to the entries in the visitors’ books of those places which will be fully laid before the House if the Motion of Sir John Simeon be assented to.”

This refers to a notice of Motion by the hon. Member for the Isle of Wight, and, if the Motion be assented to, it will then be seen how far Mr. Farnall has discharged his duties as official inspector. The paper goes on to say—

“His observations, recommendations, and advice will then appear, and it will be seen how far he has discharged his duty as the Metropolitan Inspector. In that Return will appear what steps have been taken by other Poor Law Inspectors who had temporary charge of the district (while Mr. Farnall was in Lancashire), as well as by the Lunacy Commissioners, who are required by law to inspect and report upon the state of the pauper lunatics in workhouses.”

I think I have now answered the questions which the hon. Member has asked me. I can only add that my desire is, for the sake of the House and the public, that every information with respect to the abuses which have occurred should be laid before the House and the country; and I trust that for the future the House will extend to me its confidence, which I hope to deserve by endeavouring at least to remedy these evils.

HANOVER AND PRUSSIA.—QUESTION.

MR. GRENFELL said, he would beg to ask the Secretary of State for Foreign Affairs, If there is any truth in the statement made in the *Berlin Borsen Zeitung*, to the effect that “the English Cabinet have given it to be understood that England will not allow any part of Hanover to be handed over to Prussia, it being the

interest of Great Britain to see the integrity of Hanover maintained on account of certain eventual hereditary claims?”

LORD STANLEY: Sir, I have not seen the statement to which the hon. Member’s Question refers; but wherever that statement has appeared, or upon whatever supposed authority it has been made, I beg to assure the House that it is absolutely without foundation.

IRELAND—FISHERIES.—QUESTION.

GENERAL DUNNE said, he rose to ask the Secretary to the Treasury, Whether he will lay upon the table of the House the opinion of the Law Officers of the Crown as to the grant of £5,000 for Irish Fisheries, as his predecessor promised?

MR. HUNT, in reply, said, it was not a usual thing in such a case to lay the opinion of the Law Officers upon the table; but if his hon. and gallant Friend would call at the Treasury, the Papers would be shown him.

PRIVILEGES OF THE HOUSE—RETURN OF WRITS.

SIR STAFFORD NORTHCOTE: I wish, Sir, to say a word upon a question which affects the privileges of Members of this House, and also to give some explanation to hon. Gentlemen who came down to-day at the morning sitting of the cause of my absence when a Bill connected with my Department was down for discussion. The circumstances were these:—The election for North Devon took place on Saturday last; I was declared duly elected, and, as I understand, the Under Sheriff sent up by post the Writ containing the notice of my return to an agent in London. The agent was not aware of the necessity for rapidity in his proceedings, and instead of bringing or sending down the Writ here yesterday, or even at an early hour to-day, he did not bring it until after the proceedings of the morning sitting had commenced. It was not brought here until about one o’clock to-day, although it arrived in London yesterday morning. I do not wish to make any complaint. I have reason to believe that the matter was an oversight arising from ignorance on the part of the agent, and that there was no intention of delaying the business of this House. But it is obvious that some inconvenience was occasioned. The circumstances might have been such as to make it a very serious matter that a delay should take place to

the return of a Writ. I have made inquiry, and am informed that Writs are very often sent in this manner instead of being sent, as I think they ought always to be, by post to the Clerk of the Crown, and I am bound to say it would be very convenient if a Standing Order should be made, or some other method should be taken, for insuring the rapid transmission of Writs to the House. I do not intend to make any Motion; but I thought it my duty to call the attention of the House, and yours, Sir, to the circumstance, and also to offer an explanation for not being in my place this morning.

HARES AND RABBITS BILL (SCOTLAND).

QUESTION.

Mr. DYCE NICOL said, he would beg to ask the Secretary of State for the Home Department, Whether it is his intention to proceed with the Hares and Rabbits Bill for Scotland?

Mr. WALPOLE said, that the Bill alluded to was not a Government measure.

SIR WILLIAM STIRLING-MAXWELL said, that he intended to proceed with the second reading of the Bill in question on Friday.

MERCANTILE MARINE.

MOTION FOR A ROYAL COMMISSION.

Mr. GRAVES said, he rose to move—

"That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to issue a Royal Commission to inquire into the present condition of the Seamen of the Mercantile Marine, with the view of ascertaining whether, within the last twenty years, the supply of British Seamen has or has not fallen off either in point of numbers or of efficiency; and, if in either a continuous decline should be apparent, then to ascertain further what are the causes which have led to such decline, and whether any remedy can be suggested."

He begged the indulgence of the House, while he endeavoured to bring before it, as briefly as he could, a matter of no small importance. He wished to ascertain whether there was really any foundation for the opinion which prevailed generally throughout the country that there was a growing deterioration of its seamen. If the inquiry for which he asked should be granted, and the result should confirm the opinion to which he referred, it would behove the Government to legislate upon the subject as soon as possible, with the view of applying a remedy to the evil. The records of that House abundantly proved that whenever any question was raised

involving the welfare of our seamen it was discussed with the greatest earnestness and attention. His own experience in that House, short as it was, proved to him that whenever any question connected with the interests of the lower classes was introduced it always received the best attention of hon. Members. It was impossible for him to deal as he could wish with the national bearings of the subject, and yet that was the point of view from which he desired hon. Members might regard the question. There was no doubt whatever but that the seamen of our mercantile marine were our real reserves, and should it happen at any moment that our outer line of defences were unhappily broken through, it was obvious that we should be compelled to rely upon our merchant seamen to man the inner line. Seeing, then, the inseparable connection which existed between our national defences and the seamen of our mercantile marine, it was plainly a matter of no small importance that that marine should be placed upon the most efficient and reliable footing. He need not point to the past heroism and gallantry of our navy, or to their pluck and seamanship; but in the present day, when science had contributed so largely to the improvement of modern warfare, it was of the highest importance that in addition to the national characteristics of our seamen, we should have men of superior intelligence, judgment, and skill engaged in the naval service of the country. The question to which he desired to call the attention of the House divided itself into two branches. The one related to the apparent declension of the numbers of our able-bodied seamen as compared with the increase of our tonnage, and the other to the supposed deterioration of those seamen in quality. Unfortunately, until 1858 we had no record kept of the precise divisions of the classes composing our mercantile seamen. It appeared, however, that in 1850 the gross tonnage of the country was 3,032,000 tons, and the number of our seamen 151,000. In 1865 the tonnage amounted to 5,500,000 tons, and the total number of seamen to 197,000, showing an increase of 78 per cent in the amount of tonnage, and an increase of only 30 per cent in the number of seamen. This great difference might, however, be partially accounted for by the application of steam, the great competition of trade, the increased tonnage of our vessels, the improvements of steam winches to sailing vessels, and the adoption of many other

Sir Stafford Northcote

modern appliances. Those circumstances enabled us to employ a proportionably smaller number of seamen for the service of our marine than were deemed necessary in former years. In the gross numbers which he had given were comprised every class connected with our mercantile marine, including engineers and firemen, foreigners, stewards, and other persons; but the Return to which he would next refer showed the able-bodied division of our marine, and he would for the moment exclude from view the other portions of the service. In the year 1858, being the first year in which a record was kept of the various classes in the service of our marine, our tonnage amounted to 4,325,000, whilst our able-bodied seamen numbered about 66,000, and the number of foreign seamen was 11,458. In 1865 our tonnage was 5,480,000; our own able-bodied seamen had increased to 72,000, and the foreign seamen to 20,000. In other words, our tonnage had increased 25 per cent within that short period; our British able-bodied seamen had increased only 9 per cent, whilst our foreign able-bodied seamen had increased 76 per cent. If they compared the relative numbers of the British and foreign element in our service in 1851, which was the earliest year for which he could obtain an accurate record, with those of the last year to which he had alluded, they would find that whilst the gross number of able-bodied seamen in the service had increased by 30 per cent the foreign element had actually quadrupled itself. If that disproportion between the increase of our own seamen and our foreign seamen had been merely accidental, arising from any peculiar circumstances of particular years, he should not have viewed it with the same alarm; but when he saw year after year, on the one hand, the steady diminution of the British element, and, on the other, the steady increase of the foreign element, it appeared to him that the time had come when it behoved the Government and the Legislature to look more narrowly into this question, with a view to a remedy for a very dangerous state of things, if it was within the power of legislation to provide one. As nearly as he could estimate the fact from the most reliable Returns he could procure, the drain on our service was 15 per cent per annum. That drain might be said to arise from deaths, desertions, age, resignations, and a variety of other circumstances. If they included petty officers, ordinary seamen,

and apprentices in the Estimate, the absolute drain on our service was something like 21,000 annually. Taking the boys and ordinaries as the source of supply, and assuming that it required four years to make a skilled seaman, we had 40,000 whom he would call recruits in our service, which would give us 10,000 a year to supply the drain of 21,000; the difference being, as he believed, largely made up from the foreign element to which he had referred. Until the year 1850 there existed in this country a system of compulsory enlistment of apprentices, under which system we had in the United Kingdom and our colonies 36,000 apprentices trained to the profession of the sea, of whom 31,000 belonged to the United Kingdom. Had that system been continued up to the present time we should have now more than 50,000 youths in training for our mercantile marine. He was unable to give precisely the number of apprentices as distinguished from the boys, who were classed together in the Records; but he found that the total of both in 1858 had fallen to 24,495, and that the total last year was reduced to 20,063. There were other causes at work independent of any which he had named for the diminution which had taken place in the number of our seamen, and that was the application of steam to maritime purposes. He had the curiosity to see what had been the effect of its operation in Liverpool, and he found that there had been last year entered in the sailing tonnage out of that port, which amounted to 1,236,000 tons, 849 boys and 578 apprentices. The steam tonnage at the same time amounted to 844,000 tons, and he found that the number of boys which it employed was only 173, and of apprentices only 90. Those figures proved that the steam trade as at present organized could not be looked upon as a nursery for our seamen, and if hon. Members would only reflect on the probable substitution, at no distant day, of steam for sails in all branches of our carrying trade, they will appreciate the full bearing of these figures in their future as well as present application to the maintenance of our seamen. He was desirous of ascertaining how far the mercantile marine had derived assistance by an overflow from the system pursued in the Royal Navy, and he had in the early part of the Session moved for Returns which gave him the information he sought. The conclusion at which

he had in consequence of these Returns arrived was that so far from the mercantile marine receiving any assistance from the system at work in the Royal Navy, the supply of men in that service was utterly inadequate to its own wants, and he could not let the present opportunity pass without endeavouring to impress on those who were charged with our naval administration that the state of things which had been revealed was such as to demand their immediate attention. On the 1st of April, 1861, there were 30,507 men in that service, whilst on the 1st of April, 1865, there were only 21,509, showing a diminution of 9,400 men. During these years 36,845 able-bodied men had left the service, of whom 19,415 were from deaths, discharges, purchases, pensions, desertions, and other causes, and the larger proportion of whom never returned to the service. He believed it would be found that 12,500 out of this 36,000 men had never returned to the service. The number of boys entered during the same time was 13,475. There were only 26,000 then introduced to fill up the drain caused by the 36,000 who had left the service, the waste in the service being thus absolutely greater than the nominal reduction which had from year to year been effected in it by that House. With a view to arrest that drain he would earnestly recommend to the Admiralty to take into their consideration the expediency of doubling the number of our training ships for the use of the navy as quickly as possible. Returning, however, to the mercantile marine, he would, with the permission of the House, advert for a few moments to the mode at present adopted for recruiting our merchant service. It was accomplished by the introduction of apprentices, ordinaries, and foreigners. The Registrar General had very kindly worked out for him a calculation as to the number of apprentices in our foreign sea-going trade, and he found that it amounted only to 4,900, while the number of boys was 9,600, a discrepancy, as compared with the Parliamentary Return, difficult to account for. In the selection of those boys, he must observe, very little care appeared to be taken. They were lads who were, generally speaking, unable to obtain employment on shore, who were for the most part entirely devoid of education, the only qualification apparently which it was required they should possess being the power to go through

a large amount of physical work. He learnt from his experience it not unfrequently happened that these, after a voyage or so, called themselves ordinaries, and very soon after offered themselves as able seamen. Now, that was a state of things which was very much to be regretted, because the result was a master of a ship often went to sea under the impression that he had a crew of able-bodied men, but when an emergency arose he found that he had been labouring under a delusion. Then came the ordinaries, who were still more objectionable and who were, generally speaking, young men of eighteen, nineteen, or twenty, who had failed to earn a livelihood on shore, and were beyond the age for settling down to the discipline of sea life. They designated themselves ordinaries, and the consequence was that a very dissolute and unsuitable class was in that way introduced into the service. But in his mind the most dangerous element of all was that which was obtained by the system of foreign recruiting. Taking the Returns from the port of London for one month in the year 1852 in the foreign trade alone he found that there were 910 British seamen and 144 foreigners shipped through three shipping offices, while for the same month in 1866 the numbers were 1,125 British seamen and 543 foreigners, or nearly one-half of the latter. In such men there was no feeling of patriotism towards this country—they were aliens in language and in thought, and if it should happen that they were called upon to fight, they would probably be found fighting against the very flag under which they had for years obtained their livelihood. He did not know that he need trouble the House with any further figures to prove that while the trade of the country had increased our able-bodied seamen had only held their own, and that, so far from recruiting, as we ought to do, from our own population, we were having recourse almost entirely to the foreign element. He would now turn to the other branch of the question, which he ventured to call the deterioration of our seamen. In speaking upon this branch of the subject he regretted he should be compelled, in proving his case, to depend very much upon the opinions of others; but he had faithfully endeavoured to obtain opinions which deserved the confidence of the House. That would be his justification for reading the sentiments of gentlemen who were re-

garded as authorities upon this question in confirmation of what he asserted. The first he would quote, of many which he had received from gentlemen connected with the Royal Navy, was from one who was well known to many hon. Members of that House, and who stood deservedly high in the estimation of his profession—Captain Cooper Key. In his letter that gentleman referred to the great importance of the question, both with respect to our prosperity and our existence as a first-rate Power, and expressed a hope that he (Mr. Graves) would press the matter by all means in his power on the attention of the Government, in order to prevent the increase of this crying evil. No man became a seaman who took to it after eighteen years of age, and very few after sixteen. It was therefore, he said, imperatively necessary that some steps should be taken to remedy the evil effects resulting in some respects from the repeal of the Navigation Laws. There was much also to fear with regard to the Royal Navy, and Captain Cooper Key expressed a hope that the number of boys for the Royal Navy would be largely increased. He had received communications from various Government officials and superintendents of shipping offices at the various ports throughout the country. The first extract he would read was from Mr. Brown, Registrar of the Royal Naval Reserve, &c. That gentleman spoke of the deterioration of the British seamen connected with the mercantile marine, and said that there was great difficulty in finding properly qualified men to fill the ranks of the Naval Reserve. The number, he said, had not reached two-thirds of that sanctioned by Parliament; and, although 22,000 had been officially announced as having made application, 19,000 only had been enrolled, but he (Mr. Graves) had notice that lately they had fallen to 17,000. Nearly 30,000 men had made application, but not possessing the required qualifications they had not been enrolled. The superintendent of the shipping offices at Liverpool attributed the deterioration to the want of a proper recruiting service, and to the discovery of gold in America and Australia, the latter circumstance having caused many an able-bodied sailor to leave this country for those regions. The superintendent at Glasgow said there was a great deficiency of men, and that there were great complaints with regard to the deterioration and efficiency of such as were

obtained, and with regard also to the introduction of foreigners into the service. The superintendent at Bristol said they wanted training ships for boys at all the large ports in the kingdom; and, although Her Majesty's Government had kindly promised to furnish a ship for Bristol, they were obliged to abandon the undertaking from want of funds. The superintendent at Sunderland said the number of British sailors had decreased, and their deficiency had to be compensated by the employment of foreigners. The superintendent at North Shields said the employment of foreign sailors was large, and they had a demoralizing effect on the British sailor. One of the Inspectors of the Board of Trade (Mr. Hughes), who went to Cardiff to inquire into the desertions and crimping going on there, stated that British seamen were becoming more scarce daily. The stipendiary magistrate of Liverpool, at a public meeting, referred to the number of men that were brought before him for acts of insubordination, and stated that he was struck with the deterioration in the appearance of the men. It was, he said, something remarkable the number of men who did not belong to this country, and he had often thought and said he should not like to go to sea with such cut-throat looking fellows as many of them were who were brought before him on charges of insubordination; and in these views he (Mr. Graves) thought he would be borne out by many that were connected with the mercantile marine of the country. He had also received a large number of communications from shipowners and shipmasters, and others, all tending in the same direction, which more than strengthened the documents he had already quoted. Looking to the facts and evidence he had already produced from impartial and official witnesses, he felt he had said sufficient to satisfy the House on that point, and therefore he would read only one more extract from a document he had received from the seamen themselves. A Mr. Perry, at a meeting held for the purpose of forming a protection society, said it was not fair to the able-bodied seamen that men should be shipped who knew nothing of navigation. Such a practice was very common, and Mr. Perry said he knew a boarding-house master who had a wheel in his house with two spokes in it, and he was in the habit of making shoemakers become seamen by teaching them "hard a-starboard" and "hard a-port;" and as soon as they had learnt that they were

shipped as able-bodied seamen. The seamen of Liverpool, when they heard he had taken up the subject, asked him to receive a deputation from their body ; but not being able to comply with their request, they, at his suggestion, had forwarded to him their views upon the subject in writing. They stated that the causes of the deterioration of the British seamen were almost too numerous to mention in detail in a letter. The reasons why the seamen were incompetent now to perform their duties were obvious—because they were not compelled to serve a reasonable apprenticeship. In many instances, they said, men went to sea on a short voyage, and they obtained their discharge in the form authorized by the Board of Trade, which stated their capacity as that of able seamen. These men suggested the propriety of again establishing the apprenticeship system, which had acted so beneficially. Another cause of deterioration they stated to be the wholesale introduction of foreigners ; and it was a very common thing to find Portuguese, Spanish, and French, men with questionable morals, on board British ships. The consequences of such a heterogeneous mass were, they said, daily acts of insubordination and mutiny. Most of these foreigners were without the slightest spark of honour or principle. They were men driven from their homes for crime, and they came here to compete with honourable men. Instead, therefore, of the sea being made the heritage of the poor, it had become the last resort of vagabonds, and British seamen sought other employment rather than be mixed up with such a motley crew. The advance-note system, these men also stated, had greatly interfered with the morals of the seamen, and they suggested its discontinuance, because, even in times of sickness and shipwreck, their necessities would be met without it. They also stated that they thought great things might be accomplished for the benefit of the sailor if these matters were properly investigated. In speaking of foreigners as he had done he hoped it would not be supposed he was drawing invidious national comparisons, nothing was further from his thoughts, he spoke of foreign seamen only, and there were many exceptions, the seamen of the Scandinavian nations, putting aside national questions, were introduced into our mercantile marine with advantage. Unfortunately, however, we did not get many seamen from those countries, as they had sufficient employment at home;

Mr. Graves

but only the refuse of southern climes, men of bad habits and vicious conduct, without rectitude or principle, and who exercised a most injurious influence on our own men. He felt satisfied that he had shown to the satisfaction of the House that deterioration in the character of our seamen had taken place, and if unchecked would in time sap the foundation of our maritime supremacy. And now, with the sanction of the House, he would point out to them what, in the event of a Royal Commission being appointed, he thought might be a partial remedy for the evils complained of, for the House would probably expect him to show that these evils were within the control of the Legislature. Various suggestions had been made and pressed upon his attention; many persons had urged a return to the compulsory apprenticeship system ; but he was afraid that those who remembered anything of the working of that system would come to the conclusion that that was not an altogether satisfactory system, and, further, that it would be most strenuously opposed as being contrary to the free policy of the country. The compulsory system, therefore, he thought, could not be considered for one moment. Others had suggested a modification of the system by making its adoption voluntary on the part of the shipowner, and that those who adopted it should receive certain bonuses for the lads they brought up to the sea. That suggestion he regarded as theoretical and impracticable, and he was not satisfied that even if adopted it would arrest the deterioration that was now going on. Others, again, had suggested that there should be no Government interference, as such was likely to destroy the responsibility of seamen ; and this might be a proper matter for inquiry. The seamen had themselves suggested remedies, but he regarded them as scarcely touching the real evil. He was inclined to believe, after careful and long consideration, that the best solution of the difficulty which was in the power of this House to apply would be found in the promotion of a better system for supplying the service with the raw material—to begin, in fact, at the beginning and offer facilities, which do not now exist, to the well-conducted youth of the country to become sailors, by the establishment of training ships round the shores of our country, in which they could learn the discipline and theory of seamanship, and from which they could after a couple of

years be drafted into our naval or marine services to learn practical seamanship. The suggestion was not a new one, and he could not say it was his, but in 1859 he pressed it on the attention of the Duke of Somerset as First Lord of the Admiralty, and received a reply from his Grace that the suggestion should receive his attentive consideration, and indeed that the establishment of training ships at the different ports was then under the consideration of the Admiralty. The Commission on the Manning of the Navy strongly recommended this as one of the chief remedies for re-suscitating the mercantile marine, and the noble Lord the late Secretary of the Admiralty (Lord Clarence Paget), who took a deep interest in the question, induced the Admiralty to introduce training ships for the Royal Navy, observing in one of the last speeches that he made in that House, that he knew of no measure more advantageous to the country than the establishment of such ships at all the great mercantile ports of the kingdom, and hoped that the example set by the Royal Navy might be imitated with advantage by the mercantile marine. In 1861 the proposed system was considered at a public meeting at Liverpool, and resolutions were passed in its favour. The resolutions were forwarded to Lord Palmerston, and his Lordship promised that the matter should be fully considered. The Board of Trade had considered the matter, and some two or three years ago they prepared a well-devised scheme, but from some cause or other—whether from motives of economy, or to enable us to make reductions in the duties on some trifling article of import, or from the feeling that the country was not warranted in paying £50,000 a year for the purpose of maintaining our maritime supremacy he could not tell, but the scheme was never brought forward, and so far as he knew it remained in the office of the Board of Trade to that day. It has been suggested that this is simply a shipowners' question. He denied it most emphatically. The shipping interest would take care of itself, and would man its ships with the best material obtainable, be it English or foreign. It was in the interest of the country he brought it forward. The State had a large interest in maintaining well-disciplined, well-trained, loyal seamen—our reserves rest entirely on them. 20,000 of the seamen of the marine at this moment hold the retaining fee of the State, obliging them to leave our service when

called on; the interest is a joint one, and the sooner it is recognized the better. It had also been said that this was a question of private effort and philanthropy; and if he thought it was, and that it was likely to succeed, he certainly would not have taken the trouble to bring it under the consideration of the House. Certainly, on the subject of training ships, Liverpool had not shown any want of public spirit. First of all, there was the Conway training ship for the higher ranks of the service; then there were two ships for reformatory purposes, and a fourth was established last year for the well-conducted youth of the town. The Admiralty had lent a 40-gun ship for the purpose, and one gentleman had given no less than £5,000 to fit it up; but, notwithstanding this help, and subscriptions amounting to £1,764, and other sources of income, he did not think private efforts in such a case would succeed, for at that moment the committee could only maintain fifty boys from want of funds. In Bristol similar efforts had been made, but not with more marked success. A well-organized system of training ships, into which diligent and respectable youths might be received from the various schools throughout the kingdom, would be of immense advantage, not only to the young population, but also to both services of the country, into which they could overflow to learn practical seamanship according to their wants and the wishes of the boys. As to the expense, he was satisfied that it would be too great for private persons, and that it must fall mainly on the public purse. Shipowners should also contribute, and in return for their share of the expense, would receive well-trained, respectable, and steady lads into their service. A portion of the Mercantile Marine Fund might well be appropriated in aid of the establishment of such training ships at the different ports. Englishmen instead of foreigners would thus fill up the ranks of the marine, and the country would have the satisfaction of feeling that in the merchant service they had a body of men ready and willing whenever an emergency arose to come forward in defence of the English flag, as the men of the Royal Naval Reserve so nobly did in the case of the *Trent*. He would ask the House, if satisfied he had proved his case, and without further inquiry, to consent to establish those institutions which had long been required, and which he had that night so feebly advocated.

MR. LIDDELL said, he wished to make

only a few remarks in seconding the Motion. He thought that instead of his hon. Friend being under an obligation to the House, the House were greatly indebted to him for having so ably brought forward a question in which every Englishman ought to feel interested. For his own part, he had listened to many of the details related by his hon. Friend with a feeling of humbled national pride, for to know that of 60,000 seamen in our foreign trade, 20,000 foreign seamen should be engaged in carrying on our commerce was a very humiliating fact. This had arisen from our national policy, for although free trade had so greatly benefited the country it could not be denied that we had paid dearly for those advantages in some respects, and particularly in this matter. Some concessions, indeed, had been made to shipowners in consideration of the repeal of the Navigation Laws, but they were still very disadvantageously situated. The hon. Member for Liverpool had that night completely corroborated the evidence given before the Committee which sat on the subject six years ago. It was high time that this drain of seamen should be remedied, and although he had no desire to embarrass the Government when they were warm in their place, he thought they were bound to institute an inquiry. The remedy pointed out by his hon. Friend was one which had met the approval of the late Sir James Graham, one of the ablest administrators who had ever presided at the Admiralty. At that moment it was true that they had enrolled 60,000 seamen with an efficient body of officers in the naval reserve, but it was not advisable to rely upon that alone and neglect the natural mode of manning the navy by a system of training ships. He thought such vessels might advantageously be placed in connection with the industrial and ragged schools and other valuable institutions to which Lord Shaftesbury had devoted so much attention, thus opening an honourable career to the unfortunate youths who had till lately wandered about our streets. The navy and the merchant service might also with advantage be brought into closer relationship, and a better provision ought to be made for merchant seamen in their old age, for if no provision were made for them in that respect the service would never be popular. He would beg the attention of the right hon. Gentleman opposite (Mr. Milner Gibson) and also of his successor (Sir Stafford Northcote) to this question, for the Board of Trade were charged with the

supervision of the mercantile marine, though he was afraid its interests were not very safe in the hands of that Department. As an instance of this, he would refer to the scurvy treatment which an excellent institution called the Seamen's Hospital had received, a very large portion of its revenues having been docked off through the non-fulfilment of arrangements entered into by that Board. At the present moment the Exchequer was a gainer to the amount of £8,000 a year by the surplus arising from the confiscation of the wages and effects of deceased seamen; although it had been contemplated that the whole of those funds should be paid into the hospital. That certainly was the intention of those connected with the Merchant Seaman's Act. When the House heard of deterioration and diminution in the number of their sailors it might be worth while to try what would be the effect of a little more care of our seamen by maintaining institutions of this kind on a scale worthy of the country. That might go a long way in encouraging men to enter the service. But he earnestly hoped that Her Majesty's Government would attend to the matter with the view of introducing some general scheme.

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to issue a Royal Commission to inquire into the present condition of the Seamen of the Mercantile Marine, with the view of ascertaining whether, within the last twenty years, the supply of British Seamen has or has not fallen off either in point of numbers or of efficiency; and, if in either a continuous decline should be apparent, then to ascertain further what are the causes which have led to such decline, and whether any remedy can be suggested."—(Mr. Graves.)

MR. HENLEY said, he thought that his hon. Friend the Member for Liverpool had no need to apologize for bringing the question before the House. He (Mr. Henley) had to apologize to the right hon. Gentleman (Sir Stafford Northcote) for taking precedence of him in the debate; but as he differed in some things from the hon. Member for Liverpool, it might be as well that the right hon. Gentleman should hear what he had to say before addressing the House on the subject. In his opinion the importance of the subject was not diminished, but ten thousand times increased by the remedy which the hon. Member for Liverpool had suggested, because it was clear that the hon. Member in his own mind relied on Government action instead of on that individual action on which they had

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hitherto relied. That course involved, in his opinion, a consequence of greater importance than the subject itself. Being old, he perhaps looked on Government interference with a greater jealousy than others did. He doubted very much whether Government interference would bring about the end which the hon. Member had in view. In the strongest manner the hon. Gentleman said that he did not want any bonus, yet the training of these youths would be a continual bonus. It was said that the cost of training a youth would be £20 a year, so that if only half the number of 10,000 were trained in these ships that would be £100,000 a year. He had to go a little farther back than the hon. Gentleman had done in his remarks. It was in 1833 or 1834 that Government interference first took place between masters and men in the merchant service. He asked any man who heard him how long they supposed they could have good carpenters, good shoemakers, good ploughmen, good jockeys, or good anything else which they used if they could not hire them without going to a Government office? He put that question boldly. Men had lived through the ten or twelve years of dissatisfaction and discontent and grumbling which this state of things had brought about, just as they had lived through a Liberal Administration. They could not tell how. They lived through because they could not help it. The system was a great convenience to shipowners, but what happened? The shipowner knew nothing of the men whom he got. He went to an office, and there he found them. It relieved him of a good deal of trouble. It had also got rid to a considerable extent, though not entirely, of that abominable set of men called "crimps." It had put a spoke in their wheel; but it was in evidence that some of the Liverpool people employed crimps to bring men out of the shipping office, because that was the only way they could ascertain whether the persons whom they wished to hire were seamen or not. Whether that evidence was true he did not know. The main cause of the deterioration of their seamen, in his opinion, was the commencement of the system of short apprenticeships begun in 1823 and re-enacted in 1835. Two of the strongest motives in human nature were duty and interest. Each of those springs of human action worked in a different way; but if you got them to combine you were much more certain of the result than when you took them

singly. How did that bear on the system of short apprenticeship? Any man who knew much of these matters would tell you that of the masters of ships some were not seamen, while some who were seamen had no sympathy with boys, and were unable to teach them. All of us had had experience of schoolmasters who had a good deal of teaching power but who taught nothing. Well, supposing that under the system of short apprenticeship the master of a ship got a boy of about the age of fourteen, what interest had he in teaching such a boy, when he knew that the lad would be out of his apprenticeship by the time he was sixteen or seventeen years of age? But if he was to have the lad till he was twenty-one, he would get three years of his time after he had become a useful seaman; and if he did not teach him of his own accord, the owners would not be worth their salt if they did not see that he did so. What had been the working of the short apprenticeship system? In 1836, the first year of the operation of the renewal of the Act, 7,223 boys were bound, of which number 3,648 were bound for a period not exceeding four years, and 3,575 for a period of over four years, or until they were of age; so that the number bound for the long period amounted to about 49 per cent of the whole. If they took the first five years, from 1836 to 1840, they would find that 43 per cent were bound for the longer period; but when they came to the last five years included in the Returns—the period ending in 1860—they would find that the number bound for the longer period had dwindled down to 32 per cent, and of 5,616 boys apprenticed in 1860, only 1,827 were bound for any longer period than four years. This showed how the system, like a social cancer, effected a deterioration in the supply of good men for the service. Seamen were skilled workmen of the highest character, and they could not become such without special training. He might be wrong, but he did not believe that seamen could be made in training ships any more than a person learning to swim could be taught upon dining tables. If the country was to have good seamen, they must be trained upon the sea. He would not trouble the House with a multitude of figures, for he believed it would not be disputed that our seamen had greatly deteriorated. Every inquiry during the last seven or eight years—not made for this purpose—had drawn out incidentally, and, therefore, more credibly, that the men were deteriorating. Both

Admiral Denman and Admiral Elliot, who gave evidence before a Committee of which he was a Member, stated that the seamen were not what they used to be, and had become greatly deteriorated. But there was another test. Nothing could better prove the quality of masters and men than their success in sailing their ships. But on going into the Returns which had been laid before the House—it was not a pleasant matter—he found that in the year 1852 in every 209 voyages one vessel came to grief either by collision, wreck, or stranding. The last Return appeared in the year 1862. He had many times sought later Returns from his right hon. Friend opposite (Mr. Milner Gibson), but had never been able to get them. In 1862, one vessel in every 138 voyages came to grief which showed a gradual and steady scale of increasing disaster. He held that the opinions of gentlemen who had examined these matters were of great value; but when they were corroborated by such facts as these he could have no doubt on the subject. Great improvements had been made in shipbuilding, in cables, and other matters connected with vessels, all tending to diminish danger rather than increase it, and yet there was the discouraging result he had stated. It was the same with coaches as with ships. If you had a coachman who turned you over you would say he was not up to his work. And though he might say it was a bad shy, you would be inclined to think he was a bad driver; but if in addition to the driver being bad the men under him were bad, it would be much worse. Then the opportunities of teaching seamen were much less. The system of employing gangs of riggers was detrimental to the interests of the boys; and the employment of steam tugs prevented their being taught an important part of the work of a sailor. When getting in and out of port an opportunity for teaching the boys many things connected with their profession was formerly afforded which could not now be obtained in a voyage to India and back. But this was the natural course of trade, and they must take it for better for worse. There was another thing to which he wished to advert. When he was at the Board of Trade some years back, he heard expressions fall from hon. Gentlemen similar to those spoken by the hon. Member for Liverpool to-night. One Gentleman told him that shipowners did not like the trouble of teaching boys; but if the mas-

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ters would not undertake the trouble of teaching there would be no good servants. No Government school could, in his opinion, supply the place of the masters in teaching the boys. The whole thing seemed to be arranged to enable persons to place capital in shipping without any knowledge of its management. The Government found the masters and mates, and the masters provided the men, and so there was a most distinct line drawn between the employers and the employed. This was not the case twenty-five years ago, and tended to produce the deterioration of the men. It was quite clear from what his hon. Friend had stated that shipowners did not now care to take boys into their service, though there was nothing to hinder them from taking boys as aforetime, and binding them for seven years. Too much trouble was involved in this training, and much of the work they formerly did was now executed by gangs of riggers. But what was the inducement to the friends of boys to send them to sea. Having given some consideration to the subject, he was compelled to say that no honest man aware of the whole circumstances of the case would send a boy to sea. He was sorry to make this statement, but he did so with the firm belief that it was true. What was a boy's life at sea? Why, compared with the ordinary life of a boy on land from fourteen to nineteen years of age, it was a thousand times as hard. Then, when he became a man, as a seaman his earnings were low in comparison with those of the skilled artizan on land. The seaman must undergo great hardship, acquire a certain amount of knowledge and skill, and pass his life amid such danger and toil as was unknown to the bricklayer, carpenter, or blacksmith, for wages much lower than theirs. Then, again, owing to the increasing size of the ships, and the higher scale of education required from masters and mates, the difficulty of seamen being able to attain the position of a master or mate was becoming greater every day. Everybody would admit this statement to be true. He did not say that the masters and mates should not possess this scientific knowledge; but this circumstance put seamanship at a discount. He did not wish to disparage the examinations, but he believed that a man could pass a good examination and be no better a seaman than himself. In fact, they could not test, in this way, the backbone of seamanship. During inquiries into

the wrecks which occurred from time to time it was found, not that scientific knowledge was at fault, but that a large portion of them were owing to the neglect of ordinary duties. And what was the condition of a seaman at the age of forty or fifty? Thirty years ago the mastership was not shut against the man who entered before the mast, but this is now generally the case owing to the increased size of merchant ships. Thus the poor sailor had not half the chances of advancement which were formerly open to him. And after fifty years of age a seaman could not work. In fact, he was worked out; formerly he went on shore and turned rigger, but now the rigger's son succeeded to his father's business, and there was no room in the trade for the old sailor. One plan for his employment formerly was that at every port except London the shore boats were manned by old seamen, but the steamers had closed that trade against them. Again, the wages of seamen, as compared with mechanics, were very low. The wages for the foreign trade were £3 10s. per month, and it might be taken that he would be eleven months at sea and one on shore. And in this he was at a disadvantage, for the skilled mechanic had fifty-two Sundays to himself, and poor Jack when at sea must work Sunday and week day. In his eleven months he would earn £38 10s., and if to this was added the price of his food—£17 or £18—he would draw as wages less than the mechanic. It followed that the condition of the men must be improved, and that it was not by training ships that men were to be got, but by giving these men such wages and prospects for their old age as would induce them to learn their business. In his opinion, the desired result could be secured better without connection with the Government than with it. The remedy was to be found in improving the relationship between master and man. Unless the throat of the present system was cut, the French system would grow up among us, and we should have as bad seamen as that system now produced. This country had already had some experience in that matter. Towards the close of the last and the commencement of the present century our seamen fought and conquered, and swept the seas under Rodney, and Howe, and Parker and Duncan, and Jervis, and Nelson, with odds as great against them as any to which their successors of the present day would be exposed. And how were

those men trained? They were not raised in school-ships, nor made perfect by a few summers' trainings, and then as a gallant admiral had said before the Committee he had spoken of, became disgusted when taken out for a winter's cruise. Those brave men had been from early childhood put face to face with difficulty, danger, and death, so that all the soft ones among them—and there were soft and hard ones in every class—got squeezed out. They found the life of a seaman a hard one; they did not like it, and they returned ashore; and those who remained were as hard as nails. Those latter men learnt that great lesson which nothing but stern experience teaches—that the only way to escape death was boldly to face every danger, and with God's help, to grapple with and overcome every difficulty. That was the way those men were trained. History had recorded what they had done; he would be very glad if those who were raised in a different school would equal them; he felt perfectly sure they would not surpass them. Before he sat down he wished to ask his hon. Friend one question. He wished to know whether his hon. Friend believed that the general class of shipowners, when they wanted a crew, would take them from those training ships, where they never learned what a day's work was, and had never met with danger or difficulty? He doubted it; masters who wanted boys to do their work well would, he believed, go to some other place for them than training schools. He might be wrong in his conclusions, but he believed that legislation upon the subject would only aggravate the mischief by separating master and man. He hoped his right hon. Friend would assent to the proposition for the inquiry. The subject was one of the utmost importance, because the safety of this country depended upon its navy. They had heard the other night from the late Chancellor of the Exchequer a sad prophecy, and one which he (Mr. Henley) should never forget. The right hon. Gentleman told them that, in his opinion, this country could not hope to maintain the mastery of the sea as she had done during the great French war. He (Mr. Henley) thought that a faint-hearted declaration, and was quite sure that if England strove for her old mastery with the foregone conclusion that she would not maintain it, the battle would be half lost before it was begun. He believed that whether in steamers or in sailing ships,

when the day of trial came, victory would accompany those men who were the best trained, and who afforded the best materials for training. He hoped they should be enabled to discover by means of the proposed inquiry the most effective mode of securing that training and those materials; and perhaps one of its results would be to lead the employers of labour in that case to put their shoulders to the wheel, to bring up for themselves the best class of seamen, and to hold out, by means of good wages, an inducement to that class to enter their service.

SIR STAFFORD NORTHCOTE: Sir, I have listened, in common, I am sure, with every Member of the House, with great interest to the speech of my right hon. Friend who has just resumed his seat, as well as to the speech of my hon. Friend the Member for Liverpool, who called our attention to the subject in a manner well worthy of its importance, and of the great constituency which he represents. My right hon. Friend and my hon. Friends who brought forward and seconded the Motion, agreed on this point, that there is evidence before us to show that there has been of late years a falling off to some extent in the numbers and in the efficiency of our seamen. My hon. Friend the Member for Liverpool moved for a Commission to inquire into the subject; and his Motion naturally divides itself into two distinct parts. In the first place, he wishes for an inquiry into the facts of the case; and secondly, if those facts should be found to be such as he believes them to be, he wishes for an inquiry into the causes of the alleged deficiency, and of the best mode of remedying the evil. Now, if there was any doubt about the facts, and if our attention were at present for the first time called to their existence, it is impossible to deny that it would be the duty of Her Majesty's Government to appoint a Commission, or to take such other steps as they might think desirable for the purpose of inquiring into allegations of so serious a character. But those Members who have already addressed the House appealed not to facts within their personal knowledge but to information which is public property, to documents which have for some time been lying upon the table of the House; and I, for one, am not at all prepared, on the part of the Government, to dispute the accuracy of the statements which they have made with regard to the present condition of the mercantile marine

of this country. I do not, therefore, think, it is at all necessary to appoint a Royal Commission for the purpose of inquiring into the facts of this case. My hon. Friend says that in the mercantile marine our seamen are falling off in numbers and in efficiency. Now, it is perfectly clear that the supply of British seamen has, in point of numbers—I will not say fallen off absolutely, but fallen off relatively to the amount of tonnage employed, within the last twenty years, and still more within the last seven or eight years; and, as a matter of course, as there has been a falling off in the number of men there must also be to some extent a falling off in their quality, because, as seamen must be had to meet the great increase of trade and tonnage, employers are of necessity compelled to draw upon an inferior stratum for their supply. But, at the same time, I am bound to say from all the information we have received, that although that may be the case to a certain extent, the mercantile marine of this country does not deserve the sweeping condemnation which is sometimes passed upon it. There is among our merchant seamen a large body of thoroughly efficient men, and I believe you would find among them many who are fully equal to those engaged in our merchant service at any former period. In proof of this I would appeal to my hon. and gallant Friend near me (Sir John Hay) and to those who have administered the naval affairs of this country. What is the quality of the merchant seamen who form that valuable force, the Naval Reserve. We know upon the highest authority, that we have now in our Naval Reserve 17,000 men of the best possible character, and of the most complete efficiency, and the records of the Board of Trade also show those men displaying a prudence and a self-control such as the members of their class never before exhibited. Sailors used to be proverbially reckless and improvident, but they now avail themselves largely of the facilities which our new system of savings banks and of Post Office Orders affords them for saving money for themselves in their old age or sickness, or for transmitting it to their families. I see that the number of money orders issued to our seamen has increased from 12,000 in the year 1856 to upwards of 45,000 in the year 1865, while during the same period the amount remitted by them has increased from less than £140,000 to more than £260,000. The returns relating to their savings banks are equally satisfactory. So much for

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their prudence. As regards their intelligence I may refer to what we have just heard. The paper brought before the House by the hon. Member for Liverpool, and the temperate, intelligent manner in which the sailors there urge their grievances, and explain what they believe to be the causes of their distress, and the remedies they suggest, show that they are a body of men to whose opinions very considerable weight should be attached. I mention these facts in order that it may be understood that, while we admit the existence to a certain extent of a deterioration in our seamen, we are also persuaded that we have a number of men who have given proofs that they possess every quality which it is possible to desire. I believe, too, with my right hon. Friend (Mr. Henley) that a large portion of our present difficulty in this case is owing to causes entirely beyond the control of legislation. It must be remembered that this country has, of late years, increased in wealth and in general commercial activity in a far greater ratio than in mere population; and the result is, that in every branch of business efficient men have become more and more in demand. This has been felt in our supply of clergymen and in every other profession, and the same cause has naturally produced the same effect in our mercantile marine. There are greater attractions than there used to be for those who might otherwise have thrown themselves into a particular branch of industry. The same result affects various occupations and professions. For instance, the competition of other employments draws away those who would otherwise become clergymen. It is precisely the same with regard to seamen. So many lucrative employments are now open to men who formerly were in the habit of going to sea, that the merchant service is no longer so attractive as it formerly was. That service, as my right hon. Friend said, requires men to pass a life not only of hardship but of danger, and at present affords a very moderate amount of remuneration. The true remedy, my right hon. Friend seems to say, is in the hands of the shipowners themselves, who might get better men by paying better wages. No doubt that is the true and simple remedy. But the shipowner is bound to look after his own interest; and if he can get men who would answer his purpose at a low rate, we have no right to require him to employ a better class at an increased cost to him-

self. It so happens that among foreigners and in other directions he is able to find men who, though not of the highest class, are efficient enough to serve his turn. That being so, it is idle to expect that the shipowner will give higher wages than those for which he can get the services of such men. Therefore, although I agree with my right hon. Friend that the true remedy is to be found in the exertions of the shipowners, yet I think we must pay attention, if we consider it an important object to supply our merchant navy with a proportion of good British seamen, to any measures which can be devised to render it easier for the shipowners to get seamen of this character. My right hon. Friend seems to have one or two remedies of his own to which he points. In the first place, he would get rid of some of those provisions which have been introduced for the protection of the sailor, and which he says are in the nature of an interference between master and man. If I understand him rightly he objects to, or at all events does not like, the system of shipping offices and the whole of the machinery provided for securing to the seaman the power of making proper bargains with his employers. Upon that point I feel very little inclined to agree with him, because I do not understand, if I rightly conceive the spirit of those provisions to which he refers, that there is anything in them in the nature of such an interference between master and man as would be equivalent to saying to the master, "You are not to get your men in the open market where you please, but you must come to us to procure them for you." I understand the spirit of those provisions to be rather of this nature, that, inasmuch as the contract to be made between master and man is one in which it is often found that the seaman is overreached and defrauded, it was therefore desirable to institute tribunals—for these shipping offices are in the nature of tribunals—which should see that the seaman had fair play. Of course, if this were not the case, and these offices were likely in any way to interfere with a fair bargain in the open market, and to affect the power of the master to get his seamen where he might find them best, I should say by all means let us eradicate the faults of that system. With regard, however, to giving the seaman protection, and not allowing him to be overreached and ill-treated through the agency of men commonly known as

“crimps,” I think there is no part of mercantile marine legislation to which we can look back with greater satisfaction than to the institution of these shipping offices, and I, for one, should be sorry to see anything done to destroy that humane and perfectly legitimate and reasonable provision. Then my right hon. Friend points to another matter in which I think he will find himself in some difficulty. He complains of the present apprenticeship system, but if you are to make laws to compel men to take apprentices, and to make a restriction as to the length of time during which they are to be bound, you will certainly interfere very materially with the principles of open supply and demand. The difficulties in the way are very considerable. The immense number of steam ships which we have now is very unfavourable to the apprenticeship system, because as a rule they train no apprentices, while on the other hand they require the services of trained sailors. There is always a demand for sailors at good wages, but there is not a corresponding supply, and you can hardly expect the master of a sailing vessel to undertake all the labour of training apprentices, when, as soon as he has trained them properly, the steamship owners go to them and, by the offer of a higher rate of wages, induce them to leave the service in which they have been trained and carry them off to a service which trains no apprentices. As a matter of fact, the system of compulsory apprenticeships to which allusion has been made was even under the old Navigation Laws open to great fraud, and was continually breaking down. The evidence of Mr. Lamport, of Liverpool, given before a Select Committee of this House in 1860, describes the way in which the apprenticeship system was entirely evaded under the old Navigation Laws, and now, with our enormous increase of seamen, and with the facilities which are given for obtaining foreign seamen, looking also to the demand for sailors in foreign services, it would be almost impossible to prevent the desertion of apprentices as soon as they became valuable, and almost impossible to prevent those frauds by which the apprenticeship system was made to look well, even while it was not accomplishing the objects which it had in view. The position which we are in is this—we are asked by my hon. Friend the Member for Liverpool to issue a Royal Commission to inquire into the condition of the mercantile marine,

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with regard to which we say that we are able to ascertain by inquiries, which the Government will feel it their duty to institute, all that a Royal Commission could learn. We are also asked to inquire into the causes of the existing state of affairs, and to suggest the remedies for them. I think the House will agree with me that the appointment of a Royal Commission for this purpose is a step that is by no means free from objection, because, in the first place, though a Royal Commission might be excellent for the purpose of collecting information, it by no means follows that it is the best body for suggesting remedies, because it is not responsible for the legislation which would be required to give effect to its own recommendations. A Royal Commission consists of a certain number of gentlemen cognizant of the subject-matter to be inquired into, but with no knowledge usually of the feelings and temper of Parliament, and fettered by no consideration of expense. They make inquiries, which are very valuable no doubt, occupying a considerable length of time, and they then present a Report, which in all probability contains recommendations which are more or less at variance with the feelings of Parliament. The Government of the day looks at the Report, and finds the measures proposed are measures which Parliament would probably object to pass, and they may say, “We have done enough in getting the matter investigated. There is the Report, and no doubt something must be done at some future time.” But there is no legislation upon it, and in that way the matter may be allowed to go to sleep. It would be more satisfactory if inquiries of this kind into the causes of certain evils and the remedies for them were to be conducted by the responsible Government of the country, because the Government would then not only inquire into the remedies which might be necessary, but would also at the same time propose their adoption. It is easy to propose remedies in the Report of a Royal Commission, in a form looking very well, but when you come to put those recommendations into the form of a Bill to be brought before Parliament, it is found that there are immense difficulties in the way of their adoption. On the other hand, general Reports do comparatively little good. The inquiries of a Government, however, must necessarily lead to the suggestion of remedies in a form proposed to be submitted in a measure. The Government will ex-

amine them with care and minuteness, and will then put them before Parliament in such a form as they think best calculated to secure attention and a favourable reception at the hands of the House. I think that is by far the best course of proceeding, and that it is much more likely to lead to beneficial results than the mere Report of a Royal Commission. I say this not merely from a consideration of general principles, but in consequence of what we have known of a Royal Commission on this subject before. There was a Royal Commission appointed by the last Government of Lord Derby, at the instigation of my right hon. Friend the First Lord of the Admiralty, and upon which my right hon. Friend the Member for the city of Oxford, the late Secretary for the Colonies (Mr. Cardwell), served and took a very active part. That Commission was appointed to inquire into the whole subject of the manning of the navy, and it made some most valuable suggestions, some of which, relating to the Naval Reserve, have been adopted. But one of the recommendations of the Commission, which appeared to be extremely good, has not yet been carried into effect, and that was the suggestion to which my hon. Friend the Member for Liverpool has referred with regard to the establishment of training ships. It appears to me, without pledging the Government to the adoption of any particular course, that it is our first duty to take up that recommendation of the Commission of 1859 and to see whether anything can be done in order to give effect to it. It may appear, should we come to put that recommendation into the form of a Bill, that there are difficulties in the way which we do not now perceive, but I think it will be far better to attempt to deal with that first, rather than to send the whole subject to be considered by a Royal Commission, the possible result of which might be suggestions made without being carried into effect, as has been the case with the recommendation of the Commission of 1859. I entirely agree with my right hon. Friend that if you undertake out of the Exchequer of the country to provide trained sailors for the mercantile service you are in effect giving them a bonus; and it is a very doubtful question whether you ought to give a bonus of that kind, and if so, what amount of bonus you ought to give out of the public funds to any particular trade. As a general principle, my right hon. Friend is right when he says you do not train carpenters

and cotton spinners; but, with regard to seamen, I think other considerations may apply, and it may be right that the National Treasury should be asked to bear some portion of the expense. Certainly, however, the National Treasury could not be called upon to bear the whole of the expense, because the shipowners will benefit most by the undertaking; and it would be only reasonable and fair to call upon them for some contribution towards the expense incurred. I merely throw out these suggestions, however, as considerations which the Government might have to weigh. I cannot assent to the very severe strictures which my right hon. Friend passed upon training ships, for I believe that if you adopt them they will be the means of effecting considerable benefit. Of course, if you could get a sufficient number of men who had served under Rodney and Nelson, they, having gone through the rough and effectual training of actual service, would, no doubt, be superior to an equal number of those trained on board the training ships; but, as you have no compulsory apprenticeship, and as boys must be trained to the service, I believe the training ships are very valuable, and that so far as experience goes they have answered very well. They provide a set of men, at all events, equal if not superior to the set provided in the open market. The subject, therefore, is one not to be set aside slightly, by references to learning to swim on a dining-room table; and I feel sure the training ships may be made to render most valuable assistance in providing us with sailors. All that I can promise on the subject is, that Her Majesty's Government will give it their most careful consideration; and I think I should be wrong if I gave a more definite promise, considering the short time I have had in which to take the matter into consideration. It may be necessary that we should enter upon the consideration of some other points. Nothing can be more important than that the comfort and the proper treatment of the seamen should in every possible way be provided for, but it would be undesirable to take out of the hands of the men the duty of looking out for themselves. All we ought to do is to give them the means of making their own bargain completely and fairly for themselves—to put them on a fair and equal footing with the shipowners, and then let them make their own bargains, and to adopt means to remove unfair and inconvenient restrictions. We thank the hon.

Member for Liverpool for bringing this matter forward. I have no doubt this discussion will do a great deal of good, and that the tone and temper which have been exhibited will show that there is every disposition on the part of Government to do what they can on the subject. I hope the hon. Member for Liverpool will be content with having brought the matter forward, and with the pledge I am willing to give him that we will take it into our most careful consideration. If we find it necessary in the course of our inquiries to issue a Royal Commission, of course we shall do so, and with that assurance I hope the hon. Member will not press his Motion, because I feel it would be inconvenient to tie the hands of the Government with any address to the Crown.

MR. GRAVES said, he wished to explain that he had no desire to impose the whole of the expense with reference to the establishment of training ships upon the country. The shipowners ought to bear their share, and they were perfectly willing to do so. He did not expect to receive such a satisfactory assurance as had been given by the right hon. Baronet that the matter would be taken-up. He considered that the mode of inquiry which the right hon. Gentleman had suggested was better and more valuable than his own, and he therefore asked permission to withdraw the Motion.

Motion, by leave, *withdrawn*.

THE BALLOT.—RESOLUTION.

MR. H. BERKELEY said, that in bringing forward a Resolution upon the subject of the ballot he was afraid he must not expect any great favour from the present House of Commons, which had steadily opposed Reform, and had shown itself hostile to extending the privileges of the working classes. During the twenty-nine years over which his Parliamentary services had extended he had been painfully impressed with the evils which had crept into the electoral system of the country, and which, since the commencement of Her Majesty's reign, had been steadily on the increase. No doubt, the electoral system of England was one which, in its original state, was worthy of all praise, and was fully adapted to give the people that voice in the election of their representatives which free institutions demand. Of the electoral system in its original state the country had a right to be proud, but of the electoral system under its present state of abominable demoraliza-

tion the nation might well feel ashamed. Whatever might have been the practice of candidates seeking to enter those walls—some of them doubtless objectionable enough—there was not one hon. Member of that House who would dare to gainsay the great constitutional maxim that each elector ought to vote freely and indifferently—without fear of punishment and without hope of reward. He trusted that the House would excuse him for calling their attention to the strong opinions entertained upon this subject by a few great authorities who regarded with deep respect the functions of electors, and thought it of the first importance that care should be taken to preserve those functions unimpaired. Lord Russell, speaking of our electoral system, said that all our most ancient statutes, all our greatest constitutional lawyers, had established the maxim, and laid down the principle that the people of England ought to elect their representatives freely and indifferently. No doubt, the noble Lord referred to the opinion of Walpole, who spoke in eulogistic terms of the privilege of electing Members to serve in Parliament. He might also refer to the opinion of Burke and the language which that great man used touching the electoral franchise—when he said “his unbiassed opinion, his mature judgment, his enlightened conscience, the elector ought to sacrifice for no man living.” Again, Lord Chief Justice Holt said that it was a great privilege to vote for those who make the laws which govern life and property—a privilege which should not be deputed to another. But if it was too delicate to be deputed to another, what could be said of the present state of things when this privilege was wrested from the rightful owner and used by those who had not the slightest possible claim to it, more especially by the noble class of non-electors, who were forbidden by the Standing Orders of the House to interfere in the election of Members of Parliament. The miserable state into which the electoral system of the country was plunged was admitted by all the world. For twenty years Parliament had been tinkering at the electoral laws until a state of things had been produced which rendered this country the laughing-stock of Europe. He now asked the House, since they could find no remedy for bribery, to try that which had been advocated by the most enlightened writers from Daniel Defoe down to Jeremy Bentham and James Mill. Those writers insisted that the ballot was the only

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thing likely to secure purity at elections, and in fact its principle had been adopted by England's greatest Parliament in 1628 under the advocacy of Hampden, Pym, Elliot, and the other great men of that day. A Bill for the introduction of the ballot at elections passed the House of Commons in 1710, but was rejected by the House of Lords in consequence of the opposition of Lord Godolphin. During the present century it had had the brilliant advocacy of Grote, Macaulay, Durham, Sheil, Cobden, Molesworth, Bethell, and many others. Under these circumstances, he was justified in believing that he had some little sanction for pressing the matter forward, and he trusted that in asking the House to make this experiment, no young Member would imagine he was asking it to adopt a crotchet of his own. He wished to advert very briefly to some of the arguments against the ballot. In the first place, it was said that the ballot was unmanly; secondly, that it was un-English; thirdly, that it was not successful where it had been tried; and fourthly, that it was wrong in principle, because the franchise was a trust held for the advantage of the non-electors, and consequently, must be exercised openly, and the electors must bear the responsibility of the publicity with which they gave their votes. No doubt hon. Gentlemen opposite recognized the old and stale arguments, but they did not bear in mind the various answers that had been given to them. Now, the first objection to the ballot, on the ground of its being unmanly, was set aside by the fact that it was the mode of voting in our clubs in almost all their elections, more particularly in the mode of voting in our military clubs. Our military and naval men were not supposed to be very unmanly, and yet every year an Act of Parliament was passed to enable members of courts martial to vote in secret, and consequently he need not waste time in arguing that it was not unmanly. Then it was said that the ballot was un-English. That was complete nonsense, for nineteen out of twenty of our elections were carried on by ballot. The only answer needed to that argument was a simple contradiction. The next objection that the ballot was not successful where it had been practised was equally erroneous. The conditions of the ballot were different in different countries, but as a rule it might be assumed that wherever secrecy of voting was compulsory, there the ballot was most successful. In the first place let him cite America. ["Hear, hear!" from the

Ministerial side.] He had felt sure that he should elicit that ironical cheer from hon. Gentlemen opposite. He had never held up America as possessing a mode of voting which this country ought to imitate, but as possessing, on the contrary, a mode of voting which they ought to shun. In America a man might stick his voting paper in his hat if he pleased—or he might go to the electoral urn with his voting paper open in his hand and declare his vote. He had seen thousands do that. Other men might fold up their papers, and vote with perfect secrecy and security. Yet the disadvantage of the open ballot had been experienced in America; for in the Northern States, where there was a great accumulation of poor voters, from the existence of large corporate bodies and other causes, corruption had begun to creep in, and both bribery and intimidation began to be practised. The consequence was that in Massachusetts an attempt was made to have the ballot absolutely secret, but it was defeated by a small majority. He knew not whether that attempt had been again made there since then; but of this they might be assured—that no man in America would think those persons otherwise than madmen who should propose open voting to him in preference to ballot. The ballot protected from consequences all who did not choose to declare how they voted; it was a protection from violence, lynch law, bullying, drunken men, and demoralization, and so the Americans adopted it. An interesting circumstance was related by an able correspondent of *The Times* in his admirable chronicle of the tour of the Prince of Wales in America. His Royal Highness visited Philadelphia at the time when a fierce election contest was going on. People were seen at the corners of the streets talking in knots, but there was no more disorder than there was to be found in an English town on a market day. There were no drunkards, no roughs, "no lambs," and "no men from the moon." Let his Royal Highness compare his recollection of that election at Philadelphia with a recent proceeding at Nottingham, and who could venture to doubt which of the two elections the Prince would pronounce was most worthy of a civilized country? On a former occasion he had quoted the case of Belgium to the House, consequently he should not repeat his statement. There were certain gentlemen from that country now being entertained by our own Volunteers who

would, no doubt, be able to give hon. Members every information on that subject if they chose to inquire; but he felt sure there was not a man among those visitors who would not prefer the ballot to open voting. In France the ballot gave perfect content. [*“Hear, hear!” and a laugh.*] If hon. Gentlemen doubted that fact, he trusted they would answer him by argument by-and-bye. The frequent election of Deputies in Paris and throughout the provinces in the very teeth of the Government proved that no great coercion took place in France. A letter addressed by his friend Sir John Bowring, to the editor of *The Examiner* was worthy the attention of Gentlemen who derided the idea of the ballot being successful in France. Sir John Bowring said that the arts of corruption, bribery, and the menaces of power all failed in presence of that protection which secret voting gave to every man, and that he had personally witnessed a remarkable instance of that while in Paris during a late election. Sir John Bowring visited the *Imprimerie Imperiale*, where a large body of workmen had been solicited to vote for the Imperial candidates. Most of the group declared that they meant to vote against the Government, and when asked whether they would not be punished for disregarding the wishes of their employers, they said, “What care we? Our votes are our own, and the right to vote as we please is ours; the law protects us, and our masters know that although they might exact a promise they could not secure a vote.” He would now turn to the case of our Australian Colonies. In 1862 certain distinguished gentlemen came from those colonies to this country as Commissioners for the great International Exhibition. To those gentlemen the Ballot Society, to which he then belonged, proposed certain questions which had previously been propounded by *The Times* newspaper. *The Times*, it should be stated, had likewise demanded that an example should be found of some country in which the English language was spoken and English manners prevailed. One of *The Times’* questions was, “Does the ballot prevent a man’s vote from being known?” The Commissioner from Queensland replied that the ballot made voting secret; the Commissioner from South Australia reported that it was utterly impossible a man’s vote could become known unless he himself chose to say which way he voted; and the answer of the Tasmanian Commissioner was to the

like effect. Another of *The Times’* questions was—“Does the Ballot put a stop to drunkenness and disorder at elections; does it shield a man from bribery, persecution, and other abnormal practices?” The South Australian Commissioner answered, when open voting existed in his colony drunkenness, disorderly mobs, violence, treating, and complaints from tradesmen of the loss of custom on account of their votes prevailed at elections, but that the ballot put an end to those evils. The Tasmanian Commissioner bore exactly similar testimony. The third question put by *The Times* was “Does the ballot diminish the expense of elections?” On that point the Commissioner from the first colony reported that vote by ballot had, beyond all doubt, the effect of considerably reducing the expense of elections. His fellow Commissioner from South Australia said that the ballot had most decidedly diminished such expense; and another authority in a different colony, the *Sydney Morning Herald*, declared the success of the ballot, and stated that it gave every freedom to the electors. *The Times* had always coupled manhood suffrage and the ballot together, but the two things were quite distinct. The Melbourne correspondent of *The Times*, a very able gentleman, whose communications always commanded a column or more in its pages, took *The Times* to task upon the question, for he stated in one of his letters that the ballot was valued by the Conservatives in Australia for the quiet decorum at elections which it produced, while it was valued by the lower orders because they believed it enabled a man to give his vote free from dictation. There was besides the authority of another gentleman who was well acquainted with the operation of the ballot in the colony of Victoria, and in answer to questions which were put to him, he said that since the introduction of the ballot into the colony not a single petition against the return of a Member had, within his knowledge, been presented, and that it was regarded in the other colonies with great favour. Such being the results which were produced under the influence of the ballot in Australia and elsewhere, what were the objections to its adoption in this country? He now came to the fourth objection, which was more of an *ad captandum vulgus* character, and which was more pompous and at the same time more unsound than any other. It was said that the franchise was a trust held by the

elector for the benefit of the non-electors, and that it ought to be exercised openly, in order that the non-electors might know how the trust was discharged. Now, he had no objection to call the elective franchise a trust, but then it was a trust under certain limits and with its functions clearly defined. That function consisted in the elector voting freely and indifferently, without fear of punishment or hope of reward; but it was true beyond the possibility of a doubt that if the elector voted openly he was very often unable properly to comply with those conditions. Why, then, should he not be allowed to give his vote in secret? That was a question which, so far as he was aware, had never received a satisfactory answer. The argument to which he had been just adverting was one which was used by a number of gentlemen who seemed to have imagined it in Utopia, and who sought to apply it to the case of England. They appeared to forget that in this country the electors were divided into different factions—Whigs, Tories, and Radicals—and the consequence of an elector voting openly was that if he voted for a Whig the Tory held him to be a faithless trustee; if he voted for a Tory the Whig entertained a similar opinion of him; and if he voted for Whig or Tory the Radical considered him a man unworthy to be intrusted with the franchise. The free exercise of the franchise by the poor voter involved in many cases financial ruin, personal violence, and notices to quit house and home. The man who had been evicted in consequence of his vote might fairly say—

“You take my life,
When you do take the means by which I live.”

Now, the responsibility of incurring such penalties was one to which he maintained the elector ought not to be exposed. He would also invite the attention of hon. Members to the fact that the House of Commons had, on the 1st of May, 1628, passed the following Resolution:—

“That the elective right is not a franchise in the nature of a possession or a privilege, but of a service *pro bono publico*.”

That wise Parliament, therefore, ordained that the electors might vote secretly, in order that they might perform that which they regarded as a service for the public good, in accordance with the dictates of their consciences. He wished, in the next place, briefly to advert to the demoralization which was produced by the existing system, but before he did so he should like to say

a word with respect to an election which had very recently taken place; he alluded to the late election for Guildford. He found that the successful candidate at that election was Mr. Bovill, Her Majesty's Solicitor General—and he was sure every one who heard him would agree with him in the opinion that the appointment of the hon. and learned Gentleman to that office was an act as graceful on the part of the Government as it was likely to be productive of advantage to the country. But when the hon. and learned Gentleman presented himself the other day to his constituents, whether owing to the excitement of the occasion or to the blushing honours which were showered upon him, he made some extraordinary remarks. He was about to quote from the account of the proceedings which was given in *The Times*, which he had no doubt was correct, but for the accuracy of which, of course, he could not be responsible. It appeared that some person upon the hustings asked the hon. and learned Gentleman some question about the ballot, to which he answered that the representation of the people was a great trust, adding, “What would you think of your representatives voting by ballot?” What would they think, indeed! He had heard of a man who, when asked whether he could speak the German language, replied that he did not know that he could, but that he had a brother who played divinely on the German flute. Now there was, in his opinion, quite as great an analogy between the German language and the German flute as between the functions of the elector and those of his representative in Parliament. The elector was answerable to no one for his vote. In voting freely and indifferently he discharged all the duties imposed on him by the law. He was neither to accept reward, nor suffer punishment for his vote. The case was altogether different with the Member of Parliament. He was answerable to his constituents for the fulfilment of his pledges. He might be rewarded or punished. He might be re-elected or rejected, according as his conduct might please or displease his constituents. He must consequently vote openly, or the representation of the people would be a mockery. But to return to the hon. and learned Gentleman the Solicitor General. It appeared he said that he hoped the time would never come when an honest Englishman would be afraid of recording his vote. Why the time had already come when thousands of English-

men were afraid to do so. It was all very well for a man occupying a high position like the Solicitor General, who probably had, by his great talents in his profession, realized a large property, to speak after that fashion. But take the case of a Mr. Bovill, a poor tallow-chandler, dependent on his customers, or a poor tenant dependent for his bread on his landlord, was such a person to be met by the taunt that it was to be hoped that the time would never come when an honest Englishman would be afraid to record his vote? There were too many of such cases; there were thousands and thousands of them, not confined to the working and trading classes, but extending to the educated classes. He would quote as an example the case of the medical profession. What young rising medical practitioner dared to record his vote? By birth and education, members of this profession were assuredly well qualified to exercise the franchise; but if they were to search the directory and find out the names of the medical men in any neighbourhood, and were then to turn to the register, and afterwards to the poll book, they would be able to estimate in some degree the need that existed for some efficient protection for electors. They would find that this and other classes of persons eminently fit for the exercise of the franchise were virtually excluded from it. It was all very well to say that an Englishman ought never to be ashamed to record his vote openly, but the plain, unanswerable facts of the case could not be gainsaid, that in too many cases Englishmen voted against their conscience to escape ruin. Was no intimidation ever exercised now? Was none put in force at Guildford? Was there no interference on that occasion by persons of high station with the freedom of voting? He held in his hand a letter from Lord Percy's steward, dated Albury Park, July 10, and it was in the following terms:—"Please make up my bill, as I may probably desire to close the account on Saturday next." He had another case, in which he could not give the name. It was that of a tradesman of Guildford who attended at Albury Park in consequence of receiving a message that a certain person in the establishment—he could not say whom, but it was one who certainly had the right to command—wished to see him. This person asked him how he intended to vote. He said that he had not made up his mind. An intimation was thereupon immediately conveyed to him that unless he voted for

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the Solicitor General he would never do any more work in that house; and he was told likewise, that it was the intention of Lord Percy to send for the poll book, and he intended never more to employ those who voted against the Solicitor General. These statements, he was informed, could be fully borne out, and therefore he might fairly assert that the Solicitor General was a little too hasty in saying that an honest Englishman ought never to be afraid of voting openly. After the Reform Act of 1832, and when it was in full play, Mr. Grote, Mr. Macaulay, and others, came to the conclusion that the fatal defects of that measure were, that it left in existence close or nomination boroughs, and neglected to give to the electors the protection of the ballot. When Mr. Grote brought the question before Parliament and obtained a Committee of Inquiry, the result was the production of a voluminous blue book, so interesting that extracts from it were published in every newspaper of importance throughout the kingdom. Every word that Mr. Grote had stated about the demoralization at elections was thoroughly proved; but things went on from that time growing worse and worse until the formation of Lord Aberdeen's Administration, and that nobleman, although he was certainly more than half a Tory, admitted that there were grave abuses in our electoral system which required amendment. A Committee was accordingly appointed, on which were an immense number of lawyers, who recommended the introduction of a Bill on the subject. Accordingly, a Bill was brought in; but the evident intention of that measure was to protect delinquent candidates, and the punishment which it proposed to inflict upon the voter was rendered nugatory because juries could never be found willing to convict. This Act Lord Derby described as being of no more use than waste paper. So here they now were, after the septennial saturnalia, smarting from their orgies, thoroughly helpless and hopeless, with that Act of Parliament alone for a guide, but which Act, instead of being a measure for the prevention of corrupt practices, was a measure for their encouragement, and was so viewed by the country. The investigations before the last Election Committees did not disclose a tithe part of the dreadful malady which was fast destroying the electoral system. If they doubted his word he would read an extract from the leading

Tory paper—unless, as he supposed, *The Times* was now to be looked upon in that light. It was stated by *The Morning Herald* that—

“Public morality forbids such a speedy recurrence of the disgraceful scenes of last summer, the fearfully demoralizing effects of unlimited beer and uncounted bank notes.”

That was pretty well for a Tory newspaper, and he would now quote from the speech of a Tory candidate. Sir George Jenkinson, who this year stood for Nottingham, declared in his farewell address that—

“He was told at two o'clock that he had the election in his own hands, and that he could win it by certain means not detailed, but which suggestion he refused to entertain, and the result was that he had lost the election, but had saved his honour. He thought, after the experience of the few hours before the final close of the poll, no one would question the truth of the remarks made by Mr. Osborne as to bribery, and he hoped that Gentleman would use his talents and his voice in Parliament to prevent such wholesale purchase of votes as took place between two and four o'clock. If the ballot would effect that end, he, for one, would vote for that measure, for no evil could equal the one of wholesale and open venality.”

He would now beg leave to quote the opinion of the late Chancellor of the Exchequer. Mr. Gladstone stated—

“There is no reason to believe that the present provisions of the laws as to corrupt practices at elections have been efficient for the purpose intended; the amendment of such laws is very urgent. It is the conviction of Her Majesty's Government that it is their duty to endeavour to frame a measure for that purpose.”

He wished it was in his power to read some address from the present Chancellor of the Exchequer to his constituents admitting that he recognized the evils of the present system, and stating that the Government would frame a measure to prevent them, but he had looked in vain for any reference to the subject in the speech either of the right hon. Gentleman or of Lord Derby. Therefore he said that they were now left helpless and hopeless, and that it was useless to ask the House to adopt the remedy recommended in so many quarters. He must now say a word to his hon. Friend the Member for Westminster. He was proud of both his Members, for he spoke as one of their constituents; but he now particularly referred to the senior Member, formerly a strong supporter of the ballot, but who had committed a little backsliding in that character. Still, he was encouraged to hope, from the strong evidence he had produced

of what occurred at some of the recent elections and—perhaps it might be vanity on his part to say so—from a few of the statements he had detailed, that his hon. Friend would support the Motion. There was this passage in a speech his hon. Friend lately made—

“If I thought that the electors of this country were in such a state of hopeless and slavish dependence on particular landlords, employers, and customers, I should be as I once was a supporter of the ballot.”

Now, could his hon. Friend continue to doubt this? Could he close his eyes to the state of the country, and did he believe that the upper class had become more virtuous, or that the lower and middle classes had become more independent, or would the hon. Gentleman at the eleventh hour state that his opinion was erroneous, and as he (Mr. Berkeley) hoped, give him his vote that night? In order that he might give the hon. Gentleman a little more evidence, he would state two or three events that had occurred. He would just give him two or three more facts to show how erroneous was such an opinion. There was a virtuous borough which was now the subject of inquiry by an appointed Commission, and which was under the political tuition and morality of the Duke of Somerset—he meant the borough of Totnes. He found in the columns of the local newspapers a charge made against the Duke of Somerset of having evicted his tenants without any other pretence than that they voted against him, and that none but those who voted for him should live in his houses. He hardly dare to trust himself in reading it, but it was so. [*Cries of “Read, read!”*] Well, besides that, there was a statement in a newspaper that the Marquess of Bath had evicted twelve of his tenants at Frome without any other reason being assigned than that they had all voted for the Liberal candidate. These were statements publicly made, and he did not think that any man, however exalted his station, was too high to give a contradiction to them if they were untrue. At all events, if the aristocracy of England allowed such accusations to go forth without proof they did themselves a great injustice in not contradicting them. He had likewise the statement of a Mr. Whatmore, at one time mayor of Bridgnorth, but as he had presented a petition that night, and had it read at the table referring to the case of Whatmore and others, he would not further dilate on it except to

state that that gentleman was turned out of his house avowedly on account of the manner in which he voted. With these facts before him, he trusted he might be successful in his appeal to the hon. Gentleman; although he was afraid that with these philosophical characters when once they assumed a point it was difficult to make them let it go. If Mr. James Stuart Mill could have been present he would have advised the hon. Member differently, and have said, "My son, stick to the ballot and let the women alone." In conclusion, he would urge the House to dismiss all their unworthy fears of the people. The people were loyal and honest, and would repay the trust reposed in them. They were entitled to the protection of the ballot while discharging their political duty, but the Legislature was slow to give them that protection, because it was protection from themselves. That he had good reason to know was the feeling of the people. The ballot must come. Justice could not be denied for ever. It was better to give this boon graciously and at once, without waiting till it would be taken ungraciously. Let not their fears deny that which at no distant period their fears would compel them to grant. He had a firm conviction that the words of Bentham were true, that "secrecy of suffrage is the Pole Star of Reform." He concluded by moving—

"That, having regard to the failure of all direct legislation against corrupt practices at Parliamentary Elections, it is expedient to make experiment of the system of taking the votes at such Elections anonymously, according to the Laws now in force in other parts of Her Majesty's Dominions."—(*Mr. H. Berkeley.*)

MR. MOWBRAY said, in rising to offer a few observations in opposition to the Motion, he considered he had a right on the part of the House to complain of the attack with which the hon. Member for Bristol commenced his speech in describing that as a hostile House of Commons. He thought the House was not fairly liable to such a charge, and the hon. Member for Bristol was the last person who should have made it. [*Mr. H. BERKELEY: I said hostile to Reform.*] An Instruction had been passed by the House on the 28th of May last, before going into Committee on the Reform Bill, in the most general terms possible that the Committee should have power to make better provision for the prevention of bribery and corruption—not specifying any plan and not excluding the particular crochets of the hon. Member for Bristol; but

Mr. H. Berkeley

against that general provision he found the vote recorded of the hon. Member for Bristol himself. Well, then, he thought he had a right to say that this House of Commons, whether he took its general feeling as expressed in that resolution, or its conduct as evinced by the inquiries which had taken place before Election Committees and the Commission issued for inquiry into boroughs where corrupt practices had been reported, had not shown itself hostile or indifferent to any measure for the prevention of bribery and corruption. The hon. Gentleman had taken them over very extended periods of history; he had carried them as far back as 240 years, and over every quarter of the globe; but he owned when he recollected the freshness of the illustrations with which the hon. Gentleman had been in the habit of portraying the orgies of these septennial saturnalias that he had not entertained the House with such amusing illustration with reference to the demoralization and bribery which prevailed on those occasions as he had been accustomed to do. The hon. Gentleman had detailed the arguments with which he said this Motion had hitherto been encountered, and with which he expected it might be encountered again. It was, no doubt, the difficulty which attended any hon. Gentleman who attempted to meet the arguments of the hon. Member for Bristol that while one drew his illustration from recent facts the other had to go back and bring down his weapons from the old armoury; but, nevertheless, they were found to answer, and he was quite sure they would answer on the present occasion. The hon. Member for Bristol had divided the argument into four classes, and the first argument against the ballot was that it was unmanly; in answer to which the hon. Gentleman said it was adopted in all their clubs, and especially in their military clubs. He must, however, remind the hon. Gentleman that there was no analogy at all to be drawn between voting at the election of a member for a club and voting for a Member of Parliament. The one was political, the other was social. When voting for a Member of Parliament the electors voted on public grounds, and with reference to the qualification of individuals to discharge a public duty; but with respect to club elections they were entitled to indulge any caprice or fancy they pleased, and say for any reason, or for no reason, that they did not choose to associate with a certain individual in a particular club. He thought, when the hon. Gentleman touched upon the

subject of clubs, that he was going to enlighten the House with respect to a club with the *arcana* of which he was acquainted—and to tell them what was the position of the Reform Club at the present moment with regard to the ballot. Three years since it was stated by the noble Lord (Viscount Palmerston), who was then at the head of the Government, and the statement was unchallenged and uncontradicted, that, upon the Motion of the hon. Member for Birmingham, the ballot had been abolished in that club. [“No, no!” from several hon. Members.] Hon. Gentlemen opposite might say “No!” but on reference to *Hansard* it would be found stated by the noble Lord that in the Reform Club, on the Motion of the hon. Member for Birmingham, the election by ballot by the general members of the club had been abolished, and that the election had been referred, he believed, to a committee, but, at all events, to a limited number of members of the club. An hon. Member informed him that the ballot now prevailed there, but he was not sure, judging from recent occurrences, that it operated altogether satisfactorily to certain Gentlemen who might be adherents of the great Liberal party, but who had not been successful in getting admission into that club. The hon. Member for Bristol, proceeding next to deal with the argument that the ballot was un-English, met that point by simply remarking, “I say it is not so.”

MR. H. BERKELEY: I said that nineteen out of twenty people were elected to offices by the ballot, and that therefore the practice must be English.

MR. MOWBRAY said, he was merely taking the hon. Gentleman's speech and not anything that he might have thought of since. The hon. Gentleman's words were, “The second argument against the ballot is that it is un-English; and I meet that by saying it is not so.” It was sufficient, however, to remark that the hon. Gentleman, in endeavouring to introduce a practice which was at variance with the feelings and habits of Englishmen, himself admitted the ballot to be un-English, for it certainly did not prevail here at the present moment. Moreover, it was un-English, as being opposed to the general public opinion of the country; and when the hon. Gentleman spoke of a hostile House of Commons, he was not speaking of the particular assembly he was addressing, but was thinking of the twenty-nine years during which he had been associated with the Liberal party; but he

must be well aware that during that time public opinion had been steadily and unequivocally pronouncing in favour of the old, open, and Constitutional mode of voting, and against the secret mode which he sought to introduce. No one knew better than the hon. Gentleman himself that he could no longer muster as numerous a band of adherents as that which was marshalled thirty years ago under the leadership of Mr. Grote. The next argument which the hon. Gentleman discussed was that the ballot was not successful. Well, he himself admitted that in America, except in the State of Massachusetts, the voting was by ticket, the ticket being exhibited in the hat, and that certainly was not secret voting. The example of America used to be stock argument in favour of the ballot, but this was now altogether exploded. The hon. Gentleman next instanced Belgium, and referred them to the gentlemen now on a visit from that country to the Volunteers at Wimbledon, but he gave no particulars as to the operation of the ballot in that country. He then took them to France; but what was his argument with reference to France? Why, he proved, by the statement which he read from a French elector, the very objection which the opponents of the ballot were in the habit of propounding in that House. Their argument was that the ballot would encourage fraud, dissimulation, treachery, and lying, and the hon. Gentleman quoted a French elector, who said, “They can enforce the promise, but they cannot secure the vote.” This was exactly what the opponents of the ballot maintained, that men would tell a lie and promise their votes, and then would vote the other way. The hon. Gentleman afterwards came to what had prevailed in the Australian colonies for the last half-dozen years, and really if those colonies had not adopted the ballot and furnished a peg for the hon. Gentleman and his supporters, it was impossible to say where they could have gone for an argument, for America had failed them, Belgium had been merely mentioned without any illustration, and France had completely proved the case against them. The hon. Gentleman was therefore driven, as a last resource, to the experience of the last few years in the Australian colonies, and he put this forward as a reason why the ballot should be introduced into this country. He had, however, completely failed to prove that the ballot had been so successful even in

Australia as to warrant its adoption in a country like this. The hon. Gentleman then came to the argument that the franchise was a trust, and that argument he always had an evident difficulty in encountering, because while the advocates of the ballot were obliged to admit that the franchise was a trust, they tried to define the trust in their own way. The hon. Gentleman contended that it was a trust which the voter was to execute freely and indifferently, but he then went on to read the Resolution of the Parliament of 1628, which stated that the service was to be rendered *pro bono publico*. Now, that was the very nature of the trust—namely, that the franchise conferred upon the elector should be exercised by him for the benefit of the whole community, both of those who had votes and those who had not, and of all who would be affected by taxation or legislation. It was for that purpose that the trust was confided to the voter, and he was bound to exercise it with all the responsibility that attached to an act openly done and amenable to public opinion. It was a trust, and not a property, for the hon. Gentleman surely would not contend that any one was entitled to sell his vote; and yet, if it was not a trust, there was no reason why he should not do so. The unanswerable argument which had been over and over again stated in that House, and which he shrank from repeating because he had heard it put with so much force by the noble Lord the late Leader of the House, was that the franchise was a sacred trust to be exercised publicly under the responsibility of public opinion, and that consequently persons should not be allowed to shelter themselves under secret voting. The hon. Gentleman ridiculed the analogy which was drawn by the Solicitor General in his Guildford speech between the position of the elector and that of the representative. His hon. and learned Friend, however, would no doubt have a word to say with respect to that election. What he contended was that publicity was the principle that pervaded all their transactions. Every public act which an Englishman had to discharge was performed publicly and in the face of day, and the solemn act of exercising the franchise in the election of a Member of Parliament should surely be discharged in the same manner. The proceedings of that House were public, the proceedings of the other House and of Parliamentary Committees, with very few exceptions, were public also.

Mr. Mowbray

Public opinion was brought to bear upon their debates and upon the speeches and actions of every individual Member. Publicity, moreover, attended the proceedings of our Courts of Justice, the debates in our municipal institutions, and even the details of every parish vestry. If they went from the highest tribunal in the land, from the House of Lords down to the smallest body, whether a municipal corporation, a parish vestry, a board of health, or whatever it might be, publicity they found to be the life and soul of all their proceedings. Everything in England was public. Well, then, if that was the case, he believed the House would agree with him that anything which would tend to destroy that publicity, and to substitute for it a system of secrecy, enabling men to skulk away and do something which they dared not avow and could not publicly justify—anything of that kind would be most unsatisfactory, and would, moreover, be altogether inoperative. He believed that the attempt to secure secrecy would be altogether futile. How could it be done? They must alter the whole course of an Englishman's life, all his thoughts and actions; they must not merely put down all election speeches, committees, and canvassing, and all the acts which proclaimed a man's opinions, but they must actually put a lock upon his tongue in the society of his friends and in the retirement of his own family circle. If, indeed, he might venture to trespass upon the House, he would quote a few words from the inimitable pamphlet of Sydney Smith. If this were not a new Parliament, and if he did not think there might be some younger Members to whom the passage was not so familiar, he would not trouble the House; but the argument was a most unanswerable one. Sydney Smith's words were as follows:—

“He must talk with the wrong people, subscribe to the wrong club, huzza at the wrong dinner, break the wrong head, lead a long life of lies between every election, and he must do this, not only *ex vivo* in his calm and prudential state, but *red vivo* from the market, warmed with beer and expanded with alcohol; and he must not only carry on his seven years of dissimulation before the world, but in the very bosom of his family, or he must expose himself to the dangerous garrulity of wife, children, and servants.”

He did not believe such a state of things would be possible, for the feelings of Englishmen were entirely repugnant to such systematic dissimulation. The continuous growth of English freedom had

been won by the open expression of public opinion. It was not by any of the secret and underhand expedients which the hon. Gentleman suggested, but by the open expression of opinion on the hustings, and by suffering, if necessary, in the cause that Englishmen had at heart, that they had won their liberties for centuries past, and by that means alone they would preserve them. He did not wish to draw any contrast between the position of affairs in France and in England, but we possessed an amount of individual liberty which could not be found in some of the other countries that had been cited by the hon. Gentleman. He opposed the Motion, therefore, because he believed that the ballot would tend to destroy that public spirit, that manliness, that courage, which had been the characteristic of English life, because he believed it would tend to endanger those institutions which had given us greater freedom and greater stability than any other nation in the world had enjoyed, and because he believed it was opposed to the enlightened public opinion of the country.

LORD HENRY PERCY: The hon. Member for Bristol has thought fit to bring three most unfounded charges against my brother. It is impossible for me to answer the last two, because this is the first time I have heard of them. My brother has, however, desired me to deny most fully and completely that he was guilty of any interference, through his steward, with the recent election at Guildford. This is a letter which my brother has received from his steward:—

“Albury Park, Guildford.

“My Lord,—Referring to the letter your Lordship received this morning from Mr. Bovill, I had no interference whatever in the late election at Guildford. Mr. Dowlin has a branch establishment here as harness maker, and as such I have employed him for some time for my farm horses. I had occasion about a month since to complain of his charges, and inquired for what he would contract to do a certain work. He mentioned a sum, and finding I could get it done for considerably less, I wrote him last Monday as follows:—

“‘Albury, July, 1866.

“‘Mr. Dowlin,—Will you please make up my bill to Saturday next, in case I desire to close the accounts?—I am, your obedient servant,

“‘G. W. How.’”

My brother, Lord Percy, had nothing to do with his steward's farm horses; they did not belong to my brother, and they were employed upon the steward's farm. With regard to my brother sending for

the poll book and that backstairs statement about a certain person having told a tradesman that if he did not vote for the Solicitor General he would not be employed again, as I said before, this is the first time I have heard of these reports, and I can give no contradiction to them; but the hon. Member for Bristol may rely upon it that my brother will not allow them to pass uncontradicted, and will prove that the hon. Member has attempted to support the measure he proposes by unfounded statements picked up from the gossip of a country town.

MR. ONSLOW said, he did not wish to enter into the general question, but to state to the House certain facts which had come to his knowledge within the last few days, and which had transpired in the borough which he had the honour to represent. If hon. Members would only state facts which came within their own knowledge of intimidation they would do more to carry the Motion of the hon. Member than all the convincing and able speeches of the hon. Member could do. At the same time, he admitted that Gentlemen on his side of the House were as guilty of those mal-practices as certain Gentlemen were on the other. The Liberals were, however, very clumsy imitators of those masters of the art, the Conservatives. The great landowners were bitter enemies of the ballot—and why? Because the last thing in the world they would give up was that political influence which they most unjustly and unfairly exercised over their dependents. There was an election at Guildford last week, when the Solicitor General was one of the candidates. The hon. and learned Member was opposed by a gentleman who came forward, not because he had any particular ambition to sit in Parliament—but because the occasion was the first and most fitting opportunity that was afforded of protesting against a Government which he with many other persons believed did not enjoy the full confidence of the country, and also of protesting against the unfair methods that had been adopted for the purpose of defeating the most modest proposal of Reform ever offered to the country. This gentleman accordingly came forward, and he (Mr. Onslow) did his best to help him. They, the Liberals, secured at least half the promises in the borough. There were 647 voters, and the Solicitor General polled 316, but the intimidation that was used was so extreme that it threatened to ruin the trade and prosperity of the borough,

and so the Liberals withdrew their man. They had a right to assume that those electors who had promised them their votes would have appeared at the poll if they had dared. For forty years the Liberals had always stood at the head of the poll in that borough; and why did they not on the late occasion? How was it that at this election the Solicitor General should have polled 316 votes, and the Liberals only twelve? Such a thing was unparalleled in the annals of Parliament. The fact was that if the Liberal party had persevered the town would have been half ruined: the tailors would have had to close their shops, the shoemakers would have made no shoes, the laundresses would have been unemployed, the butter would have been unchurned, and the whole borough would have been ruined. The noble Lord asserted that the letter which had been referred to had nothing whatever to do with the matter; but he (Mr. Onslow) had it in his hand. It was dated Albury Park, July 10, and it was written to the saddler—"Mr. Dowlin: Please make out your bill, as I may probably desire to close the account on Saturday next"—the day after the poll. He (Mr. Onslow) would make no comment on that letter. It was written by Mr. G. W. How, the steward of Lord Percy. He would mention another case. There was a tradesman in Guildford who went to Albury Park on the morning before the election. He was shown into the drawing room and was doing his business there, when the nearest relation of Lord Percy came into the room, and that party said, "Well, how are you going to vote?" The tradesman replied, "I have not made up my mind." The party then said, "If you vote against the Solicitor General, you must not come to this house again; it is the intention of Lord Percy to send for the poll book, and those who vote the wrong way shall no longer come near this house in the way of trade." He (Mr. Onslow) had the greatest possible faith in his information, and, if the noble Lord wished, he would give it to him in a private interview. He considered that the Liberals of Guildford had only polled so few votes at the late election in consequence of the bribery, corruption, and intimidation which were employed on the other side.

THE SOLICITOR GENERAL said, that he had not heard to-night for the first time of the letter to Mr. Dowlin, it was made to do duty in the most ample manner during the election at Guildford on the

Mr. Onslow

strength of the representation that it proceeded from a Peer of the Realm, there being one nobleman to whom, from his connection with the borough, suspicion would naturally be attached; and the same representation appeared to have been made to the hon. Member for Bristol. His hon. Colleague now alluded to another nobleman not of the same politics as himself, and exerted himself to make the greatest use he could of the letter, which it seemed that he still believed, despite the assertion of the noble Lord, had some reference to the election and was intended to intimidate Mr. Dowlin. He hoped it would not be thought that any elector had hesitated to give his vote openly. He stated that on the hustings at Guildford, and he now repeated the statement, and he thought the best proof that could be given in favour of open voting was the conduct of this very Mr. Dowlin, to whom the letter in question was written, and also of Mr. How. That letter had no more reference to the election than any other letter which might be written on the subject of a disputed account. Mr. Dowlin was a saddler carrying on business at Guildford, but he also had a shop close to Albury Park. He was in the habit of repairing the harness belonging to the farmers there, and Mr. How had a trifling dispute with him. When Mr. Dowlin received this letter it happened to be at the time of the election, and he immediately put his own construction upon it and handed it over to the hon. Gentleman who last addressed the House. After all, what did this case of intimidation amount to? Why, from first to last he had been opposed by Mr. Dowlin, who throughout frankly avowed his intention of doing so. That was the way in which every Englishman ought to act. Even if the letter had been written with reference to the election, it would have had no effect on the tradesmen of Guildford, who like his opponent, Mr. Dowlin, were honourable and independent men. His Colleague (Mr. Onslow), however, said that somebody, whose name he declined to mention, went to Albury Park and was there told by somebody that he was not to go to the house again unless he voted for the Solicitor General. He had never heard of this before, and consequently could not say what really occurred, though he could easily understand that something of the kind might have taken place. He had been told, for instance, that one of his own housemaids, in his own house, had said to a working man, "If you do not vote for

Bovill, don't show your face here again." He had no doubt that a good many housemaids had made similar statements. In this case the housemaid was an old servant of his, and the man to whom she addressed the remark was a decided Radical, who had promised to vote against him. Of course, nothing that any servant might say would at all alter the opinions or the vote of that working man. For his own part he might remark that he had lived for a long time in the neighbourhood, and had associated with persons of all shades of opinion, but he had never heard that any members of his household, the housemaid included, had at any time endeavoured to deter any one from exercising his privilege of voting. He had also heard his hon. Colleague testify to the independent feeling of the electors of the borough of Guildford. That was at a time when he happened to be in the ascendancy at one election, and when certain persons had good reason, according to the argument of hon. Gentlemen opposite, to call for the protection of the ballot. But the Conservative electors of Guildford, and of many other boroughs in the kingdom, did not desire to be protected by the ballot. He ought, perhaps, to apologize to the House for having referred to the Guildford election. He should not have done so had it not been attempted to make political capital out of the letter which was written by the farmer who happened to be the steward of Lord Percy. That letter had been referred to in that House as furnishing an argument in favour of the ballot, but for his part he did not see that it proved anything except the extreme independence of the person to whom it was addressed. After the great pains which were taken to select a candidate to contest the borough of Guildford at the last election, it was somewhat strange to be now told that that candidate did not desire to have a seat in that House. He, at all events, should have been ashamed to resort to the means which that gentleman had adopted. On arriving in Guildford he found that his opponent had opened a number of public-houses. Was that done with a view to promote freedom of election and the independence of the voters? Public-houses had been engaged by a friend of his hon. Colleague, and he had been pressed to follow that example, but had naturally declined to do so. He believed that the contest had been got up solely for the purpose of putting

him to expense and trouble; but he should not trespass on the time of the House any further with reference to so merely personal an incident as his own election for the borough of Guildford. What took place then did not give the slightest ground for supporting the Motion of the hon. Member for Bristol, but only showed the independence and integrity of the electors, who had resisted, and would resist, all attempts to overawe them.

CAPTAIN VIVIAN said, he should not refer to the Guildford election, nor descend to any personal attacks. He did not suppose that the hands of hon. Gentlemen on that side of the House were much cleaner than those of hon. Gentlemen on the other. He would remark with reference to the speech of the Judge Advocate General, that the right hon. Gentleman had acted as Chairman of the Great Yarmouth Election Committee, which reported that at the late election for that borough corrupt practices had prevailed, into which a Royal Commission had since been appointed to inquire. He could not understand why this had been made a party question, as it only referred to the manner in which votes should be recorded, and not to the votes themselves. With regard to a favourite argument against the ballot, he might point out that the decisions of jurymen were given in public, though the votes of individual jurymen remained a secret. In his opinion the only argument of any weight against the ballot was that made use of by Lord Palmerston—that the franchise was a trust to be exercised for the benefit of the non-electors. On the day of nomination the returning officer first put it to the crowd in front of the hustings to say who the candidate should be, and when the show of hands was taken at least three-fourths of the persons present were non-electors. He would suggest that power might be given to the returning officer to put it to the assembly at the hustings whether the polling should be taken by secret instead of public voting, and to declare the mode of election in conformity with that decision of the non-electors.

MR. LOCKE said, the House had had a discussion not on the ballot, but on the Guildford election. His right hon. Friend opposite (Mr. Mowbray) made use of the reference which had been made by his hon. Friend (Mr. Berkeley) to the Frenchman, who told him that under the ballot he could make a promise, but that it could not be enforced as an argument against the ballot.

Now he (Mr. Locke) contended that that was a strong argument in favour of the ballot, because he denied the right of a man first to exact a promise, and then to enforce it. What right had any man to enforce that which they all admitted was a secret in the bosom of the person who had the right to exercise it? It was amusing to find how hon. Gentlemen on the Ministerial side of the House shielded themselves under the name of Lord Palmerston—the men who had traduced Lord Palmerston while he was living. He had never heard those hon. Members say anything in that noble Lord's favour while he was alive, except on the hustings when it suited their purpose. He agreed in what had been said by Lord Palmerston—that the franchise was a trust, and that the voter should have full opportunity of performing that trust, but under the present system you get a promise, which is used as a means of preventing the voter from performing that trust according to his conscience. The ballot was the only mode in which a voter could exercise his trust as an honest and conscientious man. In the Reform Club they had returned to the system of having the election of members by a general ballot. For some time that practice had been in suspense, and the election rested with a council of forty, who sometimes were called "the Forty Thieves." There was not, he believed, any particular reason for that appellation. He knew as a fact that they conducted their business very well, having had the honour himself to be one of them. But they had recently at a general meeting determined to return to their first-love, and now the old system of general voting was adopted. He sincerely hoped that hon. Members would vote that night, as if they were voting by ballot; and if they did they would carry the Motion of his hon. Friend.

MR. H. BERKELEY said, he wished, in replying, to remove the impression from the minds of hon. Members that he had complained of the hostility of the House to his Motion, as on the contrary he felt he was under an obligation to hon. Members for the great kindness and patience which they had always accorded him, and he owed a debt of gratitude to the present Chancellor of the Exchequer, who on several occasions had kindly permitted him to bring forward his Motion from the Opposition side of the table.

Mr. Locke

Motion made, and Question put,

"That, having regard to the failure of all direct legislation against corrupt practices at Parliamentary Elections, it is expedient to make experiment of the system of taking the votes at such Elections anonymously, according to the Laws now in force in other parts of Her Majesty's Dominions."—(*Mr. H. Berkeley.*)

The House *divided*:—Ayes 110; Noes 197: Majority 87.

ELECTORAL FRANCHISE.

MOTION FOR A RETURN.

MR. J. STUART MILL, in rising to move for an

Address for "Return of the number of Freeholders, Householders, and others in England and Wales who, fulfilling the conditions of property or rental prescribed by Law as the qualification for the Electoral Franchise, are excluded from the Franchise by reason of their sex,"

said: Sir, I rise to make the Motion of which I have given notice. After the petition which I had the honour of presenting a few weeks ago, the House would naturally expect that its attention would be called, however briefly, to the claim preferred in that document. The petition, and the circumstances attendant on its preparation, have, to say the least, greatly weakened the chief practical argument which we have been accustomed to hear against any proposal to admit women to the electoral franchise—namely, that few, if any, women desire it. Originating as that petition did entirely with ladies, without the instigation, and, to the best of my belief, without the participation of any person of the male sex in any stage of the proceedings, except the final one of its presentation to Parliament, the amount of response which became manifest, the number of signatures obtained in a very short space of time, not to mention the quality of many of those signatures, may not have been surprising to the ladies who promoted the petition, but was certainly quite unexpected by me. I recognize in it the accustomed sign that the time has arrived when a proposal of a public nature is ripe for being taken into serious consideration—namely, when a word spoken on the subject is found to have been the expression of a silent wish pervading a great number of minds, and a signal given in the hope of rallying a few supporters is unexpectedly answered by many. It is not necessary to offer any justification for the particular Motion which I am about to make. When the complaint is made that certain citizens of this nation,

fulfilling all the conditions and giving all the guarantees which the Constitution and the law require from those who are admitted to a voice in determining who shall be their rulers, are excluded from that privilege for what appears to them, and for what appears to me, an entirely irrelevant consideration, the least we can do is to ascertain what number of persons are affected by the grievance, and how great an addition would be made to the constituency if this disability were removed. I should not have attempted more than this in the present Session, even if the recent discussions in reference to Reform had not been brought to an abrupt close. Even if the late Government had succeeded in its honourable attempt to effect an amicable compromise of the Reform question, any understanding or any wish which might have existed as to the finality, for a certain period, of that compromise, could not have effected such a proposal as this, the adoption of which would not be, in any sense of the term, a lowering of the franchise, and is not intended to disturb in any degree the distribution of political power among the different classes of society. Indeed, hon. Gentlemen opposite seem to think, and I suppose they are the best judges, that this concession, assuming it to be made, if it had any effect on party politics at all, would be favourable to their side; and the right hon. Member for Dublin University, in his humorous manner, advised me on that ground to withdraw this article from my political programme; but I cannot, either in jest or in earnest, adopt his suggestion, for I am bound to consider the permanent benefit of the community before the temporary interest of a party; and I entertain the firmest conviction that whatever holds out an inducement to one-half of the community to exercise their minds on the great social and political questions which are discussed in Parliament, and whatever causes the great influence they already possess to be exerted under the guidance of greater knowledge, and under a sense of responsibility, cannot be ultimately advantageous to the Conservative or any other cause, except so far as that cause is a good one. And I rejoice in the knowledge that in the estimation of many hon. Gentlemen of the party opposite, the proposal made in the petition is, like many of the most valuable Reforms, as truly Conservative, as I am sure it is truly Liberal. I listened with pleasure and gratitude to the right hon. Gentleman who is now Chancellor of

the Exchequer, when in his speech on the second reading of the Reform Bill, he said he saw no reason why women of independent means should not possess the electoral franchise, in a country where they can preside in manorial courts and fill parish offices—to which let me add, and the Throne.

MR. WALPOLE said, he would consent to the Motion, without however pledging himself to any future course on the question.

Motion agreed to.

Address for "Return of the number of Freeholders, Householders, and others in England and Wales who, fulfilling the conditions of property or rental prescribed by Law as the qualification for the Electoral Franchise, are excluded from the Franchise by reason of their sex."—(*Mr. J. Stuart Mill.*)

VETERINARY SURGEONS BILL.

(*Mr. Holland, Mr. Newdegate.*)

[BILL 121.] COMMITTEE.

Order for Committee read.

MR. HOLLAND proposed to defer the Committee till Tuesday.

MR. WALDEGRAVE - LESLIE said, that he would like some assurance from the hon. Member, as to whether or not he would adopt the Amendments proposed by the hon. Member for Edinburgh (Mr. M'Laren.) Very great injustice would be done to Scotland if these Amendments were not adopted. Were veterinary students to be expected to come up to London for some months in order to take out an English diploma? And was every one in Scotland without such an English diploma to be prohibited from practising in Scotland? Surely such an injustice could not be tolerated. If he did not receive the assurance that the Amendments of which the hon. Member for Edinburgh had given notice were to be adopted, he should, in the absence of the hon. and gallant Member for Fife (Sir Robert Anstruther), take up his Amendment—namely, that the House do, on this day three months, go into Committee on the said Bill.

MR. M'LAREN said, that he must endorse all that had been said by the hon. Member. If his Amendments were not adopted, and in the absence of so many of the Scotch Members who did not expect the Bill to be proceeded with, he should give the Bill his most determined opposition.

MR. KINNAIRD said, that he must

appeal to his hon. Friend the Member for Evesham not to proceed with the Bill except on the understanding that full justice be done to the veterinary profession in Scotland.

MR. HOLLAND said, he could not give the assurance asked for by his hon. Friend the Member for Hastings (Mr. Waldegrave-Leslie), but he would put off the Committee on the Bill till Tuesday the 24th.

Committee deferred till Tuesday next.

EXPIRING LAWS.

Select Committee appointed, "to inquire what temporary Laws of a public and general nature are now in force, and what Laws of the like nature have expired, since the last Report upon the subject; and also what Laws of the like nature are about to expire at particular periods, or in consequence of any contingent public event; and to report the same, with their Observations thereupon, to the House:"—MR. HUNT, MR. DODSON, SIR STAFFORD NORTHCOTE, MR. ATTORNEY GENERAL, MR. SOLICITOR GENERAL, MR. ADDERLEY, MR. WILLIAM COWPER, MR. CHILDERS, COLONEL FRENCH, MR. BARING, COLONEL TAYLOR, MR. DUNLOP, and LORD JOHN MANNERS:—Power to send for persons, papers, and records; Three to be the quorum.

NAVY AND ARMY EXPENDITURE (1864-5.)

Considered in Committee.

(In the Committee.)•

1. *Resolved*, That the Expenditure incurred for certain Navy Services in the year ended the 31st day of March 1865 has fallen short of the sums appropriated to those Services by the sum of £305,038 10s. 11d.; and that the Expenditure which has been incurred for certain other Navy Services and not provided for in the sums appropriated to those Services for the same year has amounted to the sum of £266,404 15s. 1d.

2. *Resolved*, That the said Expenditure for Navy Services unprovided for as aforesaid, amounting to £266,404 15s. 1d., has been temporarily defrayed, under the authority of the Commissioners of Her Majesty's Treasury, out of the Surpluses which have arisen, as aforesaid, upon other Votes for Navy Services, amounting to £305,038 10s. 11d.

3. *Resolved*, That the application of so much of the said Surpluses be sanctioned.

4. *Resolved*, That the Expenditure incurred for certain Army Services in the year ended the 31st day of March 1865 has fallen short of the sums appropriated to those Services by the sum of £418,628 4s. 4d., and that the Expenditure which has been incurred for certain other Army Services and not provided for in the sums appropriated to those Services for the same year, has amounted to the sum of £214,168 13s. 6d.

5. *Resolved*, That the said Expenditure for Army Services unprovided for, as aforesaid, amounting to £214,168 13s. 6d., has been temporarily defrayed, under the authority of the Commissioners of Her Majesty's Treasury, out of the

Mr. Kimbaird

Surpluses which have arisen, as aforesaid, upon other Votes for Army Services, amounting to £418,628 4s. 4d.

6. *Resolved*, That the application of so much of the said Surpluses be sanctioned.

Resolutions to be reported *To-morrow*.

OVERSEER OF THE POOR (SMALL PARISHES) BILL.

On Motion of Mr. HOWES, Bill to authorize and provide for the appointment of one Overseer of the Poor in small parishes, *ordered* to be brought in by Mr. HOWES, MR. BAGGE, and MR. DE GREY.

Bill *presented*, and read the first time. [Bill 214.]

COINAGE BILL.

On Motion of Mr. HUNT, Bill to enable Her Majesty to declare Gold Coins to be issued from Her Majesty's Colonial Branch Mints a legal tender for payments, *ordered* to be brought in by Mr. HUNT and MR. ADDERLEY.

Bill *presented*, and read the first time. [Bill 215.]

DRAINAGE AND IMPROVEMENT OF LANDS ACT (IRELAND) PROVISIONAL ORDER BILL.

On Motion of Mr. HUNT, Bill to confirm a Provisional Order under the Drainage and Improvement of Lands Act (Ireland) and the Acts amending the same, *ordered* to be brought in by Mr. HUNT and LORD NAAS.

Bill *presented*, and read the first time. [Bill 216.]

COURTS OF JUSTICE BILL.

On Motion of Mr. HUNT, Bill to amend the Acts relating to the intended Courts of Justice, *ordered* to be brought in by Mr. HUNT and LORD JOHN MANNERS.

Bill *presented*, and read the first time. [Bill 217.]

PUBLIC WORKS, HARBOURS, &c. [ADVANCES] BILL.

Resolution *reported*;

"That it is expedient to authorize the Commissioners of Her Majesty's Treasury to make Advances or Loans out of the Consolidated Fund of the United Kingdom to an amount not exceeding £360,000 per annum, for carrying on Public Works and Fisheries, and the employment of the Poor; to an amount not exceeding £350,000 per annum for five years, for the purposes of 'The Harbours and Passing Tolls, &c. Act, 1861;' to an amount not exceeding £500,000 for the purposes of 'The Cattle Diseases Prevention Act, 1866;' to an amount not exceeding £250,000 for the purposes of the 'Labouring Classes' Dwellings Act, 1866;' and to an amount not exceeding £500,000 for enabling the Public Works Loan Commissioners to make temporary Loans to Railway Companies in Ireland."

Resolution *agreed to*:—Bill *ordered* to be brought in by MR. DODSON, MR. CHANCELLOR of the EXCHEQUER, LORD NAAS, and MR. HUNT.

Bill *presented*, and read the first time. [Bill 218.]

PUBLIC WORKS LOANS (IRELAND) BILL.

Bill "to authorize for a further period the application of Money for the purposes of Loans for carrying on Public Works in Ireland," *presented*, and read the first time. [Bill 219.]

RAILWAY COMPANIES (IRELAND) BILL.

Bill "to enable the Public Works Loan Commissioners to make temporary advances to Railway Companies in Ireland," *presented*, and read the first time. [Bill 220.]

House adjourned at after half
Twelve o'clock.

HOUSE OF COMMONS,

Wednesday, July 18, 1866.

MINUTES.]—SELECT COMMITTEE—On Standing Orders, Mr. Edward Egerton *discharged*; on Public Petitions, Mr. Bonham-Carter *added*; on Railways (Guards' and Passengers' Communication) *nominated*; on Railway Companies' Securities and Railway Debentures, &c., Registry, Sir James Fergusson *discharged*, Sir Stafford Northcote *added*.

SUPPLY—considered in Committee—Resolution [July 17] reported—Navy and Army Expenditure (1864-5.)

PUBLIC BILLS—Resolutions in Committee—Fees (Public Departments); Constabulary Force (Ireland) [Pay, &c.]; New Zealand Guarantee.

Ordered—Poor Law Amendment.*

First Reading—Poor Law Amendment * [221].

Second Reading—Compulsory Church Rate Abolition [143], debate *adjourned*.

Committee—Elections (Returning Officers) [161] [R.P.]

Considered as amended—Hundred Bridges * [178]; Charitable Trusts Deeds Enrolment * [199] [Lords].

Third Reading—Rochdale Vicarage * [196]; Oyster Bed Licences (Ireland) * [175].

Withdrawn—Legitimacy Declaration, &c. [51]; Elective Franchise [101]; Fellows of Colleges Declaration * [26].

SALE AND PURCHASE OF SHARES BILL.

QUESTION.

MR. FILDES said, he wished to ask the hon. Member for York, as this Bill stands on the paper for to-morrow, Whether he intends to limit its operation to Joint Stock Banks and Joint Stock Discount Companies? An answer in the affirmative would, he thought, tend very much to limit the discussion upon the second reading.

MR. LEEMAN said, that it was his intention to adopt the Amendment of

which his hon. Friend had given notice, and which would limit the operation of the measure to joint stock banks.

LEGITIMACY DECLARATION, &c., BILL.

(Mr. Chambers, Mr. Edward Craufurd.)

[BILL 51.] SECOND READING.

Order for Second Reading read.

MR. THOMAS CHAMBERS said, he rose to move that the order for the second reading of this Bill be discharged on account of the lateness of the Session, and the pressure of business. The Bill was intended to clear away an ambiguity in the Acts of 1857 and 1858, and to ensure the rights of parties to a trial by jury in all questions affecting a declaration of legitimacy. The Bill was simply declaratory, because it was quite clear, from what had taken place during the passing of the Bill, that the Legislature had had no intention of leaving any doubt on the subject. He believed that the whole profession were in favour of the above Bill; but, to his surprise, he found the hon. and learned Member for Ayr (Mr. Craufurd), although his name was on the back of the Bill, had changed his mind, and intended to oppose the measure. Although there were overwhelming arguments in favour of the Bill, what he believed to be unfounded objections were taken to it, and as at this period of the Session he could not hope that it would pass into a law, he should now move that the order be discharged.

MR. E. CRAUFURD said, that his name certainly appeared on the back of the Bill, but in reality he was entirely opposed to it, and had in deference to the legal abilities of his hon. and learned Friend, tacitly permitted the use of his name under a misapprehension. When the Bill was printed he recognized in it a measure which had been repeatedly pressed upon the House of Commons by the present Lord Chief Baron of the Exchequer (Sir FitzRoy Kelly) and repeatedly rejected. In his opinion, the doubts which were said to have arisen as to the state of the law did not exist at all, and Parliament intended, not that the parties should have an absolute right to a jury trial under the Act, but that it should be at the discretion of the Judge to grant or withhold such a trial. If that were so, what was wanted was, not a mere declaratory Bill, but one to alter the law. But he entertained the strongest objection to any change in the law, and

thought that, under the circumstances, his hon. and learned Friend would exercise a wise discretion in withdrawing the Bill.

Order discharged : Bill withdrawn.

ELECTIVE FRANCHISE BILL—[BILL 101.]

(*Mr. Clay, Mr. George Clive, Mr. Gregory.*)

SECOND READING. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Amendment proposed to Question [30th May], "That the Bill be now read a second time;" and which Amendment was, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Gladstone.*)

Question again proposed, "That the word 'now' stand part of the Question."

MR. CLAY said, that although he could not hope to carry the Bill to a successful issue, the House would, he trusted, bear with him a short time while he proceeded to reply to some objections which had been urged against the measure on the first day of the debate, and to which, owing to the form of the House, he had had no opportunity of replying. He was more desirous of making the House and the country aware of the nature of his proposal because he was aware it was open to one serious drawback—that of novelty. It was, perhaps, too much to expect that the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone), amid his occupations as Chancellor of the Exchequer, and the anxieties attending the progress of his own Bill, would have given to the measure before the House the attention which he could have wished. Whether he had a right, however, to expect that or not, the right hon. Gentleman certainly failed to comprehend the nature of the proposal, or to obtain a mastery over its details; and on this account he (Mr. Clay) the more regretted the haste which had attended the introduction of the Government measure. When it first became notorious, last autumn, that the Government purposed introducing a measure of Parliamentary Reform, he gave his constituents a pledge that he would bring his proposal before the House; and in doing so he had hoped that it would be received as a supplemental franchise to any lowering of the property qualification which might be proposed by the Government. He still thought that it would have been a very excellent adjunct to the Government measure, and if it had

received the attention at the hands of the House, which he believed it merited, he thought it would also have facilitated the passing of the Government Reform Bill, because it would have given to the latter the character of permanence, the absence of which contributed, in his belief, more than anything else to the miscarriage of that measure. He had not shared in the opinion that the introduction of any Reform Bill by the Government during the present Session was necessary. He had thought that it would have been best if the Government had contented themselves with promising to introduce a Reform Bill on the first day of next Session; and had that course been adopted he would probably have been able, in private conversation at all events, to make the right hon. Gentleman the Chancellor of the Exchequer thoroughly acquainted with the nature of his proposal. That hope, however, was disappointed, and he confessed that he listened with regret and astonishment to the speech in which the right hon. Gentleman had displayed the small mastery he had obtained of the details of his proposal. The right hon. Gentleman ridiculed the idea of any working man being able to pass the examination which he proposed. Now, he confessed that his only fear was that the examination was too easy. The examination he proposed was less severe than that passed by the lowest grade of the Civil Service, and by the officers of Customs, and in which little difficulty was generally found. The right hon. Gentleman, moreover, spoke of the vast trouble which would be imposed upon those who desired to obtain the franchise by means of the examination; but the only trouble imposed upon the candidates was the necessity of submitting themselves to a test occupying about half-an-hour, or at the most about an hour in a room in the town in which they resided. The right hon. Gentleman further objected to the plan because of the expense it entailed upon the candidate; but he (Mr. Clay) could not see that the exaction of a shilling from those who failed and half-a-crown from those who succeeded was the slightest drawback to the merits of the proposal. The right hon. Gentleman as Chancellor of the Exchequer was naturally—and rightly enough—jealous of any scheme which tended to burden the public purse, and in his proposal he (Mr. Clay) had therefore suggested these trifling charges, which he had been informed by those fully competent to judge upon the

Mr. E. Craufurd

subject would be ample to meet all the expenses incurred. The expense, therefore, to the candidates would be extremely small, while to the country it would be absolutely nothing. The right hon. Gentleman again objected that this was a young man's franchise. That objection, however, was one which might easily be obviated. The Bill proposed that candidates should not be examined before they were twenty-one years of age; but if the House had thought fit the age might easily have been altered, and twenty-five or any other age substituted for that adopted in the first instance. It was urged again that a man at fifty might have forgotten what he had known at twenty-one or twenty-five; but such forgetfulness was not confined to those who were likely to be candidates under this Bill. He did not believe, for instance, that any of those who had formerly taken degrees at the Universities would be able without any preparation again to pass the necessary examination. The objection, however, was futile, unless it was acknowledged that education was necessary to fit a man for the possession of the franchise. It should be remembered that his proposal would embrace two classes. The first comprised those who already possessed the necessary information and who had nothing to do but to walk in from the street and pass their examination. This class chiefly consisted of clerks, small shopkeepers, and the very best educated and the pick of the working men, all of whom hon. Gentlemen had unanimously expressed their willingness to enfranchise, and for whose benefit all sorts of forms and franchises had been suggested. The other class comprised those who did not possess the necessary knowledge, and who, therefore, would be put to some little pains to acquire it. With regard to that class he had always said that he did not desire to admit them simply on account of the small scrap of education which they managed to pick up; but if a man would take the trouble which was necessary to obtain the right of voting, he believed that man would be a fit and proper man to be intrusted with the franchise. One great advantage, therefore, of this franchise was that it gave proof of earnestness; his proposition would enable a man who possessed the necessary information to prove it by a short examination, and thus commercial clerks and shopkeepers' assistants might acquire the franchise by the

process which had been called lateral extension, while it might stimulate the man who had not the necessary knowledge to take pains to acquire it. It was on the ground of the proof of their earnestness that he had asked the House to admit these classes to the franchise, and if the crossing-sweeper at his door would put himself to such trouble to acquire the franchise, he (Mr. Clay) should consider him a fit person to enjoy its exercise. The hon. Member for Birmingham (Mr. Bright) had also, to his great surprise, opposed the Bill; but the arguments of the hon. Member were to his (Mr. Clay's) mind, at all events, destitute of their usual cogency, for the hon. Member asked what knowledge of constitutional history would be acquired by a man in the course of his preparation for the examination. But he would in return ask the hon. Member for Birmingham what knowledge of constitutional law was obtained by a man through the simple occupation of a £10 or a £7 house? If the objection could reasonably be urged against the one plan, it could at least with equal reason be urged against the other. The hon. Member, too, spoke disrespectfully of the University constituencies, and instanced them as constituencies which were the most learned of all, and were at the same time the most wrong-headed of all. But if the argument were good for anything at all, it simply went to show that education was a disadvantage and not a benefit. The hon. Member also made use of another argument which showed how little he knew of the working classes. He said that the sons would, through their superior education, get the franchise which the father could not obtain, and that this would lead to jealousy. But all experience showed that the contrary was the case. The feeling more prevalent than any other in the mind of the working man was the desire that his sons might know more than himself, and occupy a superior position in life to that which he himself filled. "I am no scholar myself, sir, but I have managed to give my son a decent education," was what was constantly said by many working men. Of all the objections which had been urged against his proposal that one was, he believed, the most futile. The right hon. Gentleman the late Chancellor of the Duchy of Lancaster (Mr. Goschen), in a very pretty antithesis, characterized the proposal as the maxi-

mum of the Liberal profession and the minimum of the Liberal performance, because it would be of no service to the working man, and that few would come in under it. All he could say was that if that were the case, it would only show that the working men did not care for the franchise, and that they did not deserve to receive it. The hon. and learned Gentleman the Member for Tiverton (Mr. Denman), on the other hand, thought that it was nothing but universal suffrage in another form. He might, perhaps, well leave the right hon. Gentleman the late Chancellor of the Duchy of Lancaster and the hon. and learned Member for Tiverton to settle between themselves the difference in their opinions, for it seemed to him (Mr. Clay) that in making a proposal which had provoked two such exactly opposite criticisms, he had exactly hit upon the happy medium. The hon. and learned Member for Tiverton also complained that the Bill had been introduced without any statistics; but he (Mr. Clay) maintained that in this matter statistics were not at all necessary, because it was impossible by statistics to gauge the anxiety of the non-electors to form part of the elective body. The hon. and learned Gentleman also complained, as did several other hon. Gentlemen, that by this proposal the worst members of the working classes would not be excluded; but neither were they excluded under the £10 or the £7 test. In support of that argument his noble Friend the Member for Haddingtonshire (Lord Elcho) had instanced the case of the clever housebreaker Caseley, whose description of the way in which he carried on his operations excited the astonishment, and even the admiration, of those who heard him. His noble Friend contended that by the present proposal that housebreaker would probably exercise the right of voting. But it should also be remembered that he would not be excluded under the present system, and as one of the characteristics of ability was the admiration of ability in others, he should not be surprised had Caseley lived in a £10 house in Haddingtonshire to have found him among the most ardent supporters of his noble Friend. He would further say that his object in this proposal was to create a double title to the franchise. He was perfectly willing to allow that property qualification—and a low property qualification—should be one test; but he also maintained that intelligence should be another; and as they did not re-

quire that property should be joined to intelligence he could not see why they should demand that intelligence should be joined to property. He strongly objected to one thing in the late Government Reform Bill; but when he said he objected to one thing he hoped it would not be understood that he objected to any lowering of the franchise. He had voted for the Government Reform Bill in every stage, in spite of which he was told—for he had not seen it himself—that *The Star*, with the fairness which they all expected, when they remembered the influences under which that journal was supposed to labour, had gibbeted him as one of the opponents of the measure. He had always been in favour of a great reduction in the franchise, but he thought that its lowering by £2 at a time was unadvisable, because it could only tend to keep the subject in a perfect fever of agitation. There could be no permanence in the change from £10 to £7—another change from £7 to £5 would be demanded, and so on, and he would rather see the subject dealt with permanently. For his own part, he should prefer to go down at once to household suffrage in accordance with the views of the hon. and learned Member for Richmond (Sir Roundell Palmer). He had been all his life in favour of household suffrage as held by the late Lord Durham, as whose political disciple he had started in public life. One of his objects, therefore, was to introduce into his proposal the element of permanence, and he believed that with the adoption of his proposal agitation would be at an end, because it could not reasonably be urged that there was any ground of complaint on account of any exclusion from the franchise. He might be told that there were not many petitions presented in favour of the measure; but, considering the circumstances and the novelty of the proposal, he did not regard that fact as anything surprising. As it was, the most *bonâ fide* of all the petitions presented in favour of Reform was one signed by 7,000, chiefly working men and clerks, in support of his proposal—a petition to which the signatures had been obtained without the expenditure of a single sixpence. There would have been many more petitions forthcoming in favour of the Bill, but for the general impression that a private Member could not possibly succeed in carrying a Reform Bill. While that impression generally prevailed he felt bound to acknowledge that an equally general impression prevailed that the Government could

carry a Reform Bill. The latter impression, at all events, was a mistaken one. But that many more petitions would have been presented but for the feeling to which he had alluded was proved by hundreds of letters which he had received from mechanics' institutes, working men's associations, and similar institutions, while the newspapers representing the feeling of the working men bore testimony to the fact. He could only add that if at any time it should be his good fortune to succeed in carrying his proposal into Committee he should be willing to adopt any reasonable suggestions which might be needed. He could not, however, possibly assent to any raising of the standard of examination, because he believed that the result of such an alteration would be simply the destruction of the Bill. If they carried the arithmetic into fractions and required some knowledge of history and geography, they might, no doubt, render valuable additions to the present constituencies, but they would at the same time fail to remove the present cause of complaint which rested on the score of exclusion. He would now, with the consent of the House, withdraw the Bill.

MR. GLADSTONE said, he was desirous of offering a word or two in explanation. He wished to state that in the speech he made in opposition to the Bill of his hon. Friend he never delivered or intimated any opinion whatever upon a question which he did not conceive to be before the House at all—namely, whether there ought or ought not to be a franchise founded upon education or examination as a part of or an extension of another Reform Bill. He drew a broad distinction between a proposal so made and a proposal standing in the position in which he conceived and still conceived his hon. Friend's proposal practically stood—though he was quite willing to acknowledge that that position was due more to circumstances than to intention. His hon. Friend's proposal appeared to him to be one either in substitution or in limitation of the proposal of the Government, and not a proposal in extension of it. He need only further say that he believed his hon. Friend was exercising a very wise discretion, under all the circumstances, in not proceeding to a division upon the Bill, as the effect of such a division would, he believed, only tend to prejudice the consideration to which the subject under other circumstances might possibly be entitled. He could only add in reference to the suspicions which his hon.

Friend had said had been aroused by the introduction of the Bill, he (Mr. Gladstone) might say that he had used language as clear as he could for the purpose of doing the fullest justice to the proceedings and intentions of his hon. Friend, and to the temper and spirit as well as the zeal with which he had brought the subject forward.

Amendment and Motion, by leave, *withdrawn*.

Bill *withdrawn*.

ELECTIONS (RETURNING OFFICERS)

BILL—[BILL 161.]

(*Mr. Goldsmid, Mr. Huddleston, The O'Conor Don.*)

COMMITTEE.

Order for Committee read.

MR. GOLDSMID, in moving that the House go into Committee, said, the law in regard to returning officers was different in different parts of the kingdom. In Ireland, when there was an equal number of votes recorded for two candidates the returning officer was bound under the penalty of £1,000, and of being incapacitated for ever after from voting at an election and from serving in Parliament, to give the casting vote whether he had previously voted or not. In Scotland, if there was an equality of votes, the returning officer was bound to make a double return, and he was not allowed in any case to vote as an ordinary voter. In England there was no law on the subject, and hence great confusion had arisen. In some cases the returning officer had given a casting vote; and this had been done recently by the mayor at the recent election for Helston. The practice then was that on the presentation of a petition the Election Committee disallowed the vote and proceeded to inquire into the other votes, as if no such casting vote had been given. As far, however, as he (Mr. Goldsmid) could see, the returning officer was only doing his duty in giving a casting vote, because the writ commanded him to return "one fit and proper person to serve in Parliament," and this injunction he could not be said to obey when he made a double return. There were six objections to a double return. The first was, that it was not in accordance with the writ or precept which required the returning officer to return one Member to serve in Parliament. The second objection was, that for the time a double return disfranchised the constituency, because only one could sit, and until

it was determined which it was to be, neither of them could sit. The third objection to the double return was that it conferred on no one the right to sit and vote in Parliament. The fourth objection was that it necessitated an appeal to an Election Committee, and it thereby greatly increased the expense and trouble of elections. The fifth objection was that it pre-supposed that some of the votes given were bad. The sixth objection was that if none of the votes given were bad, it necessitated another election; and this might go on indefinitely. He thought these six objections showed that a double return was exceedingly undesirable. The Bill, upon which he now moved that the House do go into Committee, provided that the returning officer should not be allowed to vote as an ordinary elector; but, as there ought to be some one on the spot, in the case of an equality of votes, to settle who should be the Member, in accordance with the writ or precept, and as the only person who must of necessity be on the spot was the returning officer, it proposed to give to the returning officer the power to give a casting vote. The proposal was, in fact, to give to the returning officer the same privilege that was possessed by the Speaker of deciding the question when the votes were equal. It had been argued that this would cast an unpleasant duty on the returning officer; but he did not think that that was an argument to which the House would be disposed to attach much weight. Then it was said that this would practically give the returning officer the power of returning the Member. But it did not give him any more power than that possessed by any other elector, except that his vote turned the scale. Lastly, he might be told that the returning officer might not be legally qualified to vote; but he did not think there was any force in that objection, for the Irish Act gave the returning officer the right to give the casting vote if there was an equality of voices, whether he was legally qualified to vote or not. He was not aware when he drew up his Bill that in the year 1850 Sir Erskine May—a great authority—wrote a pamphlet on this subject, in which he contended that the most simple arrangement to meet the case of a double return would obviously be, to restrain the returning officer from voting as an elector, but to let him give a casting vote in case of an equality of votes. This was exactly the method proposed by the Bill before the House;

Mr. Goldsmid

and this method had obtained the approval of the present Judge Advocate General (Mr. Mowbray) as well as of his predecessor (Mr. Headlam); and the hon. and learned Member for Clare (Sir Colman O'Loughlen) had told him that before he had seen the Bill he had intended to propose a clause in the Reform Bill, giving the returning officer the power in question. He trusted that the House would approve this attempt to make the law uniform in the three countries, and would now consent to go into Committee on the Bill.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Mr. LOWTHER agreed that recent events seemed to show that some alteration of the law was necessary to set this question at rest, and that an assimilation of the law in the three countries was a desirable portion of such a measure, but beyond this he could not agree with the hon. and learned Member. The hon. and learned Gentleman seemed to think that the only way of assimilating the law of the three countries was by adopting the law of Ireland, and did not seem to have any idea of extending the Scotch law to the other two kingdoms. Now he (Mr. Lowther) thought that, instead of extending the Irish law over the whole kingdom, the Scotch law, which prohibited the returning officer from giving a casting vote, and called upon him to make a double return, was much fairer. The hon. and learned Member was, he thought, in error in stating that there was no law in England on the subject, because he believed that the 11 & 12 *Vict.* c. 98, s. 21, specially provided for the case of a double return. He could not agree that there was the slightest similarity between the casting vote possessed by the Speaker and that given by a returning officer; because the casting vote of the right hon. Gentleman in the Chair was usually given on some broad principle—such as that it was desirable that the House should have an opportunity of considering the subject on another occasion—and no question of a political character was usually involved. But the casting vote of the returning officer would prevent the reconsideration of the question, for the opportunity of reconsideration was specially provided by the Act he had quoted. He should like to know what would become of the impartial character of the returning officer if this Bill passed?

He must say that he did not think the Bill would diminish the number of election petitions. Since the Reform Act of 1832, there had been about half-a-dozen double returns. Out of this number, in two cases—the election for the Montgomeryshire District of boroughs in 1847, and the last election for Dumbartonshire—there had been no panel struck by a petitioner; whereas in Helston the casting vote of the returning officer had not prevented a petition. He gathered, indeed, from what he had read of the proceedings, that the casting vote of the returning officer had been the sole cause of the petition. The inconvenience which the proposed measure would entail upon the returning officers themselves would be excessive. It was, he believed, very unusual for the high sheriffs of counties to avail themselves of the privilege of voting as electors, and it was by no means the invariable rule of the returning officers of boroughs to vote for one or other of the candidates. Such a vote, however, given at an early period of the day was a very different thing, as affecting their character for impartiality, from a casting vote at the close of the day. There was a penalty for non-compliance with the Act, and the Act would be so formidable a grievance to returning officers, would so greatly aggravate the difficulty of discharging their duties, and was in other respects so objectionable, that he hoped the House would concur with him in the Amendment he now moved, that the House go into Committee on the Bill that day three months.

MR. DUTTON seconded the Amendment. In reference to the saving of expense, his opinion was, that in the event of the votes being equal at an election, it was almost certain that there would be a scrutiny, whether this Bill passed or not. Another objection to the Bill was, that it would deprive the returning officer, who was frequently the mayor or other leading inhabitant of a town, of the right to vote as an elector, although his fellow-townsmen looked up to him as an example, and his vote would have great moral influence.

Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day three months, resolve itself into the said Committee,"—(*Mr. Lowther*.)—instead thereof.

MR. DENMAN said, he believed it to be of great importance that this question

should be settled, and there could not be a better time than the present, when there were no election petitions on hand, and when the Bill could be discussed in a fair and unprejudiced spirit. Whatever the law might be, it was desirable it should be the same in the three kingdoms. These double returns were most inconvenient things, for they necessitated a scrutiny, and thus caused delay during which the constituency was unrepresented. If the mayor of Helston had made a double return, there must have been a scrutiny and a petition. If his hon. and learned Friend who now sat for Helston (*Mr. Brett*) had been in a minority instead of a majority he would not have been aggrieved, because the rights of the real majority were not prejudiced; whereas if it had been the duty of the returning officer to give a casting vote, the real minority would not petition at all. The provision restraining the returning officer from voting except when he was required to give a casting vote, was advantageous, as it relieved an official who ought to have the impartiality of a judge from the character of a political partizan. The returning officer might say, for example, he would always give the casting vote with the show of hands. That would be an easy way of settling the question, and preventing the casting vote from being canvassed in any unpleasant sense.

MR. BERESFORD HOPE thought that Gentlemen who advocated this measure omitted the consideration of two or three obvious matters. They argued as if the returning officer were somebody who happened to be in that position by the accident of his holding some other office, and that this furnished a sort of pledge of impartiality. They forgot that in boroughs which had been made by the Reform Bill and which were not municipal, the returning officer was appointed annually by the high sheriff, who was himself usually a party man, and if that officer were set up as an arbiter of the elections the selection itself would be a matter of hard canvassing with the sheriff, while the names selected would always expose him to great suspicion. If they passed this Bill there must be a new method of appointing returning officers. A double return was no doubt a bore and a trouble and an expense, but so was a contested election. It was necessary for the general good that elections should be troublesome and costly, but people went into them with their eyes open, and they ought to foresee a double return as a possible

contingency. If two candidates received an equality of votes, *tant pis* for the two people who were tied up together, but they must go before a committee to see which was the right or the wrong man to have the seat. The hon. and learned Member for Tiverton was not quite correct in saying that in the event of a double return a Committee was a matter of course. There had been two cases of virtual equality of votes in the present Parliament. In the case of Helston the returning officer gave the casting vote and there was a petition. In the case of Dumbartonshire, which had hitherto been forgotten in the debate, the returning officer made a double return, but there was no committee. The two candidates set their heads together like men of common sense, and the man who knew he would come off worse saved his pocket and that of his competitor too. But there was another consideration. Supposing an election ran so close that under the present law there would be a tie, under the proposed law there would not be a tie, because the returning officer, who might be the most substantial voter in the town, would not have a vote, and therefore one of the candidates would be left in a minority of one and thus the wrong man might be returned. Consequently this absurd disenfranchising Bill would, in the very first step, alter the relations of the parties, and might very often produce the return of a candidate who would not otherwise have been elected. Finally, he would remark that the proposition was not likely to conduce very much to peace-making, by preventing petitions as its supporters contended. How, in the name of common sense and common ambition, would that Bill prevent one single petition? The man who thought he could knock off a few votes by finding that there had been a little too much treating or bribery would not be deterred from attempting to do so by his opponent having been returned by an official casting vote. They must change human nature if they supposed they could by that Bill prevent one single petition where there was the least chance of obtaining the seat. And in order to produce this no-result it was proposed to give up the high privilege of Parliament to be the judge of its own affairs, and to delegate to an external authority, to some single returning officer, whoever the man might be, the duty of deciding who was the right person to sit in that House. This might be the case in Ireland but it was a very Irish way of doing business, and he

Mr. Beresford Hope

did not wish to see that Irish method introduced on this side of St. George's Channel. He trusted the Amendment would be carried, and that the time of the House would be no longer taken up by an attempt at amateur legislation such as was now before it.

MR. WALPOLE: My hon. Friend complains that for the first fortnight of the new Parliament no Member was able to sit in this House to represent Dumbartonshire. Now, I think that that was a great grievance to the constituency as well as to the representative himself; and it might have been a serious inconvenience, considering that most important questions have arisen on the first meeting of a new Parliament—questions in which the deepest interests of the country generally were involved, and which demanded the attention and assistance of every Member of this House. There is no doubt that under the present law a constituency may be deprived for a considerable time of the advantages arising from having a representative in Parliament in the case of a double return. It appears then to me that recent events supply an ample justification for bringing in this Bill. With regard to the case of Helston—where, indeed, under the existing law there ought to have been a double return—that particular case raises the whole question as to what the law should be on this subject. The hon. Gentleman is not quite correct in saying that there is no law on the subject in reference to England. There is a law upon the subject, but the difficulty of interpreting it is so great that I confess I do not know how it is to be acted upon. What the House has done with regard to England is to establish the usage of Parliamentary precedent as the law of Parliament. The first Act that relates to the case of a double return is the 7 & 8 Will. III. c. 7. The preamble of that Act recites that a double return is not only an injury to the individuals duly chosen to represent a constituency in Parliament, by depriving them both of the power of giving their service as Members of the House of Commons, and putting them to great expense, but it is also an injury to the particular constituencies by whom they have been chosen, and an injury to Parliament itself, because the business of Parliament is disturbed and delayed thereby. Well, that being the principle laid down in this statute, it seems to me to be clearly intimated what should be the guiding rule which it should be

sought to establish. The reason, I apprehend why that Act of Parliament has not been carried out is this. There are certain words in the chief clause of the Act making officers who shall wilfully, falsely and maliciously return more persons than are required by the writ subject to the same penalties as those who wilfully and maliciously made a false return. The Legislature evidently looked upon the inconvenience of a double return as being almost as bad as that attending a false return; and I suppose that the difficulty of showing that the return is wilfully and falsely made is the reason why the statute had not been generally acted upon. With regard to England, what the Committees of the House have generally done in a case of this kind is this. They have taken the last decision—indeed, they were bound by the Act referred to to take the last decision under the Act as a precedent—and upon that decision they have framed the rule which the returning officers are bound to observe in reference to the case of a double return occurring in England. What, then, they have invariably done is to declare that the casting vote of the returning officer shall not determine the election of a Member of this House, inasmuch as it had been already laid down by a Parliamentary Committee that such a proceeding is against the usage of Parliament. In Ireland the case is different. The first statute on the subject was passed in the reign of George II. If we are called upon to choose between the law and practice of the two countries, it appears to me that that of Ireland is that which we ought to follow. The statute to which I have just alluded says that the returning officer is wholly disqualified from voting, but that nevertheless that he must vote in the case of a “tie” at an election, and thus prevent the inconvenience of a double return. No doubt that enactment was recognized again in the statute of George IV. In Scotland, neither the sheriff nor sheriff’s clerk, nor any person in any way connected with the election, can vote at all. The hon. Gentleman has omitted to notice that fact in his Bill. If he intends to repeal that Act, I think he ought to repeal it altogether, because there is as little reason for the sheriff or his clerk having a vote in Scotland as persons holding similar positions in England or Ireland. This being the state of the law in the three countries, the principle upon which we ought to proceed is, I think, this:—First

of all, except by statute law, there is nothing to deprive any person of the right of voting, whether he were a returning officer or not; and consequently, except on the ground of public convenience and policy, that right of voting ought not to be taken away. But when a person placed in an official position like a sheriff or a mayor presides over an election, it is more convenient that, instead of depriving him altogether of his right of voting, we should simply reserve to him the right of voting when the case came to a “tie,” and it is necessary, in obedience to the precept, that some person should be returned to Parliament. In fact, we should not disqualify him altogether; but for the sake of the convenience of having the precept obeyed, and for the further convenience of not having an active partizan taking part in the election until he was required, we should allow him to vote, but not till then. It appears to me that no great mischief would arise from such an alteration of the law in this respect; on the contrary, I think there would be a great advantage in making this change in the law, and in no longer allowing it to be different in the three parts of the United Kingdom. I am of opinion that in a new Parliament every constituency has a right to demand the presence of its representatives. I see no way of arriving at that result, so conformable to the principle and usage of Parliament, more conveniently than, in the case of a double return, to give the returning officer the power of declaring, in obedience to the precept, by his casting vote, who shall be the representative of the particular constituency. With these views, individually I am much inclined to support the Bill.

MR. BRETT said, he was surprised to hear the hon. and learned Member for Honiton (Mr. Goldsmid) say that there was a doubt as to what was the law of England upon this question, whether the returning officer has a right to give a casting vote? No such right could be given to any man except by common law or by statute. If the right were given by the common law they would find it in the uniform course of practice, whenever a case had arisen, or in authoritative decisions. Since the Reform Bill on every occasion where the votes had been even, until the last election for Helston, the return had been a double return, and before the Reform Bill there were many occasions on which double returns had been made, and

it would be found that there were only three occasions before the Reform Bill on which the returning officers had presumed to give a second or casting vote. The statute which the right hon. Gentleman (Mr. Walpole) had quoted showed what the law really was, for it imposed a penalty on any returning officer who should "falsely and maliciously" make a double return. The clear inference was that he might make a double return if he did not make it falsely and maliciously. In the case of a double return it was necessary that there should be a new election, but either Member might give way and allow the other to take the seat. The Reform Act particularized the time and mode in which every person was to vote—that was to say, that no person was to vote after four o'clock, and that the poll books and polling booths were to be closed at that hour. If, therefore, the Legislature had intended that the returning officer should have a casting vote, and as that casting vote must be given after four o'clock, and could not be recorded in the polling book, it is impossible to believe that in that statute there would not have been some enactment to show how that vote is to be taken and in what manner it is to be recorded. Yet though there may be no doubt about what the law is, it may be desirable that the law should be changed. But there are some objections to the proposed changes. Take the case of a divided county. The high sheriff was the returning officer, and he might be a man who had not an acre of land in the division over the election in which he was presiding, and thus they might, under the present Bill, have a Member returned by a gentleman who did not belong to that division. In such a case it would be a fallacy to say that the Member so returned would be the representative of the constituency of the division for which he was returned. Again, with regard to the boroughs the mayor was generally the returning officer, and as he was merely the representative of the municipal constituency, which was entirely different from the Parliamentary constituency, it was possible that he might not be a Parliamentary elector; and yet it was proposed to put in the hands of such a person the power of returning the Member for the borough. But the strongest objection to the proposition was this; that whereas it was desired that the returning officer should be a wholly impartial person, he would in reality be made a most formidable political partizan.

Mr. Brett

It had been said that the returning officer would be put into a disagreeable position by having to give a casting vote; but he (Mr. Brett) considered that any returning officer who was a strong partizan, would be placed in a most agreeable position by having an absolute opportunity of serving his party. Even at present it was supposed that the returning officer had facilities for doing so, by hastening or delaying the day of nomination, according to the convenience of his party. If there was to be any alteration of the law, he (Mr. Brett) thought the object ought rather to be to remove from the returning officer all suspicion of partiality. He could not agree with the hon. and learned Member for Tiverton in thinking that this was the best occasion for bringing forward that Bill, for nobody would be able to persuade either party in Helston that the object of the measure was not that which would be its result—namely, to enable the mayor of that borough to say that he had done no wrong in giving his casting vote, because he had only done six weeks ago what Parliament now said was a right thing to do.

MR. DENT said, he was one of those Members who had experienced the personal inconvenience, and had known the inconvenience occasioned to his constituency through being excluded from a seat in that House by reason of a double return. Whatever might have been the case in Dumbartonshire, in his own case he was advised that the only means of deciding who was to have the seat was by going before an Election Committee, and accordingly he underwent all the trouble, annoyance and inconvenience of waiting four months before a Committee. But he did not think the inconvenience to individuals to be put in comparison with the inconvenience experienced by a constituency in having for a considerable length of time no representative in Parliament. The real point was not whether a returning officer might or might not be a voter for the division or borough for which he made his return; the main question was whether great public inconvenience was to be caused by double returns, which prevented constituencies from being represented. He trusted the hon. and learned Member for Honiton (Mr. Goldsmid) would persevere with the Bill he had brought forward.

MAJOR WALKER said, that if the Bill passed it would create an extremely anomalous state of things in Scotland. It

might be an open question whether in England and Scotland a casting vote should be given by the high sheriff or the mayor, because both of those functionaries offered the guarantee that they were not only voters but occupied high and influential positions in their constituencies. But in Scotland the case was very different indeed. The returning officer in Scotland was the sheriff, who was quite different from the sheriff in England, being a paid magistrate, combining, in fact, in his person to some extent the functions of a stipendiary magistrate and those of a County Court Judge; and it was not necessary that he should be a voter in his county, or even a resident in it. Therefore, the result which the Bill would bring about in Scotland would be that, in the event of an equal number of votes being given for two candidates—a case in which it was fair to suppose that party spirit ran high and furiously—the return would practically be made by a paid Government official. He was sure the House would pause before it established a “fancy franchise” of so questionable a character. Unless the hon. Gentleman consented to exclude Parliament from his Bill he (Major Walker) should vote against it.

MR. SHAW-LEFEVRE said, he did not think the law on that subject was by any means as clear as the hon. Member opposite (Mr. Brett) supposed. The returning officer for Helston consulted *Rogers on Election Law* before making his return, and he understood that he did not give a casting vote, but following the words of the writ he returned one Member only. In Sir Erskine May's work it was pointed out that the statute of the 7 & 8 Will. III. was directed against false and double returns; but the general practice had been to make a double return where the votes were equal—a practice which had long been recognized by the Resolutions of the House and the decisions of its Committees; and it was doubtful whether the sheriff would do his duty if he only made a single instead of a double return.

MR. SCHREIBER said, that if he opposed the Bill he did so because it did nothing to remedy the unsatisfactory position in which returning officers are placed. By the 6 & 7 Will. IV. c. 102, a returning officer was compelled, under penalties, to provide, in view of election contests, polling booths, hustings, copies of the register of voters, &c.; and if no contest supervened no person was liable to reim-

burse him for his outlay. If he was to be reimbursed at all he must rely upon the honour and good feeling of the candidate who was returned. No doubt as a thank-offering for his escape from a contest such a candidate would voluntarily defray these expenses; but in doing so he conferred a favour on the returning officer—a most undesirable position for a returning officer to occupy. The returning officer in many boroughs were engaged in business, or was a professional man having other calls upon his time. He was also an unpaid officer, and he contended that he ought to be legally entitled to remuneration, and thus placed on a more independent footing. Under all the circumstances of the case, he was prepared to offer to the Bill a hearty opposition.

MR. GOLDSMID said, the fact that the returning officer was in the position just described was no argument against his giving a casting vote. With regard to the remarks of the hon. Member for Helston (Mr. Brett) the case which had occurred in that borough was not parallel with the case for which he (Mr. Goldsmid) wished to provide. At Helston, the returning officer gave a preliminary vote as an ordinary elector; but by the present Bill the returning officer would not be able to vote as an ordinary elector, and if this had been the case at Helston the casting vote would not have been requisite.

MR. E. CRAUFURD said, that in the Dumbartonshire case one of the candidates having discovered that an elector had voted for him by mistake, most honourably retired. There were grouped boroughs in Scotland 100 miles apart, and no provision was made in this Bill as to the time for declaring the poll, whether on the day following or a month afterwards. He hoped, therefore, that Scotland would be excluded from the purview of the Bill. If the Bill should go into Committee he should move that Scotland be omitted from the Bill.

MR. CRUM-EWING confirmed the statement made by the hon. Gentleman in reference to what had occurred in the Dumbartonshire case.

Question put, “That the words proposed to be left out stand part of the Question.”

The House divided:—Ayes 122; Noes 67: Majority 55.

Main Question put, and agreed to.

Bill considered in Committee.

On Question that the Preamble be postponed,

MR. E. CRAUFURD appealed to the Secretary for the Home Department to say whether he did not think it desirable that the further discussion of the Bill should be postponed until some Member of the Government connected with Scotland was in the House competent to pronounce an opinion as to the way in which it would be likely to operate in that country.

SIR ROUNDELL PALMER explained that the reason why he and others on that (the Opposition) side of the House had voted in favour of the Motion for going into Committee was that they were of opinion it was not expedient that a different law on the subject with which the Bill dealt should be allowed to continue in each of three parts of the United Kingdom, and that the present occasion was an apt one for removing the existing differences. At the same time, he did not think it would be well that the casting vote should be permitted to be given in any case by a returning officer who was a non-elect. His hon. and learned Friend (Mr. Goldsmid) was, he believed, prepared to insert a proviso in accordance with that view, and if the Bill were to pass in that altered form the difficulty with regard to Scotland would in great measure be removed. He hoped it would also be provided that, except in the rare cases in which there would be found to be an equality of votes, the returning officer should be precluded from taking any part in the election, and the suspicion that he might be acting as a partizan thus obviated.

MR. BARROW, in reference to some remarks which had been made at an earlier stage of the discussion by the hon. and learned Member for Helston, said, he saw no good reason why the sheriff of a county which embraced two divisions should be precluded from giving his casting vote in either or both, inasmuch as he was the sheriff not only of a portion but of the whole county.

SIR FRANCIS GOLDSMID said, he desired to remove any impression that might exist that this Bill had been introduced by his hon. Relative to meet the Helston difficulty by stating that it had been brought in some time before the late election for that borough took place.

Preamble *postponed*.

Clause 1 (Acts and Parts of Acts repealed.)

MR. E. CRAUFURD objected to the clause. The sheriffs in Scotland were by law prohibited from voting. This Bill

proposed to give the returning officer a casting vote, and therefore he apprehended it would by implication repeal the statute which prevented them voting in Scotland. The principle of allowing an officer of the Crown to decide an election was, in his opinion, wrong and unconstitutional, and therefore he should oppose the clause.

Clause *agreed to*.

Clause 2 (No more to be returned than required by Writ.)

MR. WALPOLE proposed to insert the words "being an elector qualified to vote" after the words "returning officer," the effect of which would be that if the returning officer was not a duly-qualified elector he would not be allowed to give a casting vote. The object of this Amendment was to obviate the objection which had been raised that under the clause as it at present stood an election might be decided by the casting vote of a person who, except in the capacity of returning officer, had no right to vote at all.

MR. KNATCHBULL - HUGESSEN said, that in the hope of making the best of what he considered to be a bad Bill, he had proposed an Amendment substantially the same as that which the right hon. Gentleman opposite had just moved. He thought that his form of Amendment was rather more convenient than that of the right hon. Gentleman, but at the same time he was willing to give way.

MR. LOWTHER wished to know what it was proposed to do in the event of a double return where the numbers were equal. He hoped that the hon. Member would consent to withdraw the Bill, because it would be wholly inoperative if the proposed Amendment were carried.

THE O'CONOR DON said, that under the present law in Ireland the returning officer, whether on the register of voters or not, was able to give a casting vote, and he was unwilling to see this altered, as it would be if the present Amendment was carried.

LORD HENRY SCOTT objected to the proposed Amendment. The returning officers in Scotland occupied very different positions from what they did in England.

MR. HOWES said, that as the Irish Members were satisfied with the law as it at present existed in Ireland, and as the Scotch Members were equally satisfied with the law in Scotland regulating this matter, and as they both appeared to be equally unwilling to accept the proposed alterations to be effected by this Bill, he really thought

that the Home Secretary had better at once suggest the withdrawal of it. The subject might be more deliberately canvassed during the recess.

MR. DARBY GRIFFITH thought that after the decision at which the Committee had just arrived to proceed with the Bill, it would be rather illogical for the Home Secretary to suggest that it should be withdrawn.

MR. McLAREN wished to correct an error which had been committed by the hon. Member (Mr. Howes), who said that the Scotch Members were opposed to this Bill. Now such was not the case, for he had himself voted in favour of the Bill, and he believed other representatives of Scotch constituencies had also done so. He admitted that he should prefer to see things remain as they were in Scotland—but when he saw evils existing in England, and believing that the principle of one uniform law for the United Kingdom was a good one, he did not think the Scotch Members should stand in the way of a matter of this kind, and he therefore trusted the Bill would be allowed to proceed.

SIR ROUNDELL PALMER thought it was very inconvenient for the law to be in such a state as to render a double return possible. The highest authority in the House had informed him that the only remedy at present for a double return was that there should be a fresh election. It was not fair to permit an entire stranger in the constituency, as a returning officer not possessing a vote might justly be described to be, to have the power of choosing between the candidates in the event of a double return, and deprive the constituency of their right of returning a representative of their own choosing. It would be better to let the candidates toss up for the seat, or to give the seat to the candidate the initial letter of whose name came first in the alphabet. If the sheriffs of Scotland were now prevented by law from voting, they would not, he apprehended, be qualified to vote under this Bill as “duly qualified and registered electors.” He proposed to insert after the word “shall,” in line three, the following words: “except as hereinafter provided.” He also proposed that the casting vote of the returning officer should not be given till the poll books were made up and the result ascertained; and that the returning officer should not vote unless he was a “duly qualified and registered elector.”

MR. BERESFORD HOPE agreed with the hon. and learned Gentleman that it would

be much simpler to toss up; or perhaps the result of the election might be determined by a rifle or a cricket match. But when the hon. and learned Gentleman proposed that the returning officer should give his vote any time after the poll books were made up, he thought he was opening a door to malpractices. The returning officer might be a chandler, an ironmonger or a shareholder in a joint stock company, to whom the possession of a £100 note would be almost a fortune, and with all respect for the returning officer, he thought it dangerous to allow him to give a private casting vote when one gentleman would be much disappointed and another much benefited by the decision to which he might come.

MR. GOLDSMID thought that the difficulty started by the hon. Member for Stoke (Mr. Beresford Hope) might be got over.

MR. LAWSON would be unwilling to see a change of the Irish law upon this subject, as he considered that it was founded upon the convenience of the thing.

MR. E. CRAUFURD said, that in Scotland certain classes of persons disqualified from giving a vote at elections of Members of Parliament were got upon the register for municipal purposes. It might happen that the returning officer was one of those persons; and it followed that under the clause, even as amended, he would be able to give the casting vote—because he would be upon the register for municipal purposes—although he was one of a class of persons prohibited by the statute from voting at the election of Members of Parliament. He considered the Bill objectionable in principle, and trusted the Committee would not accede to the Amendment, which would render the measure unworkable.

MR. WALPOLE said, that a returning officer who was an elector had a common law right to vote, and that right could only be interfered with by an enactment to the effect that until a certain contingency arose it should not be exercised. It was very desirable that the inconvenience of a double return should be avoided, and it was proposed to make that contingency in the event of two candidates having an equal number of votes. He could not see on what principle that portion of the Bill could be objected to. It had been stated that the sheriffs of the Scotch counties being appointed by the Crown, would be subject to undue influence, but he believed that there were no persons more independent than the class from which they were selected;

and the English sheriffs were quite independent. He regarded it as of importance that the law of the three countries should be assimilated when an assimilation on true principles could be effected.

MR. POWELL thought the proposed change ought not to be made without more mature consideration. Double returns were not of frequent occurrence, and when they did occur he did not see that they were evils of such enormous magnitude; and, moreover, he did not believe that any Member would be satisfied if his return depended upon one individual. He believed that the Bill would not have the effect of preventing inquiries by a Committee upstairs whenever a seat was gained by a casting vote. It had always been, and always, he believed, would be the case that an election of that kind would lead to an investigation on petition.

MAJOR WALKER believed the Bill, under pretext of remedying one anomaly, would create an anomaly still greater, for not one out of six of the Scotch sheriffs was duly qualified as an elector. In five cases out of six the established course would be pursued, but in the sixth the returning officer, by virtue of possessing a little property in the borough, would be able to make the return on a principle hitherto unknown in Scotland.

MR. HENLEY said, that he had come down to the House with the intention of voting for the Bill, but on listening to the debate on the Motion for going into Committee he had changed his mind. Certain objections had been stated, and to obviate those objections Amendments had been proposed on the spur of the moment. These Amendments not having been printed, it was impossible to judge of the effect. Now, he thought it would have been much more satisfactory if, on a question of such great importance, the measure had been introduced either by the late or the present Government, for there would then have been some kind of assurance that the alterations would have been considered by competent persons acquainted with the election law of the three kingdoms. What would be the result in the case of a contested county election? The poll closed on a certain day, and the poll books were then sealed up. On another day the seals were broken, and the poll books cast up. Now, as he understood the Amendment, some indefinite time was to be allowed for the returning officer to make up his mind how to vote. The question arose as to the

time to be given, and who was to have the custody of the books until the returning officer could make up his mind. He did not see that the urgency for this Bill was so great that it was absolutely necessary to hurry it on in such breathless haste. The removal of anomalies and the assimilation of the election law of the three kingdoms ought to be well considered by the Government, and be dealt with by a measure carefully framed, instead of by a Bill passed in haste, and which might cause much uncertainty and litigation.

MR. GOLDSMID remarked that he was not responsible for the hon. and learned Gentleman's Amendment, for he preferred the Bill as it stood, and the objection of the right hon. Gentleman (Mr. Henley) as to the indefinite interval allowed to the sheriff was equally applicable to the present law.

MR. OLIPHANT was opposed to the Bill. He regarded the proposed assimilation of the law of England and Scotland as impracticable, the conditions of the two countries in the matter to which the Bill referred being essentially different.

MR. SULLIVAN observed, that the matter was fully considered by the Irish Parliament in 1795, when an Act was passed providing that in the case of an equality of votes at the close of the poll, the returning officer should be obliged to give a casting vote, whether he was legally qualified or not, or whether he had voted or not, and in the event of making a double return he was liable to a penalty of £2,000. That statute was reaffirmed by the Imperial Parliament in the reign of George IV. Almost everybody was satisfied with the present law, and he protested against any hasty alteration of it.

SIR GEORGE GREY admitted the desirability of assimilating the law of the three countries as far as possible, but agreed with the right hon. Gentleman the Member for Oxfordshire (Mr. Henley) that the Bill and the Amendments which had been extemporised required more consideration than they could receive at that period of the Session.

SIR FRANCIS GOLDSMID thought that they ought to try to assimilate the law and practice on this subject in the three kingdoms, but it was clear that however favourable Members were in the abstract to such a change, no sooner was an attempt made to put it in practice than English, Scotch, and Irish Members desired to retain their own laws and practices.

Mr. Walpole

MR. E. CRAUFURD said, Scotch Members did not ask for any assimilation, and not one of them could be found to put his name on the back of the Bill. He moved that the Chairman report Progress.

MR. GOLDSMID said, his object in introducing the Bill was to do away with an anomaly. If the Home Secretary would bring in a Bill on the subject next Session he would allow this Bill to drop.

MR. WALPOLE thought that it would be advisable for the hon. Gentleman to give the Amendments further consideration, and deal with it at a future stage. At present he could not say more on the subject.

House resumed.

Committee report Progress ; to sit again upon *Monday* next.

COMPULSORY CHURCH RATE ABOLITION BILL.

(*Mr. Gladstone, Sir George Grey, Mr. Milner Gibson, Mr. Attorney General.*)

[BILL 143.] SECOND READING.

Order for Second Reading read.

MR. GLADSTONE: In moving the second reading of this Bill, I hope not to be under the necessity of detaining the House more than a few moments, for on introducing the measure I was permitted an opportunity of explaining its general provisions, and those provisions have now been before the House and the country for a considerable time, and I am not aware that anything has taken place which renders it necessary for me on the present occasion to make any further comments upon it; though if opposition should be offered it may be necessary for me to notice any arguments which may be used against it. I rise, therefore, simply for the purpose of stating the course at this period of the Session which I propose to take with reference to the Bill. It has been intimated to me that Her Majesty's Government are willing to accede to the principle of the Bill by voting for the second reading—of course reserving to themselves the power of proposing in Committee such Amendments as they may think compatible with the view that they may take on the matter. I do not intend to limit in any way the discretion which they are entitled to exercise. At the same time, I understood that that disposition upon their part was connected with an expectation that the Bill should not be pushed during the present Session beyond the second reading.

I cannot at all deny that that is a fair expectation, under the circumstances, and considering the period of the Session at which we have now arrived. It may, perhaps, be thought that I take a course not altogether usual in asking the House to agree to the second reading of a Bill with which it is not intended to proceed further during the present year; but there are circumstances attending the position of this Bill which render it an absolute duty on my part to ask the House to decide upon its principle, and which will, I apprehend, have the effect of inducing the House to give that decision. It will be recollected that on the second reading of the Bill of my hon. Friend the Member for Bury St. Edmunds (Mr. Harcastle), a suggestion was made by me which forms the basis of this Bill, and which was tendered to my hon. Friend as a possible substitute for his Bill. The House affirmed the principle of the measure of my hon. Friend, and he would have been in a position, I have no doubt, to carry his Bill through Committee and obtain the final judgment of the House upon it on the third reading had he not, in a kind and conciliatory spirit, for which I wish to render him the tribute of my acknowledgments, refrained from pressing the advantage which he had gained by the early decision of the House on the second reading, in the expectation that it might be in the power of the late Government to proceed with this measure. This measure, like other measures in the hands of the late Government, has been subject to serious prejudice in consequence of circumstances with which we are all acquainted. But I have considered, and it is so considered by my late Colleagues, that this measure stands in a position different from other measures, inasmuch as it was originally a proposal not made by the late Administration, but by myself on my own individual responsibility. Still, the virtual pledge I gave to the hon. Member for Bury, by making a suggestion subsequently accepted by him, undoubtedly, as I think, remains in force, and renders it my duty to aim, as far as I can, at the fulfilment of my obligation by proposing the second reading of the Bill on the present occasion. With respect to the substance of the Bill, I think it only fair that hon. Members should have the opportunity of considering what additions or amendments the Bill may be susceptible of in Committee. The motives which should lead us to the adoption of

such a course are, I think, imperative and conclusive in their character. Independently of Amendments to the arrangements I proposed, there may be other proposals which may be suggested, involving nothing compulsory in their nature, and therefore not inconsistent with the principle of the Bill, to make a more full and satisfactory provision for the maintenance of the fabrics of the Church. Therefore, though I should have wished to move the second reading of the Bill, under circumstances which would afford a hope of prosecuting the measure to a conclusion during the present Session, yet I cannot regret the delay which must now take place—particularly after the information conveyed to me that the Government received the proposal in a conciliatory spirit and acceded to its principle, it being understood that, in the event of the affirmation of the second reading, not only would full liberty be reserved for the proposal of Amendments in Committee if desired, but that no further proceeding should be taken after the second reading during the present Session, so that the fullest opportunity might be given for the consideration of the details connected with the question, in order that in the next Session we might approach this question under favourable circumstances, with a fair prospect of terminating a controversy which has hitherto involved impediments to the general progress of business.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Gladstone.*)

THE CHANCELLOR OF THE EXCHEQUER: I had no intention of troubling the House with my opinion so early in the discussion; but I fear some misconception may arise from the observations of the right hon. Gentleman, and I desire to offer a few remarks now. I was not in the House at the time, but I am informed that the right hon. Gentleman stated that the Government accepts the principle of the Bill, and will vote for the second reading on the condition that the measure should not be proceeded with this Session.

MR. GLADSTONE: Of course, reserving to yourselves every liberty to make Amendments in Committee.

THE CHANCELLOR OF THE EXCHEQUER: I fear that there has been some misconception on the part of the right hon. Gentleman, and I think it best to notice that point frankly at once, in order that his conduct may not be unduly influenced.

Mr. Gladstone

What I understood was that it was—I will not say arranged—but thought, on the whole, considering the period of the Session, and other circumstances, the best course that the Bill of the right hon. Gentleman should be now read a second time. The Government, however, do not accept the principle of the Bill, nor do they mean to vote for the second reading, but will not vote against it. It was also understood that the Bill was not to be proceeded with this year, but that opportunity should be given to the country during the recess for fully considering the measure. It, however, never reached me that the Government accepted the principle of the Bill or undertook to vote for the second reading, though they would offer no opposition to it, on the understanding that the Bill would not be proceeded with, and that a fair opportunity would be afforded to the country for considering the measure and all its details. No other understanding beyond that ever came to my knowledge, and I wish to repeat that I never heard that the Government had given their adhesion to the principle of the Bill, or that they were not perfectly free in another Session to oppose the principle. So far as I am concerned, I will not resist the second reading of the Bill this year, in order that the measure may be before the country and fairly considered, though not proceeded with further during the present Session. I shall not at this moment enter into a discussion on the Bill, but I thought not a moment should be lost in informing the House of the interpretation to be placed on the understanding with respect to the course to be taken by the Government. I am prepared myself not to resist the second reading of the Bill on the present occasion, and I think, considering the state of the Session, the long controversies on this question, and various other circumstances, which I need not now enter upon, it would be for the public convenience that the Bill of the right hon. Gentleman should be read a second time, though I reserve to myself the right to oppose it in a future Session.

SIR GEORGE GREY observed that the Bill was already before the country, and it was certainly understood, in consequence of what passed during the discussion on the measure proposed by the hon. Member for Bury (Mr. Harcastle), that the Government would offer no opposition to the affirmation of the principle of the Bill.

MR. NEWDEGATE had stated when the Bill was introduced that he, although having serious misgivings as to

the measure, felt grateful to the right hon. Gentleman the Member for South Lancashire, so much did he (Mr. Newdegate) desire some solution of this question, but now that he was more fully informed, he could in no sense consent to be committed to the principle of the Bill by what then took place. He objected to the principle of the measure, for he had always contended that there should be no exclusion by law of any person from the Church. He concurred with the hon. Member for Bury so far as that personal liability for church rates should cease, but he differed from him in this, that he thought the people of this country, especially the poor, ought not to be deprived of what he considered was their inalienable right of having the means for Divine service provided out of the property of the country. This Bill would make the means for maintaining Divine service depend upon voluntary contributions. That was not an adequate security, and was far from being an equivalent for the positive right which they were asked to give up. There were other reasons why he was opposed to the Bill, and one of them was that it would aggravate and establish the existing divisions in the Church. These differences of religious opinion within the Church were already sufficiently marked. There was the High Church party, the extreme of which touched Roman Catholicism. There was the Broad Church opinion, the exaggeration of which was represented by Dr. Colenso. There was the Evangelical or Low Church party, who verged towards Puritanism. These parties in the Church differed from each other, and from the great body of the Church. The Bill would facilitate the obtaining of power by these parties within the parishes of this country. If power was given to a certain party in every parish to control the externals of worship, the arrangement of rites, and of seats in the church, it was inevitable that the most fanatical or the most wealthy would be the persons who would by purchase obtain the control. The proposal that a parishioner who did not pay should not have a seat was at variance with the right of the poor to access to the Church; and if they divided the duties of Churchwardens in the manner proposed by this Bill, and gave the exclusive control of the accommodation to the Churchwarden, who was to be called the Ecclesiastical Churchwarden, but who was not elected by the majority but by

the minority of the parishioners, they invalidated the right of the parishioners, the majority of whom would elect the person described as the secular Churchwarden. He could not conceive any principle more vicious. It was, in fact, putting the management of the fabrics and services of the parish churches up to auction. Upon this point he might cite the opinion of the late Sir James Graham on the subject of pew rents, considering that this principle of voluntary payment stood on the same sort of footing as pew rents. Sir James Graham, on the 8th June, 1858, said—

“ I will refer again to the different compromises that have been proposed. I have a most decided objection to the imposition of pew rents as a substitute. The great principle for which the hon. Gentleman contends is the legitimate principle—the principle of a National Church, the principle that the poor shall have church accommodation. It is difficult enough, with every influence which can be used by the parochial clergy, to induce the population, even without money or price, as the hon. Gentleman expresses it, to attend Divine worship, but to institute as a rule in the rural parishes that pew rents should be received from the congregation would have an effect which Churchmen least desire. Shame would prevent the very poor from coming and not contributing, and the compulsion to contribute would increase the disinclination to attend the service. It has been suggested to mark, to brand, the Dissenters—that if they think fit to declare themselves Dissenters, they shall be exempt from payment of the rate. I have the greatest objection to any such course. I regret the unhappy religious differences which prevail in this land, and the proposal of ticketing the Dissenters tends greatly to perpetuate those differences. There are many attractions in the Established Church which are inherent in our common nature. If the daughter of a Dissenter is about to be married, she naturally wishes that the marriage shall be solemnized at the same altar where her parents exchanged their marriage vows. If a man is about to die, the voice of Nature cries within him, ‘ Let my bones be laid beside his bones. Let me be buried in the churchyard where my forefathers lie—where worldly anxiety and religious differences are buried in the same grave.’ These are attractions which operate upon Dissenters and frequently lead the children of Dissenters to return to the bosom of the Church. But if you once fix what is termed the ‘ticket’ on a Dissenter, if he is to be marked by some overt act as a Dissenter, if he is required to put his hand and seal, as it were, to his dissent, it will become a point of honour with his family to adhere to that form of dissent to which their father gave a fixed and firm adherence, and all return to the Church will be for them very difficult if not impossible.”—[*3 Hansard*, cl. 1714.]

He (Mr. Newdegate) objected to the principle of the Bill, which was that of voluntary payment, or payment by parties in each parish, and of exclusion, as being totally antagonistic to the principles on which the Church of England was founded.

He said at once that he preferred the Bill of the hon. Member for Bury St. Edmunds. If the Church of England was to be cast on the voluntary principle, which was that of absolute freedom, it was only fair that the members of the Established Church should have the strength also which freedom gives. This Bill provided for the establishment of differences—religious differences within the Church, but it contained no provision for controlling these. Every Member knew the lapsed condition of those differences. The differences would be exaggerated in the Ecclesiastical Courts, and there was no provision for their improvement. This would become absolutely essential, if any similarity, he would not say uniformity, in the manner in which the services were to be conducted was to be observed; that some authority should control those differences which he maintained this Bill would establish. Surely it was not the object of that House to promote religious indifference. Conscience, uncontrolled by religion, became lax; and it should never be forgotten that if the conscience of a nation once became dead, that nation must lose its capacity for freedom. If they could not rely on the great majority being fit to govern themselves in matters social and political, freedom rested on a foundation of sand. He believed that the purity of the religion established with the Church of this country had contributed essentially to the maintenance of the free institutions of this country. The principle of this Bill would exclude the principle of the measure which stood in his name; a principle which affirmed a permanent provision. It was in this sense that Sir James Graham was prepared to relax the Statute of Mortmain, so as to enable the owners of land in fee, or even for life, to charge their estates for the maintenance of the parish church. Sir James Graham said—

“The remedy which has occurred to me, and which I have long entertained, has been announced by the right hon. Gentleman the Member for Morpeth (Sir George Grey). There are some points in his plan with which I did not agree, but I cordially agree with him in the wish to relax the Statute of Mortmain to a limited extent, so as to enable the holders of land either in fee or even for life to charge their estates for the maintenance of the parish church within certain limits. That proposal appears to me to be perfectly unobjectionable.”—[3 *Hansard*, cl. 1716.]

Provision was made in the Church Rate Commutation Bill for carrying out that recommendation of Sir James Graham;

Mr. Newdegate

but in the Bill before the House not only were there provisions for the control of existing endowments by the Ecclesiastical Churchwarden only, who might, and probably would, only represent the minority of the parish, but the Bill would enable the representatives of the minority to dispose of those endowments, and get rid of them, subject only to the discretion of the Charity Commissioners. In this respect the Bill was diametrically opposed to the suggestion of Sir James Graham and to the principle of the Bill under the title of the Church Rate Commutation Bill, which stood in his (Mr. Newdegate's) name. He felt obliged to the House for having allowed him to express the apprehensions with which this Bill had inspired him; he could not, as an honest man, consent to the second reading of a Bill which he believed to be fraught with the deepest danger, greater even than any that could be anticipated from the Bill of the hon. Member for Bury St. Edmunds. If the House consented to the second reading of this Bill, even on the supposition that it would not become law this Session, he must be forgiven if he expressed his belief that they would on further consideration regret that course. He hoped the right hon. Gentleman the Member for South Lancashire would not urge the House to place itself in a position, from which on mature consideration he (Mr. Newdegate) was convinced they would desire to recede.

Mr. NEATE said, he was glad that the second reading of this Bill was not to be carried *sub silentio*, and that the right hon. Gentleman the Chancellor of the Exchequer had not forgotten a pledge which he had given on a memorable occasion three years ago at Oxford, when he occupied a conspicuous place at a great ecclesiastical revival, that when it was in the power of himself and his party he would inaugurate what he was pleased to call a Church policy. After that declaration it would have been surprising if the right hon. Gentleman was prepared to accept a Bill which, if it meant anything, meant the establishment of the voluntary principle in relation not merely to the expenses of daily worship or the ordinances of the Church, but to the house and home, the very roof which covered the fabric of the Church. What the right hon. Gentleman meant by accepting the principle was best known to himself; but if he only meant it as a personal compliment due to the position of the right hon.

Member for South Lancashire (Mr. Gladstone), he should make it clear. It was with considerable regret and compunction that, following the right hon. Gentleman from the opposite Benches, and being still faithful in his allegiance, he felt bound to bear with his hon. Friend opposite (Mr. Newdate) the brunt of opposing this Bill, as he had always considered it one of the leading characteristics of his right hon. Friend, that he endeavoured to harmonize legislation with the interests of the Church. But he could not shrink from the task of showing that the hasty establishment of the principle of the Bill would be objectionable. There might appear some inconsistency in his conduct in this matter, as he had supported the Bill of the hon. Member for Bury; but he had done so, not thinking the country ripe for the practical acceptance of that Bill, but with the idea of declaring the desirability that at an early period there should be no such thing as a compulsory church rate. To that he adhered; and he might observe that in 1860 a Committee of the other House, presided over by the Archbishop of Canterbury, entirely gave up the principle of compulsory taxation in this matter. The only practical question was whether the exemption from payment of church rates should be partial, or, to prevent a distinction between those who paid and those who did not, universal. He did not think that full justice was done to the motives of Dissenters by stating that they objected to be "ticketed." The objection on the part of the Dissenters was, that they wished to participate in the whole of the parochial advantages without participating in their burdens, and that special exemptions could not be granted to them without subjecting them to some special disability. But the Church did not wish it to be apprehended by any division that it did not occupy the whole ground it ought to occupy. The Church considered Dissenters as erring members of the Church who might some day come back to the fold from which they had departed. The Bill of the right hon. Member for South Lancashire, while dividing parishes into two camps, did not secure to the Church the benefit which might accrue from the right of taxing itself. In that respect he greatly preferred the proposed Bill of the Solicitor General, which appeared to be intended to carry into effect the recommendations of the Lords' Committee. To such a

Bill he was prepared to give his most willing assent. The point he wished to insist on was that while they renounced, either partially or totally, the right of taxation in the Church, some provision for the maintenance of the fabrics should be established. He could not conceive it possible that, so long as the principle of an Established Church was recognized, so long as the connection between Church and State was considered a part of the constitution of England, so long as the Sovereign took an oath to preserve the rights of the Church, so long as some millions of Church property were devoted to the maintenance of the Church of England—he could not conceive how the House of Commons, or even a Minister of State, could agree to abandon the fabric of the Church to the precarious chances of voluntary contributions. As well might they leave the maintenance of the fabric of the House of Commons to voluntary contributions. He appeared as an Erastian in this matter; and if he differed from the right hon. Gentleman (Mr. Gladstone), it was not because he had any pretension to be in a higher or in the same degree a defender of the Church; but he did not see how the substitute was to be provided, except by a contribution from the funds of the Church. The fund was a secondary thing; the State must make some public provision. They could never allow a clergymen to plead as an excuse for not performing the duties incident to his cure that his church had no roof, and that he could find no funds to put a roof on it. If this Bill passed, such a state of things might occur, without any violation of the law, or any means of remedying the evil. He did not see why they should not tax the owners of advowsons and of rectorial tithes. There was another source to which they might apply, which he was sorry to say was not so fruitful as some people thought—he meant the funds of the Ecclesiastical Commission. If those funds had been dealt with as they ought to have been in past years the funds now available would be vastly larger than at present. This was more a question of principle than one of amount. He did not exclude the principle of voluntary contributions. The Church had a double character; she retained somewhat of her old Apostolic character, in so far as she depended upon the contributions of the faithful, and he should be glad to see the carrying out of this principle properly

supplemented. There was one thing he should like to add. If, ten years ago, those who now specially advocated the interests of the Church had been willing to assent to the principle of exemption, there could be no doubt that the Dissenters would have thankfully accepted any law which would have freed them from the payment of church rate contrary to their conscience, and they would not have thought of interfering with the right of Churchmen to tax themselves. He thought that hon. Gentlemen opposite should take warning from this, and should observe how the claims they put aside had gained strength by time. He hoped the right hon. Gentleman would not urge this measure to a second reading in the face of the almost contemptuous assent which had proceeded from the other side, because, if there were a majority in its favour, it would serve no useful purpose, but was rather calculated to exercise a contrary influence. He begged to move as an Amendment—

“That no scheme for the total, or partial, or absolute, or qualified abolition of Church Rates will be satisfactory to this House which does not contain some legal and certain provision for supplying any deficiency which may ensue from such scheme, in the funds applicable to the maintenance of the fabric of Church.”

COLONEL BARTTELOT seconded the Amendment in order to enable him to express his disapproval of this Bill. He believed he stated the opinion, if not of a majority, of a large portion of the House, when he said it was fully understood that a compromise of some sort should be attempted by any Government that introduced a Bill of this kind. Now, the Bill proposed by the right hon. Gentleman the Member for South Lancashire was no compromise at all; it was a giving up of the whole question by those who had fought it, and, he hoped, honourably, on both sides of the House. They were asked to take a Bill which enabled them voluntarily to contribute towards the National Church, hampering their voluntary contributions by clogs which were totally uncalled for. He had always thought that a compromise meant giving and taking on both sides, and the friends of the Church had been most anxious for some compromise which should settle this much-vexed question. The Solicitor General had laid such a Bill on table; but how was it met on the other side? The hon. Member for Bury St. Edmunds (Mr. Hardecastle) gave notice of his intention on

the second reading to move that it be read a second time that day six months. Being met in that spirit, how could they accept such a Bill as that now proposed by the right hon. Gentleman?—for they had always contended that the Church should be supported by a rate derived from the landed property of the country. Considering the state of the poor, especially in the agricultural districts, it could not surely be contended that, if the State failed to provide church accommodation, it was acting in pursuance of its duty. It was perfectly true that in the early part of the Session they had been beaten on the Bill for the total abolition of church rates brought on by the hon. Member for Bury; but it was equally true that in the last Parliament they had a majority against them of seventy-four to commence with, and they finished with a majority of ten in their favour. This showed that in the interval the opinion both inside the House and outside had come to be in favour of some fair and equitable substitute, instead of a compulsory abolition of church rates. The grievance in this matter did not exist which existed a few years ago. In large towns church rates were almost entirely abolished; while in small towns the vestry, instead of carrying a rate by a small majority, generally carried it by a much larger majority than they did ten years ago. He might instance the case of Horsham, where the majority had increased from nineteen in 1856 to 179 in 1865. If this Bill passed, in large and poor parishes where there was no resident squire the whole burden would be thrown on the clergy, and they had already enough to do. In his own district there were two parishes which almost exclusively belonged to Roman Catholics where church rates were not objected to and would not be so long as the law remained as at present; but if the law were altered and it became a matter of conscience whether the Roman Catholics of Arundel and Slindon should subscribe to the repairing of the parish church, it would be a very different matter. There were 10,000 agricultural parishes in which there was a desire to maintain the rate, and he protested against a proposition which would undermine the strength of the Church which had proved so great a blessing to the nation. It would be alike unfair and unjust to assent to the Bill of the right hon. Gentleman, and he should therefore heartily oppose it.

Mr. Neate

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "no scheme for the total, or partial, or absolute, or qualified abolition of Church Rates will be satisfactory to this House which does not contain some legal and certain provision for supplying any deficiency which may ensue from such scheme, in the funds applicable to the maintenance of the fabric of Church,"—(*Mr. Neate*,)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. BERESFORD HOPE, having his name on the back of the Solicitor General's Bill, and having also a Motion on the Paper to refer this Bill, if it passed a second reading, to a Select Committee, would briefly state why he did not think it necessary to oppose the second reading, while at the same time he should not ask the House to appoint a Select Committee which could not, at that late date, meet and report, and could only, therefore, be a mockery. His right hon. Friend the Member for South Lancashire had, in a former debate, paid him the compliment of referring to some expressions he had dropped in vindication of his going on with the Bill; he must, therefore, be allowed to explain that, while he heartily sympathized with what he believed to be a genuine zeal on the part of the right hon. Member for the interests of the Church, which had prompted him to bring forward this Bill, and while he admitted that a compromise of the church rate question would on various accounts be of incalculable benefit, he must guard himself against being supposed to give his assent to the present Bill in various details. What, in his humble position, he had encouraged his right hon. Friend to go on with, was a Bill to continue church rates minus the compulsory element. That, he thought, was a correct summing-up of what the right hon. Gentleman had proposed early in the Session, on the second reading of the Bill of his hon. Friend the Member for Bury St. Edmunds—namely, that the church rate was to be maintained; but that the compulsory element, or according to the figurative expression of the hon. Member for Birmingham—whom, by the way, they had not yet seen in his new place—the bailiff, and the process of the Court of Law, should disappear. But the Bill of his right hon. Friend did not carry out what he had proposed—it carried out something further

and different. The Bill, as it stood, was for the abolition of compulsory church rates—that is, for the compulsory abolition of a thing which had time out of mind possessed its legal identity and recognizable character, an identity and character which were not changed or mitigated by the idle prefix of a descriptive adjective. What the right hon. Member promised was, the retention of this traditional impost, accompanied by the removal of its compulsory element, but saving its identity. The introduction of that word "abolition" in the title and body of the measure was very unlucky, if the intention was to conciliate the clergy and laity of the Church of England, who had for so many years been flogged up hill and down hill, attacked, placarded, spoken against, vilified, by organization actively working with the intention of destroying the Established Church behind the breastwork of church rate abolition. Abatement, cessation, determination, or any other word, might have been used without having such obnoxious savour about it. The argument on the other side, in answer to these remarks, would be that this was not a Bill for the abolition of church rate, but only for the abolition of compulsory church rate. But that was drawing their points rather fine—that was a distinction which, no doubt, could be perceived by the acute intellects which it was well known had been engaged in drawing this Bill—a distinction which was very logical, but which it would be rather hard to assume was one that 10,000 clergy and 20,000 churchwardens in England, who would be affected by it, were likely to appreciate. By the first clause, compulsory church rate was abolished, while under a subsequent clause leave was given to set up a new voluntary rate after the fashion of the old one. This clause, recognizing as it did some shade or spectre of continuing church rate, would justify those who wished exemption and not abolition, to read the Bill a second time, with the view, if they had time, of sending the Bill to a Select Committee. That would be a peace-offering to meet the just grievance of Dissenters; but when he granted the desirability of so much indulgence towards the measure, he had, he feared, drawn largely on the amount of commendation which he felt justified in bestowing on the Bill. During the process of putting in action the new system, the Bill would do what Churchmen were bound to resist—it would create a certain vacuum,

a certain space of time between the abolition of the compulsory rate and the creation of the new voluntary one, wherein the identity of the two would be lost, and so that prestige of continuity, on which those who advocated the exemption compromise relied, would be lost. That was his great objection to the Bill. He would exempt Dissenters, but save withal the continuous identity of the rate. What he wanted was, the same old rate, made and collected in the old way, though not from all the same old persons. The principle of continuity was essential, and why did Dissenters object to granting it? The plea of conscience could not be urged, for the remedy which he offered would—perhaps to the large material damage of the Church—let off every person who had, or who professed to have, a conscience in the matter. The truth was that the political Dissenters who had in the resistance to exemption wished to get rid of the fact patent in all history, that the Church was an institution of the country, interwoven in our system, so that while those who dissented from it suffered no civil disability, yet the fact remained patent that the Church was the rule, and Dissent the exception. It was not the ticketing that was objected to, but the recognition of the truth that while individuals, one by one, or hundreds by hundreds, might be let off from paying church rates, yet that the Church, with all its accidents, was to remain a normal institution of the land. He would like to say a word about this phrase ticketing. He was compelled to confess that he had no great belief in the reality of the dislike felt to it. He never knew of any man who could get off any other tax, or any other inconvenience, by making a declaration—that is, by ticketing himself—prefer to remain subject to it from any objection to putting his name to a bit of paper; and so, unless human nature was different in the case of church rates, he was quite unable to realize the Dissenting position, and therefore compelled to deal with it as a further proof of that state of mind which he had just endeavoured to explain to the House. Besides, under such a compromise as that of the Solicitor General, no one was called on to ticket himself as a Dissenter. Any measure of compromise—and the more liberal the better, saving only the principle of which he had spoken—it was their duty as Christian men to meet half-way, and all the way if they could. Such was the proposal of his hon. and learned Friend the

Mr. Beresford Hope

Solicitor General, which contained the one cardinal merit to which he had just called attention—namely, that the absentee was not called upon to declare himself a Dissenter. It gave an exemption to those who, from whatever cause, would be exempted; and when a man wished to return he was as complete and thorough a Churchman as before, by a simple process of paying up. But he had not exhausted his objection to the Bill of his right hon. Friend—not only was the new payment to be a purely voluntary rate, but there was not even any power given to enforce it against those who had assented to it, and who had by their assent contributed to fix its ratio for their co-assenting neighbours as well as themselves. The injustice of this provision was palpable, for of course if the old rate were distributable over fifty and the new one over thirty-five, then to raise the requisite sum each of them would have to pay in the ratio of fifty to thirty-five of what they would have had to contribute under the old system of church rates. Was it not then monstrous that when they had so agreed among themselves there should not be provided a power—not by the old cumbrous machinery of the ecclesiastical law, but by the tribunal which so sharply looks after good faith between man and man, the County Court—to keep them to their word? The former clause made the new impost a voluntary rate; by the present one it would become in mathematical language “voluntaryism square.” He could not help hoping that for very shame Gentlemen on the other side would come forward to repudiate so damaging a deficiency, and to concede that which would be no limitation of the rights of conscience, but a simple recognition of common good faith among persons who had without compulsion passed their word to each other.

The Bill, however, had its good side in the provision which laid down that the person who would not pay should not have his share in the management of Church affairs. He gladly admitted the value of this compensation, and he was not afraid to say that its presence in the measure was the chief cause of his giving it so much of support as he had done to it. He was the more anxious to do so as there was one particular in it, which had, he believed, been much misunderstood, and had given rise to much of the opposition offered by earnest Churchmen—he meant the words which prohibited the allotment of sittings to those who refused their voluntary rate.

If this implied, as many seemed to think, that these persons were to have the church door shut in their faces when they went to worship, he could thoroughly agree in the objection. But he read it quite differently, and believed that it simply meant that the householder who had wilfully refused should have no right to a share in the periodical allotment which, by old usage, the churchwarden was accustomed to make, but must take his chance with the worshipping non-parishioners who might frequent that church. In this he saw no unfairness.

Now, having done with the Bill, he would say a few words on the Amendment of his hon. Friend the Member for the city of Oxford. His hon. Friend's speech was characterized by great personal zeal for the Church, but then he advocated his plan upon grounds which ought to make other Churchmen cautious in accepting it. His hon. Friend said he himself was an Erastian; this was candid: but as he (Mr. Beresford Hope) had a particular dread of Erastianism, he was bound, on the faith of those words, to be very cautious in accepting his hon. Friend's proposition. The hon. Member had laid down that the Church and her possessions were public property. He, on the contrary, believed that the Church was a corporation and held her property like other corporations, in fee for her own use, under the protection of the laws of the land: nor would he accept that mess of pottage so eagerly tendered to induce the Church to give up her birthright—her own enduring right to her own property. By the proposal of his hon. Friend the churches of the land would be assumed by the State, and once that was done what guarantee had they that those churches would not in a short time, at the arbitrary will of the majority, be let out at different times to different denominations? They had the example of the way in which this principle had been worked on the Continent since the cataclysm of 1789—for instance, in many parts of Germany the same building was used by the Protestants and Roman Catholics at different hours, while in other countries the whole mass of Church buildings had in one sweep been usurped, to be regarded on no more abiding tenure than the letter of that fresh grant. Now, he should utterly resist, as he hoped all Churchmen would do, the introduction of that system into England, and therefore was compelled to state that the proposal of a fabric rate was, in his opinion, most insidious and dange-

rous, for it would be the thin edge of the continental practice. That was the reason he was so strongly in favour of the exemption compromise, notwithstanding all the faults it undoubtedly possessed. He was not blind to the material injury which it might inflict on many country parishes, he recognized to the full the illogical character of a voluntary tax. And yet, with his eyes open, he advocated the exception compromise mainly for fear that if it were rejected, the fabric tax might be set up, and with its establishment, the knell be struck of the Church of England as an independent corporation. Earnestly, therefore, he appealed to Gentlemen on both sides of the House not to let the opportunity go by, but to come forward while there was time, and make a reasonable compromise which should preserve the form of the rate, while freeing from it those who only paid it grudgingly and unwillingly. Under these circumstances he was heartily glad of the decision at which the Treasury Bench had arrived of not dividing against the Bill on the second reading, as this would be a guarantee of good feeling and the foundation of a friendly understanding upon which, during the recess, they might consult the clergy and laity, including Nonconformists, with a view to arriving at some decision upon the subject next Session. He did not suppose that at that period of the Session the Solicitor General would press his measure, while he should certainly not move for the Select Committee of which he gave notice now many weeks ago.

SIR ROUNDELL PALMER said, he should have been glad if the House had come to a decision upon the second reading of the Bill without any long debate, but as some discussion had taken place, and there appeared symptoms of a desire to continue it, he might be permitted to say a few words which might possibly be useful as tending to assist in the future settlement of the question. The present measure embraced three principles—the abolition of compulsory church rates, the continuance of the existing machinery for voluntary purposes, and the making it a condition that those who declined the ecclesiastical burdens of vestrymen should likewise relinquish the ecclesiastical powers of vestrymen. With regard to the abolition of compulsory church rates, he would say that he had always been most unwilling to see the question settled without accomplishing the object

to which the hon. Member for the city of Oxford (Mr. Neate) had referred—namely, that of securing by law the permanent and sufficient maintenance of the fabrics of the Church. He yielded to no man in the value which he set upon the Established Church. He believed it to be a national institution which conferred inestimable benefits upon the country, and which was so interwoven with all our other most valued institutions that he could not contemplate with anything like equanimity any circumstances tending to its subversion. That being so, he had always been strongly impressed with the truth of the proposition which had been advocated by some of those who had taken part in the debate—that if there was to be an Established Church, the fabrics must be maintained; and if he thought there was no reasonable ground for believing that the fabrics of the Church would continue to be maintained under a change of the law, he should have had no hesitation in saying that he should still be unwilling to see the law changed. He could not, however, bring himself to believe that that would be the case, if either of two things were done—if they either substituted some other legal provision for the purpose, which was not proposed, or if they left the Church a free and fair opportunity of meeting the deficiency by her own resources; and he had acceded to this Bill on the ground that it offered a reasonable prospect of attaining that end. Whether it would be perfect or not, he believed it would be valuable in a high degree: and the Church possessed resources and energies quite sufficient to enable her, if all obstructions were taken out of her way, and if she were permitted the use upon voluntary principles of the old machinery, to meet her wants in every parish in the kingdom. At all events, he was sufficiently convinced of the probable efficacy of the system to be willing to see it tried. He could not shut his eyes to the difficulty of justifying in principle the present law, or to the dangers to the Church and the country, as far as it was identified with the interests of the Church, in the continuance of the present state of things; nor could he see his way to any other practical remedy which was better than the one now proposed. What did he mean when he said that he could not justify in principle the present state of the law? He meant that the law did not simply impose this tax for the maintenance of the churches as other taxes were imposed—by

the authority of Parliament, or by purely secular machinery. It was true, in a certain sense, and it had been said over and over again, that church rates were a burden upon the land, imposed by the common law; it was undoubtedly true that the common law established the particular method by which, according to the peculiar custom of this country, the churches were maintained out of the land. But the common law only gave its authority to the bare abstract proposition, that this was a legal liability: it left all the consequences to be carried out by ecclesiastical machinery. If it were merely a common law obligation—if the common law did not proceed upon the footing of an ecclesiastical obligation—there must have been in this, as in all other cases, a remedy at common law. No doubt the common law did, on the ground of the ecclesiastical law and the national custom which it recognized, say that the land should be liable for the maintenance of the Church; but it left the ecclesiastical machinery of vestries to work it out by imposing the rate, and, what was more important still, it left the Ecclesiastical Courts to compel the payment. The common law did not step in to take off any part of the burden from the ecclesiastical law; and therefore the true conclusion was, that though the common law established the burden, it did so upon the theory that all citizens of the State were members of the Church of England, and that all participated in the ecclesiastical duty of contributing to the support of the Church; and, treating all citizens as churchmen, it left the Ecclesiastical Courts to impose or enforce the obligation. He was at a loss to reconcile the continuance of that state of the law with the advance which had been made in the principles of toleration and religious liberty. To say that Dissenters might for every other purpose separate themselves from the Church and free themselves from ecclesiastical control, but that this burden should nevertheless be imposed upon them really on ecclesiastical principles, and enforced, not by common law, but by ecclesiastical law, appeared to him to be an anomaly tending to two mischievous results—to keep up constant discontent on the part of Nonconformists, on the ground that the Established Church was not maintained on the principles of religious liberty, and that ecclesiastical machinery was made use of to their oppression; and, at the same time, to force Nonconformists, in their own defence, to inter-

ferre in the vestries and administrative machinery of the Church, rendering that machinery inapplicable to its proper purposes. It invited and encouraged Dissenters to offer obstructions to the internal management and administration of Church affairs, for which they would have no motive and no inclination if this burden were not cast upon them. The present state of the law, therefore, could not be justified on principle. Could it be justified by its practical effects? The law was that in every parish the church should be thus maintained. The obligation was as great in large cities and boroughs as in the smallest rural parish. But the Nonconformists had been able to exclude the operation of the law from most of the large places, and it was attempted to maintain it, not upon the large and general basis of a national law, applicable for a national purpose, but upon that of a law of partial, uncertain, and exceptional application, in particular parishes. This state of things was most unsatisfactory and dangerous. It invited Nonconformists to take part everywhere in the vestry for the purpose of exerting their power on every opportunity; it encouraged religious animosities; it produced conflicts between the Church and Nonconformists, which must be prejudicial to the Church and to society; and, at the same time, it tended to stir up great questions with reference to the Church and State, which without this opportunity of keeping up a constant agitation, might not arise, and which, if persisted in, must by-and-bye prove formidable. This state of things also formed an obstacle to those progressive measures which might contribute to the prosperity of the Church; they would be much better able to obtain the assistance of Parliament for any re-arrangements which it might be desirable to make for the temporal welfare of the Church, if they were relieved from this perpetually embarrassing question. That conclusion was brought home to him in this way. A noble Duke (the Duke of Marlborough), when a Member of the House of Commons, had in perfect good faith brought in a Bill to enable new parishes to be created by the subdivision of old parishes, stating his belief that the effect would not be to enable church rates to be levied where they were not levied before; but he said for all ecclesiastical purposes new parishes were to be separated from old. The law, however, had since determined that church rates were an ecclesiastical purpose, and therefore that they might be

levied in the new parishes. The effect of the natural discontent and resentment of the Nonconformists at this unexpected result had been, that they had rendered hitherto impracticable the very desirable work of amending and consolidating the law with reference to the building of churches and the creation of new parishes. Having stated his reasons for thinking it expedient to put an end to compulsory church rates, he would briefly explain what, in his opinion, should be provided instead. The suggestion made by the hon. Member for Oxford (Mr. Neate) was, at the present time, absolutely impracticable, and it could not be expected that the House would by any chance agree to it. Then came the principle of exemption, which had been proposed to the House in two forms. The proposition that Dissenters should be allowed to decline payment of rates had been objected to on the ground that they would thereby be "ticketed." He had never appreciated that argument when offered by Dissenters themselves, as he had never found them ashamed of declaring their opinions. But, on the other hand, the Church did not wish to draw the line wider than it was at present between herself and the Dissenting body; and to give a pecuniary motive for a declaration of Nonconformity was not for the interest of the Church. Then came the proposal embodied in the Bill of the Solicitor General, about which, at first sight, there was something plausible. It was proposed that a man should declare beforehand his desire to be exempted; and that at the same time he should give up all right to interfere in ecclesiastical matters. But Nonconformists would not be satisfied with that. If all Nonconformists would send in the notice of objection the difficulty would be at an end; but the majority would not give up their influence, upon terms which did not altogether, without reference to precautions to be taken by each man for himself, put an end to the grievance of which, as a body, they complained. That Bill, if it were passed, would probably prove a dead letter, and would not effect any final settlement of the question. What was proposed by this Bill? In the first place, that the power of using the old machinery should belong to the Church in every parish as before; and he believed that in the great multitude of parishes where the people had gone on contentedly under the old machinery, where it had not been necessary to put in distresses, where

ecclesiastical suits had not been required, where owners and occupiers of land were members of the Church, they would continue voluntarily to use that machinery, and that the cases would be few where any difficulty or confusion would arise. He and those who thought with him were ready, therefore, to adopt this principle, relying at the same time upon the further resources of diocesan funds, and other forms of voluntary contribution. They thought that, the compulsory church rate once got rid of, there would be no inducement to Dissenters to interfere in the affairs of the Church; but as there might be apprehension of even a voluntary rate being frustrated, and of obstruction being offered to the expenditure of funds voluntarily contributed in accordance with the wishes of the contributors, it was thought that, for the security of the Church, those who were relieved from the burdens of the vestry should also relinquish the powers of the vestry. The hon. Member for North Warwickshire (Mr. Newdegate) seemed to apprehend that under the provisions of the Bill persons with extreme ideas would be able to introduce into parish churches ceremonies and ordinances that ought not to be introduced. Nothing that was illegal could be done under this Bill any more than it could under the existing law, and any one who was willing to pay the rate might go to the vestry and object to anything that might be proposed. He thought, therefore, there was no solid ground in that objection, and if there were it was matter of detail, with respect to which precautions might be taken in Committee. He trusted the House would accede to the principle of the Bill, and that when considered in detail it might lead to a satisfactory settlement of this vexed question.

MR. HUBBARD said, that five years ago he had himself introduced a Bill to amend the law of church rates; and when he heard the late Chancellor of the Exchequer promise to introduce certain clauses into his Bill with a view to adjust existing differences of opinion, he listened with great pleasure, believing that he proposed to embody in his Bill the principle which he (Mr. Hubbard) had laid down. He had proposed in his measure of five years ago to give the most unqualified liberty to Dissenters as to paying or withholding their contributions to those rates; but he asked them at the same time to refrain from interfering in any way with the

members of the Church when they were willing to raise amongst themselves the necessary funds for the support of the services of the church. But the very title of the right hon. Gentleman's Bill was ambiguous and suspicious. It was called "The Compulsory Church Rates Abolition Bill." Why, no such thing existed as a law of church rate under such a title. If the right hon. Gentleman simply called his measure a Church Rate Abolition Bill there would be no objection to the name, for it would harmonize with its purpose. But it was a misuse of words to call it as he had done. By the provisions of the Bill, when church rates had been abolished liberty was to be given to raise a private subscription, which every one knew could be done without Parliamentary licence. It was necessary, in his opinion, that churchwardens should know the amounts and the persons upon whom they could levy their rate; else they would not know how much it would produce. The Bill of the Solicitor General, which was similar to a proposal made by himself five years ago, would enable this to be done, and at the same time relieve Dissenters from liability without in the slightest degree doing violence to their feelings. Where the Dissenters simply declined to contribute, the churchmen could set about making their own rate, and they would know what it would yield, for they would know the value on which it would be assessed. The hon. and learned Member for Richmond (Sir Roundell Palmer) had said Dissenters would decline exemption on the terms proposed, because those terms involved the surrender of a power of interference. His answer to that was that the only places where church rates were now levied were those in which Dissenters were in a helpless minority; and what power they had was useless to them. One great objection to the Bill under consideration was that it forbade the poor man's entry to the church if he did not pay his rates. The Bill of the Solicitor General would allow him full liberty to enter.

SIR ROUNDELL PALMER said, the Bill of his right hon. Friend did so too.

MR. HUBBARD said, he was very glad to hear it. The hon. Member was proceeding, when it being a quarter to six of the clock, debate adjourned till Tomorrow.

Sir Roundell Palmer

NEW ZEALAND GUARANTEE.

COMMITTEE.

Order for Committee read.

Mr. HENLEY inquired what amount of money the House was asked to guarantee?

Mr. HUNT said, the matter had been referred to in the Financial Statement of the late Chancellor of the Exchequer; the amount was £500,000.

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to guarantee the liquidation of Bonds issued for the repayment of Advances made out of Public Funds for the service of the Colony of New Zealand.

House resumed.

Resolution to be reported *To-morrow*.

POOR LAW AMENDMENT BILL.

On Motion of Mr. GATHORNE HARDY, Bill to amend the Act providing Superannuation Allowances to Officers of Unions and Parishes, and to make other amendments in the Laws relating to the Relief of the Poor, *ordered* to be brought in by Mr. GATHORNE HARDY and Mr. EARLE.

Bill presented, and read the first time. [Bill 221.]

RAILWAYS (GUARDS' AND PASSENGERS' COMMUNICATION) BILL.

Select Committee *nominated* :—Mr. HENRY B. SHERIDAN, Captain STACPOOLE, Viscount MILTON, Captain MELLER, Mr. O'BEIRNE, Colonel PACKE, Mr. WATKIN, Mr. SHERRIFF, Colonel BARTELOT, Viscount GALWAY, Lord RICHARD Grosvenor, Sir STAFFORD Northcote, and Mr. MILNER GIBSON; Five to be the quorum.

House adjourned at two minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, July 19, 1866.

MINUTES.]—SELECT COMMITTEE—*First Report*—Office of Clerk of the Parliaments and Office of the Gentleman Usher of the Black Rod.

PUBLIC BILLS—*First Reading*—Extradition Treaties Act Amendment (200); Local Government Supplemental (No. 2)* (201); Local Government Supplemental (No. 3)* (202); New Forest Poor Relief* (203); Rochdale Vicarage* (204); Oyster Bed Licences (Ireland)* (205); Colonial Clergy Disabilities* (120).

Second Reading—Sheriff Court Houses (Scotland) Act (1860) Amendment* (57); New South Wales and Van Diemen's Land Government* (195); Revising Barristers' Qualifications (196).

Committee—Pier and Harbour Orders Confirmation* (185).

Report—National Gallery Enlargement* (171); Dean Forest (Walmore and the Bearce Commons)* (178).

Third Reading—Glebe Lands (Scotland)* (139); Carriage and Deposit of Dangerous Goods* (159).

Withdrawn—Masters and Operatives (59).

EXTRADITION TREATIES ACT

AMENDMENT BILL.

(*The Lord Chancellor.*)

BILL PRESENTED. FIRST READING.

THE LORD CHANCELLOR: My Lords, I venture to engage your attention for a short time while I propose for your consent a Bill which is of very great importance, and of urgent necessity. It is a Bill for the Amendment of the Law relating to Treaties of Extradition. Your Lordships are no doubt aware that we have had for some years a treaty of this description with France, and you have probably heard that in consequence of some dissatisfaction which has been felt by the French Government as to the mode in which this treaty has been dealt with by this country, notice was given by them in the month of December last, under the stipulations of the treaty, for its discontinuance at the expiration of a period of six months. Her Majesty's late Government were alive to the importance of this treaty; and accordingly they entered into communications with the French Government upon the subject. I believe they were met in the most friendly and cordial spirit, and the French Government agreed to extend the notice for six months longer—so that the notice would not expire until the 4th of December—while, at the same time, they intimated pretty plainly that unless some alteration of the law were made by which effect would be given to the treaty, which they considered had been almost a dead letter, they should feel themselves compelled to abandon it at the end of that extended time. The noble Earl the late Secretary for Foreign Affairs immediately directed a Bill to be prepared, which I believe, but for the change of Government, would have passed through both Houses of Parliament by this time. That Bill was found in the office, and was approved of by the present Government; and I am now introducing it to your Lordships' attention, it being considered by us to be one which will exactly meet the exigencies of the case. I will briefly explain to your Lordships the circumstances under which legislation becomes necessary upon this im-

portant subject. The law of extradition in this country only dates from the year 1843. In that year two treaties were entered into—one with France and the other with the United States—and Acts of Parliament were passed to give effect to them. It certainly is an extraordinary circumstance, considering the importance of treaties of this description to a commercial country, that these should be the only ones into which we entered until the year 1862, when a similar treaty was concluded with Denmark. But these three treaties—with France, with the United States, and with Denmark—are the only Extradition Treaties in existence between this country and foreign nations; while France has no less than fifty-three treaties of this description, and I believe she has found no difficulty whatever in carrying them into effect with other countries. But with respect to this country, it is a most remarkable thing that for twenty years—from 1843 to 1863—not a single criminal has been delivered up when demanded by France. This has arisen partly from the view which was taken of his duty upon these questions by the magistrate who then presided at the Bow Street Police Court. He thought that he ought to inquire into the guilt or innocence of the party who was accused, instead of confining himself strictly to the question, whether there was on the depositions a sufficient case to warrant the sending of the accused to be tried. The French Government having been repeatedly baffled and disappointed in their attempts to obtain their fugitives, it is much less to be wondered at that they should have given notice of the discontinuance of the treaty, than that they should have borne disappointment so patiently. They had another ground of complaint with regard to the interpretation put upon the Extradition Treaty, as to the proof required of the different documents transmitted for the purpose of establishing the case. The Legislature felt that it would be most inconvenient, and would occasion considerable delay, if the foreign Government were compelled to send over witnesses for the purpose of establishing the case against the party accused; and therefore, by the provisions of the Act of Parliament, copies of the depositions certified by the Judge who issued the warrant were to be admitted as evidence of the criminality of the accused. If the provisions had stopped there no complaint could have arisen; but in addition to that proof, the Act of the 6th and 7th of the

The Lord Chancellor

Queen provides that those depositions shall be proved to be true copies by the witnesses who brought them over. Now, the way in which documents of this kind are transmitted from France is this:—The depositions are sent over accompanied by a certificate authenticated by the official seal and signature of the Minister of Justice; and undoubtedly that proof ought to be sufficient to warrant the reception of the document. The French Government naturally feel that it is a great indignity to require them, in addition to this solemn verification, to send over a witness for the purpose of proving that he had examined the copies with the originals, and that they were true copies. It is most extraordinary that this should be required, because under the law with regard to proving documents from foreign countries in our Courts of Justice, any judicial proceedings, or any documents emanating from a Court of Justice, can be proved by the production of copies of those documents purporting to be sealed with the seal of the Court, or with the signature of the Judge of the Court accompanied by a statement to the effect that the Court had no seal, without any proof whatever of the authenticity of the signature or of the seal, or of the judicial character of the person who affixed the seal or the signature, or of the truth of the statements contained in the documents. If, therefore, those documents were produced in a Court of Law, verified in the way I have stated, there is no doubt whatever that they would be perfectly good evidence; and there can be no reason why a difference should be made in the mode of proof with regard to the transmission of documents from France under the Treaty of Extradition. The present Bill, which was prepared by the late Government, proposes to amend the law in this respect, and to allow documents in cases under the Extradition Treaty to be verified in the way that is customary in the Courts of Law. I believe that if this Amendment of the law is adopted—though it should not be entirely satisfactory to the French Government—it will go a very considerable way to reconcile them to our law upon this subject, and to induce them to abandon their intention of discontinuing the treaty.

My Lords, I wish to take this opportunity of removing a misapprehension which appears to prevail upon this subject with regard to the objects of the French Government. It has been supposed that they are extremely desirous upon political

grounds of continuing the treaty in order that they may, by charging criminal offences against particular individuals, get possession of these criminals, and then try them for political offences. Now, there cannot be a greater mistake than the notion that any such law prevails in France. On the contrary, the French law is so strict upon that subject that where a person is delivered up under an Extradition Treaty, he can only be tried for the offence stated in the extradition warrant; and, if he is acquitted of that offence, although he may be charged with twenty other offences, he is allowed to quit France and to return to the place from which he was sent, and he cannot be put upon his trial on any other charge. A striking instance of this was furnished in the case of the Extradition Treaty between France and Belgium. A man was charged with a rape; he escaped to Belgium; he was delivered up by the Belgian authorities; he was tried for the offence and acquitted. It was then proposed that he should be tried for an indecent assault, which of course was included in the greater offence; but so strict were the French authorities in the interpretation of their law that they refused to try the man for that offence, and he was discharged and sent back to Belgium. There is one other matter to which I wish to advert. It is supposed that the French Government are extremely anxious to have their fugitive criminals, who have been convicted, delivered up. Now that must be explained. There are two modes of conviction in France—one after trial in the presence of the accused, and the other *par contumace*. Persons who have escaped and are convicted *par contumace*, as it is called, if they are delivered up to France, are not sentenced upon that conviction, but are again put upon their trial, and they are then of course exactly in the same position as a person who has merely had a charge preferred against him, and has fled from justice, and the conviction *par contumace* has no effect whatever. Treaties of this kind are of the greatest possible importance to a commercial country; and I think it is very much to be regretted that the offences comprehended in our Extradition Treaty with France should be so limited. They only extend to murder, attempt to murder, forgery, and fraudulent bankruptcy. It would be very important indeed to the commercial world if the treaty were extended to other offences which are of frequent occurrence, and which at present easily

escape punishment from our facility of communication with France. But these are matters for future consideration. At present all I ask your Lordships is to assent to this Bill, which will amend the law in a slight particular, apparently, but in one which will give effect to the intentions of the Legislature when it passed the Act of 1843. The measure will, I think, conciliate the French Government, with regard to that treaty; it will show our desire to carry that treaty faithfully into effect, and to meet them in the same fair and just spirit in which they have always met us upon these subjects. Under these circumstances I ask your Lordships to give a first reading to the Bill.

THE EARL OF CLARENDON: It is unnecessary for me to trouble your Lordships at any length after the very full and clear statement of the noble and learned Lord in presenting the Bill; but I wish to say a few words on this subject. Her Majesty's late Government thought the intimation of the French Government, given in the month of December last, not to renew the treaty, was rather a hasty proceeding; but, at the same time, it did not much surprise me, because not a single person had ever been delivered up to them under the treaty. This result was brought about, not because the English magistrates were unwilling to give effect to the treaty, but because the evidence adduced was considered by them to be insufficient. Nevertheless, I thought it would be much better to have kept the treaty in existence, for though it might not be in active operation, still it hung *in terrorem* over the heads of offenders, none of whom could be absolutely certain that he would not be delivered up under its provisions. It is quite right that there should be such a treaty between two great countries like England and France, which are only separated from each other by a few miles of sea. I am aware that a jealousy exists on this subject, and that we have only concluded three treaties of this kind. For my own part I thought it was preferable to retain the Treaty of 1843, making it operative, instead of asking Parliament to sanction a new treaty; and therefore, I had recourse to Sir Thomas Henry, the chief magistrate at Bow Street. I mention his name because it is mainly owing to his intelligence and ability, and the zeal with which he conducted the negotiations which took place, that we are saved from a position of some embarrassment and some discredit; for the French

Government have always attributed what they considered our indifference to the working of the treaty and our supposed indisposition to amend our law to our mistrust of their good faith, and our fear lest they should misuse the treaty for political purposes. Now, there was not the slightest cause for any such apprehension. Lord Cowley was able to confer on the subject with the legal authorities in Paris, and to state to them what were the intentions of Her Majesty's Government, and what concessions they were disposed to make with the view of making the treaty operative. Sir Thomas Henry subsequently went to Paris, and was received with great goodwill by the French authorities. The result of those negotiations was that I was enabled to prepare the Bill which has now been introduced by the noble and learned Lord. Its object simply is to admit, under abundant safeguards, public documents, and authorized copies of them, as evidence in cases arising under the treaty. I think there is every reason to believe that this will satisfy the French Government, because it will make the treaty operative, and go far to conciliate them. If it is sanctioned by Parliament and found to work well, I hope that the category of crimes will be extended in the way suggested by the noble and learned Lord.

Motion agreed to.

Bill for the Amendment of the Law relating to Treaties of Extradition read 1^a; to be *printed*; and to be read 2^a *To-morrow*. (No. 200.)

MASTERS AND OPERATIVES BILL.

(*The Lord St. Leonards.*)

(NO. 59.) BILL WITHDRAWN.

Order of the Day for the Second Reading read.

LORD ST. LEONARDS said, that when he laid the Bill on the table at the beginning of the Session, he announced that it was not his intention to propose the second reading unless he found that the measure met with the approval of both masters and operatives. Since the Bill had been read a first time he had put himself in communication with both parties, and it appeared to him there was a general desire on the part of the operatives that the Bill should be passed into law, while there was no such desire on the part of the masters to have any such Bill passed. At a meeting of delegates who, as he was informed,

represented 100,000 operatives, a long discussion took place, and a resolution in favour of the Bill was carried. A number of those delegates had an interview with him for the purpose of receiving an explanation on some points; and he found that those men seemed well disposed to act in a harmonious manner with the masters, and they, in their representative capacity, expressed an entire approval of the Bill. But, on the other hand, in his communications with the great builders of London they told him that they thought the Bill would do them no good, although on a previous occasion, after an interview with him, they were desirous that such a Bill should be passed. He, therefore, did not ask their Lordships to read the Bill a second time. He had considerable correspondence with both sides, and he had taken a great deal of trouble to effect what he thought would tend to the public advantage, and he had discovered that both masters and operatives were desirous that a Bill should be passed which would provide for the regulation of future wages. Now, the Bill which he had introduced carefully provided that the Council of Conciliation should have no such power, and he had expressed his opinion to the effect that he had no intention of ever presenting a Bill to that House which should give Courts of Conciliation absolute power over wages; and, at all events, not unless confined to a very limited period. His purpose now was to move the discharge of the order for the second reading. Next Session he would introduce again the same Bill; and if the operatives and masters after reconsidering the Bill should petition the House in sufficiently large numbers he would do what he could to effect its passing. It was a permissive Bill, no man being bound who did not choose to be bound by it; and he had not the slightest doubt of its working well if it were to be passed. He moved that the order for the second reading be discharged. Its future progress would depend upon the masters and operatives themselves.

THE EARL OF SHAFTESBURY said, it was but justice to the noble and learned Lord to state that the Bill had been received with considerable favour by a large number of operatives in all parts of the kingdom. Indeed, some such measure was required in the times in which we lived. Disputes about wages and other matters would necessarily arise, and unless something were done there would be perpetual strikes, and the ten thousand evils which

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usually accompanied them. He had been anxious to learn the opinion of the operatives in regard to the present Bill, and he had received a letter from the chairman of a large body of working men, to whom the Bill had been submitted. The writer of the letter believed that the Bill, as a whole, was a wise one, and likely to have beneficial results. He also stated that he was apprehensive of strikes, and desired to avert them; and that the establishment of Councils of Conciliation, as proposed by the Bill, would in many instances prevent disputes, and generally foster a better understanding between employers and employed. It was a matter to be regretted that such a Bill should be withdrawn, but he trusted that next Session some such Bill would be passed into law.

Order discharged.

Bill (by Leave of the House) *withdrawn*.

REVISING BARRISTERS' QUALIFICATIONS BILL—(*The Lord Chancellor.*)

(NO. 196.) SECOND READING.

Order of the Day for the Second Reading read.

THE LORD CHANCELLOR said, that under the law as it at present stood Revising Barristers were disqualified for holding any other office under the Crown; but several of those gentlemen had been appointed Commissioners to inquire into corrupt practices at recent elections, and the Bill before the House was to enable them to retain both offices. He moved that the Bill be read a second time.

Motion agreed to: Bill read 2^a, and committed to a Committee of the Whole House To-morrow.

SEWAGE AND POLLUTION OF RIVERS.

MOTION FOR A SELECT COMMITTEE.

THE EARL OF SHREWSBURY said, that the subject of disinfecting sewage and preventing the pollution of rivers was one of great importance, and he hoped his noble Friend at the head of the Government would sanction the appointment of a Committee to inquire into the matter, and if there were ground for it, and he believed there would be, he trusted the Committee would be renewed next Session.

Moved, "That a Select Committee be appointed to inquire into the Means suggested by Mr. Dover of disinfecting sewage and preventing the Pollution of Rivers."—(*The Earl of Shrewsbury.*)

THE EARL OF DERBY said, no one could dispute the great importance of pre-

serving rivers free from pollution, and few could have more practical experience with reference to the matter than himself, since he lived in a country where every stream and brook was to a great extent polluted. But as a Royal Commission had begun an inquiry into the whole subject, commencing with the Thames, he thought it would be most inexpedient for their Lordships to appoint a Committee to examine into the value of any particular scheme of purification. He had heard Mr. Dover's patent very highly spoken of; but whatever its merits—and he would not detract from them—he thought if their Lordships consented to inquire into this one patent they could not, in justice, refuse to inspect and report upon the merits of the patent of any other inventor who chose to offer his plans for their inspection. Besides, the Committee could not hope to furnish the House with a trustworthy Report upon the subject unless they had some better means of testing the quality of the patent than the small model it was proposed to offer them. As it was most unlikely the labours of the Committee would lead to useful legislation, he thought that rather than waste the time of the noble Lords who would form the Committee it would be better not to appoint it.

LORD DENMAN was understood to support the Motion for a Committee.

LORD REDESDALE said, there was no doubt Mr. Dover's invention was very ingenious, and that his model worked very well; it seemed to purify the water very readily, and Mr. Dover made good use of the deposit which came from the water; but, at the same time, he agreed with the noble Earl that it was impossible to appoint a Committee to examine and report upon every invention brought under notice. No good could come of an inquiry into Mr. Dover's scheme unless Parliament were prepared to order that it should be tested on a large scale at the public expense; but although he objected to the appointment of a Committee especially to inquire into the merits of Mr. Dover's invention, he had no doubt, after what had fallen from their Lordships, that the Royal Commissioners would be induced to examine it themselves.

THE EARL OF SHREWSBURY said, he admitted the force of the objection, and had no wish to persist in his Motion; but as to the remark that a Royal Commission had been appointed to inquire into the whole subject, he feared that the scope of

their inquiry was too great to permit them to make an examination as to the merits of any particular scheme ; while a Committee appointed to inquire into the one subject would give it particular attention.

THE EARL OF DERBY said, he had no power to direct the Commission, but he had very little doubt that, considering what a very favourable opinion had been expressed on the experiments which had been made with Mr. Dover's patent, the Commission would be willing to receive evidence on the subject.

Motion (by Leave of the House) *withdrawn*.

House adjourned at a quarter past
Six o'clock, till To-morrow,
half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, July 19, 1866.

MINUTES.]—NEW MEMBER SWORN—Rear Admiral George Henry Seymour *for* Antrim.

SELECT COMMITTEE—*Report*—On Trade in Animals (427).

PUBLIC BILLS—*Resolutions reported*—Fees (Public Departments) ; Constabulary Force (Ireland) [Pay, &c.] ; New Zealand Guarantee.

Ordered—Fees (Public Departments)* ; Constabulary Force (Ireland) [Pay, &c.]* ; New Zealand Guarantee* ; Parochial Buildings (Scotland) Act Amendment* ; Railway Construction Facilities Act (1864) Amendment*.

First Reading—Fees (Public Departments)* [223] ; Constabulary Force (Ireland)* [224] ; New Zealand Guarantee* [225] ; Parochial Buildings (Scotland) Act Amendment* [222] ; Railway Construction Facilities Act (1864) Amendment* [226].

Second Reading—Drainage and Improvement of Lands Act (Ireland) Provisional Order* [216] ; Courts of Justice* [217] ; Public Works, Harbours, &c.* ; Public Works Loans (Ireland)* [219] ; Paupers (Scotland)* [197] ; Court of Session (Scotland)* [204] ; Overseer of the Poor (Small Parishes)* [214] ; Poor Law Amendment* [221].

Committee—Thames Navigation (*re-comm.*) [205] ; Inland Revenue [209] [R.F.] ; Commons (Metropolis)* [84] ; County Assessments (*re-comm.*)* [179].

Report—Thames Navigation (*re-comm.*) [205] ; Commons (Metropolis)* [84] ; County Assessments (*re-comm.*)* [179].

Considered as amended—Oyster Fisheries* [169] ; Straits Settlements* [176] ; British Columbia* [186].

Third Reading—Hundred Bridges* [178] ; Charitable Trusts Deeds Enrolment [Lords]* [199].

Withdrawn—Entail (Scotland)* [45] ; Waterworks (*re-comm.*)* [195] ; Merchant Shipping Act (1854) Amendment* [58] ; Representation

of the People [68], and Re-distribution of Seats [138] ; Representation of the People (Scotland)* [140] ; Representation of the People (Ireland)* [142] ; Summary Procedure (Scotland)* [64] ; Trusts (Scotland)* [65] ; Turnpike Roads* [113] ; Capital Punishments within Prisons* [54] ; General Police and Improvement (Scotland) Act (1862) Amendment (*re-comm.*)* [206].

THE OUTBREAK IN JAMAICA.

QUESTION.

MR. J. STUART MILL said, wishing to spare the House the monotonously painful details contained in the Questions of which he had given notice, he would simply ask the right hon. Gentleman the Chancellor of the Exchequer, Whether any steps had been or would be taken by Her Majesty's Government for bringing to justice those who had been concerned in the commission of various illegal acts in Jamaica ?

THE CHANCELLOR OF THE EXCHEQUER : I should prefer, Sir, that the hon. Gentleman should ask the Questions in detail. I think the Questions which the hon. Gentleman has thought proper in his discretion to address to the Executive should be well known to the House, as many hon. Members have not really had an opportunity of making themselves acquainted with them. Under these circumstances, it is due to the House and to the subject that the hon. Gentleman should address himself now to the House, and let them hear what the Questions are.

MR. J. STUART MILL : Does the right hon. Gentleman desire me to read the whole ?

THE CHANCELLOR OF THE EXCHEQUER : The whole.

MR. J. STUART MILL : I beg to ask Mr. Chancellor of the Exchequer, Whether any steps have been or will be taken to bring to trial Lieutenant Adcock, for unlawfully putting to death two men named Mitchell and Hill without trial, and six persons, after alleged trial by Court Martial, on charges not cognizable by a Military Court ; for flogging, without trial, John Anderson and others, and authorizing one Henry Ford to flog many men and women without trial, one of whom, named John Mullins, died in consequence : Whether any steps have been or will be taken to bring to trial Captain Hole for hanging one Donaldson without trial ; for shooting, and permitting to be shot, various persons without trial ; for putting to death by hanging, or shooting, thirty-three persons, after trial by a so-called Military

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Court, for acts not cognizable by a Military Court, and without observance of the rules prescribed by the Articles of War ; for flogging various men and women without trial ; and for being accessory, after the fact, to the unlawful putting to death of numerous persons by soldiers under his command : Whether any steps have been or will be taken to bring to trial Lieutenant Oxley, for putting John Burdy to death after a similar unlawful trial, and for permitting the men under his command to fire at unarmed peasants and cause the death of several persons : Whether any steps have been or will be taken to bring to trial Ensign Cullen and Dr. Morris, for putting three men to death without trial, and Dr. Morris for shooting one William Gray : Whether any steps have been or will be taken to bring to trial Stipendiary Magistrate Fyfe, for burning houses of peasantry, putting to death one person without trial, and being accessory to the unlawful putting to death of various others : Whether any steps have been or will be taken to bring to trial Attorney General Hislop, Lieutenant Brand, Captain Lake, and Captain Field, for sitting as presidents or members of alleged Courts Martial, by whom numerous persons were unlawfully put to death : Whether any steps have been or will be taken to bring to trial General O'Connor, for having been accessory before and after the fact to numerous unlawful executions, some of them without trial, and others after the illegal trials already specified : Whether any steps have been or will be taken to bring to trial Colonel Nelson, Brigadier General in Jamaica, for unlawfully causing to be tried, in time of peace, by Military Courts irregularly composed, for acts alleged to have been done before the proclamation or beyond the jurisdiction of Martial Law, and after such trial to be unlawfully put to death, the following persons :—George William Gordon, Edward Fleming, Samuel Clarke, William Grant, George Macintosh, Henry Lawrence, Letitia Geoghan, and six other women, one of them in a state of pregnancy ; Scipio Cowell, Alexander Taylor, Toby Butler, Jasper Hall Livingston, and various other persons who had been previously flogged, and about 180 other alleged rebels ; and for authorizing the flogging without trial of Alexander Phillips, Richard Clark, and numerous others : Whether any legal proceedings have been or will be ordered to be taken against Mr. Edward John Eyre, lately Governor of Jamaica, for complicity

in all or any of the above acts, and particularly for the illegal trial and execution of Mr. George William Gordon : And, if not, whether Her Majesty's Government are advised that these acts are not offences under the Criminal Law ?

THE CHANCELLOR OF THE EXCHEQUER : Mr. Speaker, the House has heard the ten Questions which the hon. Gentleman the Member for Westminster has thought fit to address to the Government, in a form which I think somewhat beyond the boundaries of Parliamentary precedent, because in putting questions in which opinions are also expressed, we are trespassing in some degree upon the liberty and freedom of discussion. It is impossible under such circumstances to discuss a subject, and at the same time we may obtain an answer from the Government, which may lead the public mind to the presumption that those who reply to them agree in the assumed state of facts on which the questions are founded. Now nine of these questions, which are ten in number, inquire of the Government whether any steps have been or will be taken with respect to those lamentable proceedings in Jamaica, which the hon. Gentleman throughout treats as unlawful. But after these nine inquiries, throughout which the conduct of certain individuals is assumed to be illegal, there is a tenth inquiry which comes to this—whether Her Majesty's Government, after inquiry, are of opinion that such conduct and proceedings were illegal ? Now, I think that we are all agreed that the Law Advisers of the Crown, from whatever party the Government of this country may be formed, generally speaking, are men most eminent in their profession, and if the hon. Gentleman is of opinion that it is possible that the Law Advisers of the Crown may be of opinion that these acts are not illegal, I think the hon. Gentleman is hardly justified in assuming throughout his inquiries that they are illegal, and he might have made these inquiries without proceeding on that assumption. But it is not merely that the questions are put in a form which, if not noticed, might, perhaps, lead to great inconvenience, that I think the course pursued by the hon. Gentleman objectionable, but so far as I can judge, though brought forward with great apparent precision, they do not appear in their allegations to be as accurate as could be desired. In the first place, throughout these questions the hon. Gentleman seems entirely oblivious of

the fact that the proceedings complained of took place during the existence of martial law. That is the first feature which strikes one amid these numerous interrogatories, and there seems throughout a very great confusion in the mind of the hon. Gentleman on the nature of martial law, because we have this remarkable expression—certain persons being spoken of as if their cases were decided without trial or alleged trial by court martial; we have such expressions as “on charges not cognizable by a military court.” Then there is another charge that the case was decided “without observance of the rules prescribed by the Articles of War.” Then, in a third case, we are told that persons have been “tried in time of peace by military courts irregularly composed,” and other allegations of the same kind have been made. But in a state of martial law there can be no irregularity in the constitution of the courts. Martial law supersedes ordinary law, and the hon. Gentleman seems throughout these questions to assume that in a state of martial law courts martial are to be held according to the terms and conditions under which they would be held when the Mutiny Act was in existence. But in a state of martial law the Mutiny Act, like other Acts, would be suspended, so that here, throughout, there is a source of extreme irregularity and inaccuracy in these questions. There are also, so far as I am acquainted with the subject—of course, I am not versed in the complications of it like the hon. Gentleman—inquiries which ought not to have been made in such cases, and which are founded on the assumption of absolutely illegal conduct. In the case of Ensign Cullen and Dr. Morris, for instance, the hon. Gentleman asks “whether any steps have been or will be taken to bring to trial Ensign Cullen and Dr. Morris for putting three men to death without trial; and Dr. Morris for shooting one William Gray?” Now, in the evidence taken before the Commissioners it is particularly stated that this was a charge not proved, and that the evidence for and against was equally conflicting; the Commissioners themselves recommend further inquiry, and I believe that that further inquiry is now taking place. Assuredly, under these circumstances, the hon. Gentleman is not justified in asking whether the Government are going to interfere and to try persons for putting to death men without trial when we have authentic records on the table of the House which seem to

point to a different conclusion. Now, there is a very strong charge here with regard to Colonel Nelson, at the time Brigadier General in Jamaica. We are asked “whether any steps have been taken or will be taken to bring to trial Colonel Nelson for, among other things, unlawfully putting to death certain men and women, one of whom was in a state of pregnancy, who had been previously flogged.” Now it is patent that in the evidence taken before the Commissioners it has been shown that no one was flogged without trial by Colonel Nelson, and no woman known to be in a state of pregnancy was tried; and therefore I think the hon. Gentleman was not justified in so decidedly pronouncing that a person serving Her Majesty was guilty of crimes which have not been proved. I feel it my duty, as these are questions of a remarkable character, to make these explanations. In the first place, I cannot countenance the hon. Gentleman assuming throughout that these proceedings were illegal. That is at least a question of controversy, upon which there may be a difference of opinion. But throughout these questions the hon. Gentleman takes for granted that these have been illegal acts, and that these proceedings have taken place without authority. Secondly, I think the hon. Gentleman ought to have taken care, in putting these questions, that they should be simply and severely accurate in their allegations. Having made these observations, which I think I am justified in doing, although I do not myself approve long questions being addressed to Ministers, or long answers being given by Ministers—for, generally speaking, when they are requisite, it is more convenient to have a debate upon the matter—yet I hope the House will not think it intrusive on my part if I tell them now what really has been done in these affairs. When these unhappy events took place in Jamaica the late Government thought it their duty to advise Her Majesty to appoint a Commission to proceed to the island, and there, with all the advantage of local inquiry and observation, to investigate what had occurred. I think the late Government took a prudent and proper course. That Commission was formed of eminent men, who possessed the public confidence; and whatever controversy there may be on other parts of this question, I think it will be generally admitted that by their acuteness and assiduity these eminent persons have quite justified the confidence placed in them by the Sovereign and the

country. Well, Sir, the late Government, acting upon the Report of their own Commission, considered the case of the Governor, and dismissed him from his post. That appears to me to be conclusive as regards the case of Governor Eyre. He was dismissed. Those who ask that further steps should be taken seem to me to confuse errors of conduct and errors of judgment with *malice prepense*. But I wholly mistake the House of Commons if they would ever sanction such an opinion. Now, with regard to the subordinate officers, either naval or military, the late Government, after deliberating upon the Report of their own Commissioners, gave instructions to the Admiralty and the Horse Guards to investigate and report upon the conduct of the officers connected respectively with those Departments. The Admiralty, after investigating the subject, decided that no fresh inquiry was requisite, and they approved the conduct of the Admiral on the station. The Horse Guards, as I am informed, have not made up their minds upon the instructions with which they were furnished, and no one grudges them sufficient time to arrive at a decision of so momentous a character. Under these circumstances, I am at a loss to understand why the hon. Gentleman is thus pressing us for information, and why he is so impatient to ask us what steps are or have been taken. If, upon consideration, Her Majesty's Government should feel it their duty to address fresh instructions to the Horse Guards or the Admiralty, we shall do our duty. But our fresh instructions would be of course founded upon fresh information, and we should only act after having taken the opinion of the Law Officers of the Crown. The present state of affairs is that the late Government considered the conduct of Governor Eyre and dismissed him. They referred it to the Admiralty and the Horse Guards, under the instructions of the Government, to consider the conduct of the officers employed. The Admiralty did not disapprove the conduct of the Admiral, and the Horse Guards have not yet come to any decision. This being the state of the case, I am not prepared to offer any further information to the hon. Gentleman.

THE COAL COMMISSION.

QUESTION.

COLONEL SYKES said, he rose to ask, Whether the Royal Coal Commission is authorized to bore for Coal in different

parts of Great Britain, and whether it is understood that expenses may be incurred to an unlimited extent without the previous approval of the House of Commons?

MR. WALPOLE said, in reply, that there was no authority to bore for coal in different parts of the country. It was not usual for expenses of this kind to be incurred without application being first made to the Home Office, who, if needful, might place the application before the Treasury.

IRELAND—MEDICAL SUPERINTENDENTS.—QUESTION.

MR. PACK - BERESFORD said, he would beg to ask the Chief Secretary for Ireland, What are the qualifications necessary to hold the situation of resident medical superintendent of a County Lunatic Asylum in Ireland; and had the situation of resident medical superintendent to the Carlow Lunatic Asylum been filled up; and, if so, who has been appointed?

LORD NAAS said, in reply, that the office of medical superintendent of the Carlow lunatic asylum had been filled up by the late Government. A person holding the position of medical resident superintendent must be a qualified physician and surgeon.

INDIA—GRIEVANCES OF INDIAN OFFICERS.—QUESTION.

COLONEL SYKES said, he would beg to ask the Secretary of State for India, Whether the 393 petitions now on the table of the House of Commons from Officers of the Indian Armies for redress of grievances will be taken into consideration before a communication is made to the House on the subject of petitions presented to the last Parliament?

VISCOUNT CRANBOURNE: Undoubtedly. Not only the 393 petitions now on the table, but all petitions from the Indian army will be taken into consideration before we come to a decision on the subject.

SCOTCH BURGHS.—QUESTION.

MR. M'LAREN said, he would beg to ask the Secretary of State for the Home Department his intention respecting the "Bill (as amended in Committee) to amend the General Police and Improvement (Scotland) Act, 1862," in so far as respects the proposed change in the constitution of all the burghs in Scotland which have adopted that Act?

SIR JAMES FERGUSSON replied, that it was not intended by the Bill in any way to alter the constitution of burghs. It raised a matter of controversy, however, and would not be proceeded with this Session.

ARMY—ARTILLERY—CAST-STEEL
BARRELS.—QUESTION.

MR. SAUNDERSON said, he would beg to ask the Secretary of State for War, Whether the attention of Her Majesty's Government has been directed to the question of substituting cast-steel barrels, bored in the solid, for the iron barrels employed in the manufacture of the Enfield rifle?

MR. WALPOLE said, in the absence of his right hon. Friend (General Peel), he would state that the attention of the proper authorities had been for some time past directed to this subject, and experiments were still in progress which might possibly lead to the substitution of cast-steel barrels for those now employed in the Enfield rifles.

IRELAND—APPOINTMENT OF MR.
BLACKBURNE.—QUESTION.

MR. MAGUIRE said, as the right hon. Member for Louth (Mr. Chichester Fortescue) was not in his place, he would ask the right hon. Gentleman the Member for Morpeth, If it be the fact, as was stated on Tuesday night by Mr. Chancellor of the Exchequer, that Mr. Blackburne, who in his eighty-fifth year has been appointed Lord Chancellor of Ireland, had been appointed to the office of Lord Justice of Appeal as recently as three months since; and whether it is within his knowledge when that appointment was really made?

SIR GEORGE GREY: Sir, I was not in the House when the right hon. Gentleman is reported to have made the statement. I can hardly believe that he made it, because it is notorious that Mr. Blackburne was appointed to the office of Lord Justice of Appeal in Ireland in 1856—ten years ago—immediately after the passing of the Act which constituted that office. I believe it is also perfectly well known that there was an understanding when that Act was passed that Mr. Blackburne having held the office of Lord Chancellor of Ireland, and being quite competent to perform the duties of Lord Justice of Appeal, should be appointed to that office; and the Government acted on that understanding.

Mr. M'Laren

THE CHANCELLOR OF THE EXCHEQUER: What I intended to say was that Mr. Blackburne was originally appointed to the office of Lord Justice by a Liberal Administration. That was ten years ago. And certainly three months ago he was revising a decree of the Lord Chancellor of Ireland. Some one told me at the time that there had been an appeal to him from the Lord Chancellor.

IRELAND—INLAND FISHERIES.
QUESTION.

MR. BLAKE said, he rose to ask the Chief Secretary for Ireland, Whether the Bill prepared by the late Administration to amend the Law relative to the Irish Inland Fisheries, and which was intended to be introduced in the Lords, will be proceeded with during the present Session?

LORD NAAS said, he thought it desirable that the Bill should be introduced during the present Session, but it was not for him to say whether it would be proceeded with during the present Session.

MERCHANT SHIPPING ACT AMEND-
MENT BILL.—QUESTION.

MR. LAIRD said, he wished to ask the President of the Board of Trade, If he intends to proceed further with the Merchant Shipping Act (1854) Amendment Bill this Session?

SIR STAFFORD NORTHCOTE, in reply, said, it would not be possible to proceed this Session with that Bill or with the Waterworks Bill, and he therefore proposed that the Orders relating to them both should be read and discharged.

Orders read and *discharged* accordingly.

IRELAND—APPOINTMENT OF MR.
BLACKBURNE.—QUESTION.

SIR PATRICK O'BRIEN said, he would beg to ask Mr. Chancellor of the Exchequer, Whether the statement is correct that on the occasion of the Earl of Derby forming his administration in the year 1858 the office of Lord Chancellor of Ireland was offered to the present Lord Chancellor of Ireland, the Right hon. Francis Blackburne, and then declined by him on the ground of his advanced age, or some similar reason?

THE CHANCELLOR OF THE EXCHEQUER: Sir, it is very difficult to remember all the offers of office that were made in the year 1858; but I believe that Mr. Black-

burne was then requested by Lord Derby to become Lord Chancellor of Ireland; and I think he declined the offer because he was then in possession of the very dignified and permanent office just referred to by the right hon. Member for Morpeth (Sir George Grey), whereas the office of Lord Chancellor of Ireland does not partake of that permanent character. I do not believe that age was alleged as the cause of Mr. Blackburne's refusal; and to what "similar reason" the hon. Member alludes in his question I am totally at a loss to conceive.

THE COAL COMMISSION.—QUESTION.

MR. GLADSTONE said, he would beg to ask the Secretary of State for the Home Department for an explanation connected with the answer he had given to the hon. Member for Aberdeen (Colonel Sykes) on the subject of the power of the Coal Commission to authorize boring. He wished to know, Whether he was right in believing that the effect of the right hon. Gentleman's answer was that the Commission had, in point of fact, no power whatever to institute boring, and that any matter of that kind was wholly excluded from the power of the Commission?

MR. WALPOLE said, the right hon. Gentleman was quite correct, there was no such power given to the Commission.

INDUSTRIAL SCHOOLS BILL.

QUESTION.

MR. HANBURY said, he wished to ask, Whether the Government will give a morning sitting for proceeding with the Industrial Schools Bill?

MR. WALPOLE said, in reply, that if the Bill could not be brought on by ten o'clock that night he would be willing to make it the second or third Order for the morning sitting on Tuesday, when the Public Health Bill would have the precedence.

PROPOSED PUBLIC MEETING IN HYDE PARK.—QUESTION.

MR. P. A. TAYLOR said, he would beg to ask the Secretary of State for the Home Department, to state by whose authority, and under what law, an order signed by Sir Richard Mayne has been issued forbidding the holding of a public meeting in Hyde Park?

MR. WALPOLE: I wish, Sir, the hon. Gentleman had sent me an earlier notice of his Question, in order that I might

have been able to give it a more complete answer. However, speaking from recollection, I think I can give him nearly a complete answer. The order signed by Sir Richard Mayne has been issued under my authority and direction, and I am entirely responsible for it. With regard to the legality of such an order, I wish to remind the hon. Member and the House, if they are not acquainted with the fact already, that notices have been placarded over every part of the metropolis, inviting large assemblages of persons to come from different parts of London, to meet at six o'clock in the evening, and to concentrate their processions in Hyde Park at half past six, for the purpose, as avowed in some of those notices, of making what they call a demonstration. I think I need not point out to the House that the consequences arising from such assemblages of men meeting in Hyde Park might lead, and probably would lead, to riotous or disorderly conduct, and certainly would interfere with the recreation of quiet and orderly people, for whom the parks, the property of the Crown, are open, and not for the purposes of such meetings. Let it be remembered that there is nothing in the notice signed by Sir Richard Mayne to imply that orderly conducted processions are forbidden, or that any of these gentlemen may not hold their meetings at the proper time and in the proper place for the purpose of discussing political or any other matters. But I think that any one who holds the office which I have the honour to hold is bound to attend to the public peace of the metropolis; and if he believes that those parks, which are open by Her Majesty's permission for the benefit of all her subjects, are likely to be employed for any purpose that would interfere with the recreation of quiet and orderly people there, and might possibly lead to riotous and disorderly proceedings. I therefore think I should have been most blameworthy if I had not directed the issue of such an order as that now in question.

SIR GEORGE GREY: I may perhaps be allowed to say that the course taken by my right hon. Friend (Mr. Walpole) is exactly in accordance with that which has been pursued on former occasions. Hyde Park is one of the Royal parks; and the prohibition of the holding of meetings there is founded on the reason stated by my right hon. Friend—namely, that the Royal parks are intended for the recreation and enjoy-

ment of the people, and has no reference whatever to the abstract right of holding public meetings. Sir Richard Mayne received instructions from me before I left office, when a meeting in Hyde Park had been announced, that it should not be allowed to be held there.

MR. J. STUART MILL: I wish, Sir, to ask the Secretary of State for the Home Department, Whether we are to understand that the prohibition which he authorized to be issued as to the contemplated public meeting is based only on the circumstance that the meeting was announced to be held in one of the parks? If so—
[“Order, order!”]

MR. WALPOLE: I may perhaps be permitted to say that the notice which has been issued is grounded on the circumstance that the meeting was to have been held in Hyde Park; and I may venture to add, as this Question has been put to me, that I hope the notice which I have caused to be issued will not be interpreted as being intended in the least degree to prevent the holding of ordinary public meetings for political discussion, but simply for the preservation of the public peace.

IRELAND—RECORD OFFICE (DUBLIN).

MOTION FOR A RETURN.

GENERAL DUNNE said, he rose to move for a Return stating the progress made in the works of the new Record Office in Dublin, when it will be completed, and when the Records will be placed there; and when the Government will bring in a Bill for the purpose of the one which cannot be removed without it?

MR. HUNT, in reply, said, the building was nearly completed, and some of the records would be speedily removed to it; but with regard to others, the sanction of Parliament, would be necessary for their removal.

HELSTON ELECTION.—REPORT.

Report from Select Committee considered.

MR. LOWE, the Chairman of this Committee, having read to the House two paragraphs from their Report to the effect that, although the poll books showed that the number of votes for Mr. Brett and Mr. Campbell were equal, the returning officer had nevertheless returned Mr. Campbell as duly elected, and that the returning officer did not appear before the Committee to offer any explanation why such a

return had been made, said, he might add that the returning officer was served both with a notice and with the Speaker's warrant. The Committee did not attach any blame to that gentleman for not answering to those documents, because he had received a notice from the agents for the petitioners stating that his evidence would not be required. But the Committee thought it right to mention the fact of his not having been in attendance, because they thought the circumstances disclosed before them were so remarkable that it was the duty of the returning officer to have attended before the Committee and explained them. The Committee further found, by investigating the poll, that the returning officer had voted for Mr. Campbell, and they also found that the returning officer was the father of the agent of Mr. Campbell. Under those circumstances, he thought the House would be of opinion that the Committee had no alternative but to call the attention of the House to the facts contained in their Report, in order that the House might take any steps which it thought proper for clearing up the matter. He had since received a letter from the returning officer, and he would read such portions of it as were relevant to the question at issue. The rest of the letter was taken up with excuses, with which it was not necessary that he should trouble the House. The part of the letter to which he wished to call attention was as follows:—

“In regard to the return which I made I desire to make the following observations:—When I discovered on adding up the poll books that an equal number of votes had been given for Mr. Campbell and Mr. Brett, I felt much difficulty as to the course it would be proper for me to pursue. In all other cases it appeared to me to be clear that the mayor of a borough when acting in his official capacity had a casting vote, and my strong impression undoubtedly was that I had the casting vote in this instance also. I did not, however, feel certain on the subject, and stated this in the public hall, but that if I had a casting vote I gave it in favour of Mr. Campbell. I was also strongly impressed by the conviction that it was my duty to make a Return of one person only, according to the express requirement of the writ, and that I could not consistently with the writ return two persons. After a long discussion in the public hall I proposed to adjourn my decision to enable me to take the opinion of counsel as to the proper return for me to make. This course, however, was very generally objected to, and I was consequently compelled to decide for myself according to the best judgment I could form. I ultimately determined to return Mr. Campbell, after referring to the only authority I had at hand, and which I believed to be regarded as the best—namely, *Rogers on Elections*, in which the following pas-

Sir George Grey

sage occurs:—‘A learned writer considers that if the votes are equal it is a void election, but adds that the returning officer may, without incurring censure, return either all the candidates who have equal numbers, or one only’ (p. 291). I conscientiously believe that in returning Mr. Campbell, in whose favour the show of hands had been given, I was properly discharging my duty, having regard to the terms of the writ, the belief that I had a casting vote, and to the authority to which I have referred. I beg, in conclusion, to state to you, and through you to be permitted to state to the House, that in making such return I was influenced by the single desire to do that which appeared to me to be my duty; and I beg that you and the House will be pleased to accept the expression of my regret if the course which I have taken should on mature consideration be deemed by the House to be in any respect incorrect.”

He (Mr. Lowe) did not propose to offer to the House any observations upon the reasons which the writer of the letter gave for taking the course which he had adopted. He deemed it, however, to be his duty to state what the law on the subject was, because the best argument used by the gentleman in question was, perhaps, that he had been misled by the text books upon it. There was, in the first place, the “*Brammer case*,” which occurred in 1703. In that instance two candidates, Lord Windsor and Mr. Middleton, polled an equal number of votes. The returning officer declared Mr. Middleton duly elected, on which Lord Windsor petitioned against the return, and the election was declared void. The returning officer, however, who took upon himself to return only one Member, had done so without incurring censure of the House. Then came the “*Horsham case*,” in 1715 (18th volume of *Parliamentary Journals*, page 172). The first candidate in that instance was Mr. Eversfield, who polled thirty-six votes, the remaining two, Sir Henry Goring and Sir Arthur Ingram having polled each thirty-three. The sheriff returned Mr. Eversfield and Sir Henry Goring, taking no notice of Sir Arthur Ingram. The counsel for the petitioner took notice of the irregularity, arguing that the returning officer had been guilty of misconduct in not making a double return. The House, however, although they unseated Sir Henry Goring, took no notice of the returning officer, who escaped all censure. That was all the information on the subject to be derived from the precedents. Since that period—1715—the almost universal practice had been to return both Members in the event of an equality of votes, leaving the question as to which of them should have the seat to be decided by the House of Commons.

The circumstances of the present case being such as he had stated, the only point which remained for consideration was what course in reference to it the House ought to adopt? The House had been made acquainted with the excuses advanced by the returning officer, who was, he believed, seventy-five years of age, and not in good health. No good purpose could, he thought, be served by subjecting him to a reprimand for what he had done. He had acted in accordance with what was once the practice; at least, similar conduct had, as he had shown, been allowed to pass uncensured. The practice seemed, so far as he could see, to have been gradually changed by custom without any technical decision of the House. He for one, therefore, as Chairman of the Committee, did not feel disposed to press the matter as against the returning officer any further. If any hon. Gentleman took a different view, it was, of course, open to him to act upon it. It remained to be considered whether it was desirable that the House should place on record any decision on the subject. If it should be decided in the affirmative, he was prepared to submit a Resolution to its notice, or the matter might be postponed to some future day. Circumstances, he might add, had lately occurred which tended rather to complicate the question. A Bill had been introduced which had occupied the day before a considerable portion of the time of hon. Members, and the object of which was to enable the returning officer to give a casting vote in those cases in which the number of votes happened to be equal. It might, therefore, be deemed inexpedient to lay down any law on the subject, when there was some chance that double returns might be altogether abolished. At the same time it was probable, taking into account the period of the Session, that the Bill to which he referred would not pass; and even supposing that it did pass, the Amendment proposed by the hon. and learned Member for Richmond, if carried, would have the effect of limiting the power of the returning officer to give a casting vote to those cases in which he was an elector. We might still, therefore, have double returns, and the necessity for having some authoritative rule on the subject might continue to exist. That being so, the matter was one in reference to which he felt himself to be in a position of some embarrassment. The best course, perhaps, which he could, under the circumstances,

pursue, was to move the Resolution to which he had alluded, leaving it to the House to deal with it as it might think fit.

Motion made, and Question proposed,

"That, according to the Law and usage of Parliament, it is the duty of the Sheriff or other Returning Officer in England, in case of an equal number of votes being polled for two or more candidates at an Election, to return all such candidates."—(*Mr. Lowe.*)

THE CHANCELLOR OF THE EXCHEQUER: I think there can scarcely be any difference of opinion in the House with reference to the first part of the remarks of the right hon. Gentleman. The mayor of Helston having cleared himself from any charge of contempt of the House, it would, in my opinion, be undesirable to press the matter against that gentleman any further. With regard to the Resolution moved by the right hon. Gentleman, I confess my impression is that it is one likely to lead to considerable controversy. I cannot help fancying that the best course to pursue would be to defer passing any Resolution until it is ascertained what the House is prepared to do with reference to the Bill of the hon. Member for Honiton, which had been discussed on the previous day.

MR. GLADSTONE: I entirely agree with what has fallen from the right hon. Gentleman opposite; and I must add to what he has said, that it appears to me it deserves consideration whether this is entirely a matter to be dealt with by Resolution—whether the control of the House on matters within its own precincts extends a jurisdiction to instruct those who conduct the election of its Members in other places as to the mode in which returning officers should construe the law. I mention this as a grave matter involved in the inquiry, and as sustaining the view of the right hon. Gentleman.

Debate adjourned till Thursday next.

EAST INDIA REVENUE ACCOUNTS.

Considered in Committee.

(In the Committee.)

VISCOUNT CRANBOURNE: Sir, it is my misfortune, in moving the Resolution and introducing the financial statement of the East India Revenue, to follow a predecessor who probably, of all those who have ever governed the affairs of India, has had more experience than any other Minister. And, therefore, not only in respect to the

great abilities of that noble Lord, but also in respect to the experience which he had a right to claim, I stand at a great disadvantage, and I think if the practice of moving the East India budgets continues for any considerable length of time, while Lord Halifax is placed on record as having moved the Indian budget with the largest amount of experience, I am afraid that I shall be placed on record as having moved it with the least. Under these circumstances, I wish by anticipation that I may be permitted to qualify any opinions, which, in the course of the remarks, I have to make. I shall express such opinions as seem to me to be justified; but I hope that the House will not think that I attribute to them more weight than they deserve. I make them, not in the least degree concealing my inexperience in the office, but for the purpose of raising discussion upon these important questions, and of eliciting the opinions of those hon. Members who will be far better worth listening to than I am. Sir, it is in the knowledge of the House that it is the practice of Indian finance to deal with three years at a time, whilst in English finance we deal with only two years. In dealing with Indian finance, in consequence of the difficulty of communication and the length of time which elapses after the accounts are made up by the Indian Government before they come into our hands, for convenience sake it is the custom to take three years. The first year is the year of fact, in regard to which we are certain of the figures. The next year is the year of mixed estimate and fact, there being eight months of fact and four months of estimate; and the third year is the year of pure estimate. With regard to the first of those years with which I have to deal, I hope you will excuse me if I am short. The last year, 1864-5, which was brought to a close fifteen months ago, will have but limited interest for the House of Commons, and I shall therefore content myself with giving a mere summary of the financial results. The gross revenue for that year was £45,653,000. The gross expenditure £45,846,000, showing a deficit of £193,000. Sir Charles Trevelyan, in moving the budget which came to these results, estimated a surplus of £823,000. By adding to that the deficit of £193,000, it appears that he was about £1,000,000 wrong in his calculations. That error of calculation was due to a loss of £800,000 on the opium tax, and to a further loss on

Mr. Lowe

military expenditure, caused partly by the expedition to Bhootan, and partly by the increased cost of the necessities of life, which was experienced in all parts of India. With these remarks I will pass by the financial year of 1864-5. I will now come to the year—a more important one—which closed on the 30th of April last—the year 1865-6. The gross revenue of that year was £47,041,000; the gross expenditure was £47,021,000; showing the small surplus of £20,000. On this occasion the Finance Minister was nearly as much wrong as he was on the previous one; only on this occasion he was wrong in the right direction. Instead of calculating on £1,000,000 more than he got, he calculated on £675,000 less than he got; and, again, the variation was due to one great variable element of Indian finance, the yield upon the opium crop. The opium crop recovered unexpectedly, and the result was that which I have stated. Now, I shall trouble the House with the details of that expenditure and revenue, and I do so the more that I find on looking back that Lord Halifax has not for many years entered into the details of expenditure and receipts of the Indian budget; and although I am quite conscious of the reluctance with which the House listens to details so little affecting their own constituents, still as it has imposed on the Indian Minister the task of making the statement, I think it my duty to make it tolerably complete. Now, in the years 1865-6 the land and forest revenue was £20,480,000 against £20,439,000 of the previous year, which gives a gain of £41,000. With respect to land and forest revenue there is little to say. The House is aware that the authorities in India have lately been prosecuting a new settlement of land revenue, the object of which is in many parts of the country to give to it a more permanent character, and to a certain extent to cut off from the Government all the gain that would accrue from the increased value of the land. The forest revenue is a matter of comparatively recent institution. It began, like many other good things, with the administration of Lord Dalhousie. Great things are expected from it. It is hoped that it will furnish not only fuel for the railways, but also a great article for export in the commerce of India. But at present its financial result is not hopeful. It yields £414,000 and costs about £250,000 to collect, so that the net result is not at present very attractive. The next item

of revenue is the Excise, which yielded in 1865-6 £2,271,000, as against £2,224,000, showing a gain of £47,000. It struck me certainly with surprise, on first looking at these figures—as I think it will strike any one who is not accustomed to hear statements of Indian finance—that the duty on spirits, of which the Excise mainly consists, should yield so small a revenue. The duty on spirits is 6s. a gallon. Now, a duty of 6s. a gallon on 130,000,000 of people is enough to make the mouth of an English Chancellor of the Exchequer water. If we could raise from the Hindoos a spirit duty at the rate at which we raise it from Englishmen that amount of duty would yield about £26,000,000 a year. But in India it only brings in £2,200,000. [Colonel SYKES: Hear, hear!] The hon. and gallant Member for Aberdeen has expressed the opinion that the smaller the amount is the better. [Colonel SYKES: Hear, hear!] But I think it is fair to say something in favour of the Indian Government. There is no Government in the world that is so pelted with moral admonitions as the Indian Government. Everybody regards it as the model of all that is atrocious, avaricious, and grasping. It may be so; but, at all events, in this matter of Excise it is only right to do it justice. We know that there are some European countries in which the people are encouraged to drink for the sake of getting a revenue. No charge of that kind can be brought against us. I do not, however, think that we take much trouble to discourage drinking. I believe that we are well satisfied that Englishmen should drink up to the tune of £10,000,000 a year in the Excise, or £14,000,000 a year including Customs. The Indian Government are, I think, entitled to look down upon the English Government from a pinnacle of moral elevation, because the Indian Government is content with that miserable contribution from its subjects in order to discourage the habit of drinking. The Indian Government actually does what I believe no other Government does—it so frames its Excise laws that its subjects may to the largest possible extent be discouraged from drinking. I confess I was surprised when I learned this, and I venture to record it as an instance of virtue rarely known in Governments. However, virtue is to a certain extent its own reward, and we have got £47,000 more under this head this year than we did last year. The next item to which I will allude is the income tax. The income tax is

perhaps another case in which we may claim a certain amount of moral excellence for the Indian Government. We must recollect that when the income tax was first introduced into India it was stated to be for a period of five years only. This intelligence was received in England with a shout of derision. We said we knew what that meant. We had been accustomed to hear our own income tax imposed for a certain number of years only, but we have found it existing up to the present period. But it has actually turned out that the income tax which was imposed in India in 1860 for five years has only lasted five years. The income tax in India has ceased to exist. At the same time, I am bound to confess that this other exhibition of moral elevation may be explained by the fact that the income tax has proved a complete failure in India. Mr. Wilson, I think, went over to India just when the right hon. Gentleman opposite had induced us to bow our necks to an income tax of 10*d.* in the pound, and Mr. Wilson induced the Council of India to impose a tax of about 10*d.* in the pound in that country, and he appeared at first to be very confident of thus being enabled to relieve the finances of India. But his successor next year—and I know no higher authority existing in reference to India than Mr. Laing—said his first duty was to announce that the income tax had failed. Although the tax was 10*d.* in the pound, and though levied upon 130,000,000 of people, it never produced more than £2,000,000. And, accordingly, Mr. Laing reduced it in the course of three years. I am bound to add further circumstances showing its extreme stringency, it being imposed on incomes of from £50 to £20 a year at the rate of 2 per cent. Mr. Laing felt it his duty in the course of two years to abolish it on the lower income, and Sir Charles Trevelyan reduced it on the higher incomes from 4 to 3 per cent, and finally in 1865 the tax was allowed to lapse. It is worth while to give attention to the causes of that failure. I believe that the two most yielding schedules in our own income tax are Schedules A and B. Both of these schedules are crippled in India. The income under Schedule A is derived in this country chiefly from rents, but in India the land is the property of the Government, and the result is that that which is the subject of taxation in England is withdrawn from taxation in India. With regard to Schedule D there is another not so satisfactory a reason. I have already pointed out the

superior moral elevation of the Indian Government; but I am compelled to admit that the same standard of moral elevation cannot be claimed for the Indian population. We are accustomed to look at Schedule D as showing the moral elevation of our own population. But everything of this kind is comparative, and we may refer to other nations to see how much lower their notions are in the scale of financial morality than our own. I find that in the North-Western provinces of India of those who have sent in returns of their own incomes only 6 per cent were taxed upon their own returns. In other words, ninety-four out of every 100 were suspected of having told lies. The Government acted upon that suspicion, and on inquiry into the reality of their incomes they surcharged them at the rate of 300 per cent. It is obvious that in the face of those difficulties the income tax could not have succeeded in India. It is impossible to raise the tax but by self-assessment; and we know that if self-assessment fails it is impossible to raise it by inquisitorial proceedings. But still it must be noted that there is a serious blank in the financial system of India. There is no machinery for raising contributions from personal property, and only a very limited machinery for raising it out of that large amount of income which comes under the head of Schedule D—that is, from persons carrying on trades and professions. The consequence is that the revenue of India is at present mainly raised either from land or from the contributions of the poorer classes of the community in the shape of the salt tax. From the salt tax of last year we have experienced a considerable loss. In 1864-5 it was £5,523,000; in 1865-6 it was £5,396,000, being a loss of £127,000. This was due to two causes. It was partly due to the fact that a good deal of salt formerly was procured in the manufacture of saltpetre. But saltpetre being now greatly manufactured in Europe, the Indian saltpetre has lost its market. The consequence has been that less of it has been made. Another cause, perhaps, was, that in consequence of the spread of railways the Bengal Government retired from the manufacture of salt—and now salt is admitted from other countries on payment of a Customs duty. The Customs showed a gain of £88,000, the figures being £2,296,000 in 1864-5, as against £2,384,000 in 1865-6. The opium yielded in 1864-5, £7,361,000, and in 1865-6, £8,638,000, showing an increase of

£1,270,000. Public works in 1864-5 produced £588,000, and in 1865-6 £1,016,000, the excess, I believe, being partly owing to the sale of lands in Bombay. It is my duty now to turn to the expenditure of that year. The first item which will strike any one on examining the expenditure of the two years is the enormous amount which is required for the collection of the revenue. It is true that that collection includes what we may call the purchase money of our possessions in India—that is to say, the allowances and assignments under treaties and engagements—£2,000,000 is withdrawn from the whole amount for those purposes ; but the whole amount of expenditure for collection of a revenue of £47,000,000 is no less than £8,774,000, which is a diminution of £204,000 on the cost of collection of the revenue of 1864-5, which was £8,978,000. But after deducting such exceptional items as allowances under treaty engagements, I find that the cost is still extraordinarily heavy. The cost, for instance, of collecting the tax upon land and forests is no less than 12 per cent. I have no doubt that a large economy will be ultimately effected in this respect. The army stands nearly at the point at which it was fixed last year—namely, at £13,494,000 in 1864-5, and £13,568,000, in the present year. During the last five years the cost had never exceeded £14,000,000, and had never been under £12,000,000, and as there has been a singular variety of circumstances during that period affecting its cost, we may infer that the average expenditure for the Indian army may be taken at £13,000,000. There are other items of expenditure which the House will hear with pleasure. The expenditure on public works in 1864-5 was £5,131,000, and in 1865-6 £5,352,000, and, if we include stores from England ; £5,487,000. For law and justice there is an increase from £2,264,000 to £2,439,000. In police an increase from £2,361,000 to £2,398,000. There is still one more item I will mention, because it is an item to which all those who have taken an interest in the government of India attach the greatest importance. Some years ago there was scarcely anything given towards education, but since 1854 the sum given for that purpose has been constantly rising, and during the past year it has risen from £531,000 to £660,000. Now, that is the statement of figures for the year that has just passed. I will now give the estimate for the year to come.

For this year, 1866-7, we are in a less favourable position than we were in last year, when there was a surplus of £20,000. This year we shall have, perhaps, a deficit of £72,800. The items of the expenditure I will briefly state to the House. There is an increase in the revenue from land of £188,000. An increase in the Excise of £220,000 ; in the Customs, £29,000 ; in salt, £137,000. But then, on the other hand, there is a decrease in opium of £138,000 ; in stamps, of £24,000 ; and in public works, of £37,000 ; and the consequence is, that we have the satisfaction of knowing that there is the moderate deficit of only £72,800. I wish, however, to draw the attention of the Committee, and those who take an interest in Indian finance and Indian affairs, to the fact that the balance for 1866-7 has been obtained by basing the sales of opium on an amount to which it has scarcely ever reached in any previous year. Last year there was the extraordinary yield of £8,600,000, and this year it is estimated at £8,500,000, Mr. Massey feeling confident, and no doubt he is justified in doing so, that the sales of opium will reach that amount. But we know by previous estimates, that the yield of this uncertain drug has proved fallacious, and if we look to what opium has done in recent years, we shall have reasonable grounds for concluding that the deficit of £72,000 may be increased to a much larger figure. £8,500,000 was a very exceptional yield for this article, which has only once exceeded that sum from 1856 to 1867. If opium should behave during the current year as it behaved two years ago, the deficit will be £1,200,000 ; if it should behave as it behaved three years ago, the deficit will be £1,740,000. I do not say this in the least degree for the purpose of questioning the discretion of Mr. Massey, or the late Government in approving of what he did in refusing to raise the revenue of India by means of additional taxation ; but to draw attention to the necessity of caution in dealing with this head of Indian finance. It is evident that the perfection of our Indian budget, and the attainment of a good balance sheet, depends on our rightly estimating the yield of opium. Some years ago the revenue derivable from opium was considered to be precarious, but since then certain high authorities have stated that it is as certain as the beer and spirit taxes raised in England. Mr. Laing and Sir Charles Trevelyan have so expressed themselves ; but I cannot help thinking that

these authorities omit, in the arguments they use in support of that opinion, the real danger of the opium trade, and overlook the real argument they have to deal with. They say that the opium revenue depends on popular taste, which is as stable as those in England for gin and beer, and upon which English Chancellors of the Exchequer have not the slightest fear of their anticipations being realized. It is true popular tastes do not speedily disappear, and if that was the whole of the argument I should be disposed to concur in opinion with the distinguished authorities I have named. So far as popular taste goes, probably the Chinese will continue to be as passionately fond of opium as the English will continue to be passionately fond of gin; but the point of danger is not that. If the opium were consumed in our own dominions the case would be exactly parallel, but the danger here is that we are dependent upon another locality. It would be a matter of indifference to an English Chancellor of the Exchequer where the beer and gin came from, provided it was consumed in this country. But it is not so with regard to opium; because if by any accident or change of circumstances the Chinese might be able to get their opium elsewhere, the Indian revenue from opium would be utterly ruined. I think the authorities I have mentioned, and the Indian Government generally, rely too confidently and too exclusively on a source of revenue which is not on a footing with similar English resources of revenue dependent on popular taste, and I look with some anxiety on the statement that the Indian budget depends on the yield of opium not falling far short of the highest rate it has ever yet attained. Another source of danger is, that opium being a monopoly it is subjected to those speculative operations which in the vernacular are known by the name of "a rig," large amounts being bought up for the purpose of influencing prices; and not only is this done by individual speculators, but something of the same kind is done by the Indian Government itself. Mr. Massey states that, as an unusually large quantity was for sale during the present year, the Indian Government resolved to limit the amount for next year; and the result was that the price rose from 850 rupees per chest to 1,487 rupees per chest. It has been inferred that in the ensuing year the price will be about 1,300 rupees per chest. It must, therefore, be obvious that a revenue

which is capable of being manipulated in this way—prices raised by holding back the supply—is always liable to accidental derangement from private speculation. I have made these observations in the hope of drawing attention to the state of our Indian revenue as regards its future prospect in connection with the opium trade. At present, it is upon this opium trade that the success of an Indian Chancellor of the Exchequer depends. If there is a good yield, he has a surplus; if there is a bad yield, he has a deficit. It has been said that this is merely a temporary state of things, and that, in course of time, the rising prosperity of other items of revenue will lift Indian finance above this dependence upon opium. I think it was Mr. Laing who in one of his budgets expressed the greatest confidence in the future of Indian finance. I do not say he was not justified on the facts before him in forming that opinion. Undoubtedly that Gentleman deserves great credit for having relieved Indian finance from its desperate condition. From the buoyancy Indian finance seemed to exhibit under his hand he was justified in drawing those favourable auguries, but they have not, as a matter of fact, been justified by the event. In 1861-2 Mr. Laing reduced the deficit to £50,000; in the next year there was a surplus, and in the following year there was a small surplus of £17,000, and there is now a deficit of £72,000, and, from some cause or another, we have not reached that satisfactory state of Indian finance which he foresaw. I will lay before the Committee the percentage of increase in some of the main articles of Indian revenue, to show that we cannot rely too confidently on the buoyancy of our Indian revenue, and that this absolute reliance on the opium tax is at least a measure of doubtful principle. The land tax in India had increased in the five years before Mr. Laing went to India at the rate of 10 per cent, which was an enormous increase, but for the five years since he left it had only been at the rate 2 8-10 per cent. Again, the Customs in his time appeared to show an enormous elasticity, but that elasticity ceases to appear if the comparison is extended over a long series of years. I will take a period from 1858-9 to 1865-6, because in 1859 the Customs were enormously raised, but very much diminished afterwards. Up to 1858 there was a 5 per cent *ad valorem* duty, but the following year it was raised to 20 per cent, and after-

wards diminished to $7\frac{1}{2}$ per cent. And what I want is for the Committee to compare the state of the Customs revenue when it was 5 per cent and what is its yield now at $7\frac{1}{2}$ per cent. In 1858-9 the yield was £1,987,000, and in 1865-6 it was £2,384,000; but there was an alteration in certain minor articles, from which was gained £100,000, and the result was £2,284,000 as against £1,987,000; or, in other words, the rate of duty had increased during seven years from 5 to $7\frac{1}{2}$ per cent, whilst the gross return had only increased £300,000; the duty had increased 50 per cent, but the revenue only 14 per cent. These are not very encouraging figures, and I lay them before the Committee to show that they cannot rely, as in England, on the elasticity of the Indian Customs revenue. Turning to the Indian Excise revenue, we naturally come to the tax on salt. The consumption of wine, spirits, and tea generally increases with the wealth of the population, but I take it that few people consume more salt when they grow rich than they did before, and consequently we must not look upon salt as an article likely to produce any indefinite increase of revenue. The Committee will, no doubt, be inclined to think that I am making an opposition speech to Mr. Massey's budget rather than as Secretary of State for India, but I can assure you that I am not doing so, but putting the worst part of it first, as the fairest way, in my opinion, of dealing with it, and I invite the Committee to discuss the subject, because I want them to make up their minds whether the opium tax ought to be one of the main supports on which Indian finance should rest. There is, however, a very bright side to the question. We have, it is true, a very large expenditure, which we are scarcely able to meet with our income, but then that expenditure contains charges which are not, strictly speaking, within the proper limits of expenditure, because in the current year we have spent £6,394,000 on public works in India. No man who wished to make permanent improvements on his land would do it at the expense of one-seventh of his income, but would borrow the money and charge the estate. Now India does not do that, but spends what is required for public works out of her current revenue, and consequently it is only fair to credit that revenue with the portion so expended, and in that case we shall have not a miserable surplus but a very large one, which has been invested in the best pos-

sible manner for the future interest of the population. Probably £1,000,000 or £1,500,000 expended annually in repairs properly belongs to the revenue of the year. The remainder would properly be carried to capital. That is a consoling circumstance, because it is a large amount so expended. Mr. Laing has laid down that there should be large cash balances as part of the reserve. In his time the cash balances amounted to £17,000,000, and he has laid down that no Government ought to have less than £14,000,000. Now, I am sorry that I cannot claim such a balance, because Mr. Massey states that at the close of the next financial year he will not have more than £10,000,000 cash balance, which is not more than is absolutely necessary to meet the working expenses of the Government. Another source of congratulation is the enormous success of railway extension in India, and nothing is more gratifying than the reports that our Indian railways are re-paying their expenditure with extraordinary rapidity. I find that the great Indian Peninsular Railway, although not completed, is paying 7 per cent on its capital, besides setting aside 50 per cent with which to meet working expenses. The East Indian, which is not finished, but which has been so far constructed on a much more expensive principle than the former, having cost at the rate of £22,000 per mile, is already paying very nearly 5 per cent. Of course the Committee will bear in mind that these railways are not open to the full extent contemplated, and that they have at present to rely very much upon goods traffic, but when these great trunk lines are completed, it was reasonable to expect large returns both for passengers and goods traffic. These appear to me to be sources of great consolation, which ought to outweigh even a heavy deficit, and which certainly ought to tell against any uncertainty in the opium revenue which may cause us apprehension. There is in India an enormous amount of wealth which only awaits the opening of her communications, the increase of produce, the employment of industry. When you have done all that can be done in those matters, when the great arteries of communication in the land have been brought into play, there need be no apprehensions as to the ability of India to pay her way. It has been the custom, Sir, of former Indian Ministers, on occasions such as this, to go not only into the financial subjects which are the special business of the budget,

but also into those various questions affecting India in regard to which they might have anything to communicate to the House. In consequence, however, of the papers that my predecessor has prepared, and which I hold in my hand, I think it is unnecessary that I should address the House now upon those subjects. I have it here in my hand, but I hardly think it is the wish of the House that I should even dwell in summary upon the contents of this valuable but somewhat bulky mass of information. But at all events, without going into those details, I may take it that the present condition of India is one not of brilliant or rapid, but of steady and real progress. Education is progressing, and not only has the expenditure of the Government under this head been enlarged, but that of private individuals also, who have been ready to extend to others the education of which they have learnt to know the value themselves. As I have shown, public works have progressed, communication has been increased, education is improving, the navigation of the Godavery is progressing, and will be pushed forward with to the utmost extent possible during the present year; the Ganges Canal has been subject to a new survey, and additional means will be taken to make it more capable of performing its enormous office in fertilizing and increasing the communication of the North of India; the Doab Canal has been pushed forward; in short, everywhere in India we find a condition of continual progress which justifies us in believing that the labours and anxieties, and even the apprehensions of former years, have not been thrown away. Sir, it may be expected that I should say something as to what the policy of the Indian Government is to be. If I had no other apology for not doing that than the short period of my tenure of office, I think that would be quite apology enough. But, in fact, our policy in India at the present moment cannot admit of doubt. India is now in a quiet pacific condition, and it is our happiness not to have to produce a policy. To keep peace, and to push on the public works—that is in brief the policy that we have to follow. If we can increase the immense means she possesses for the production of commodities—if we can draw forth the enormous elements of prosperity that lie in the richness of her soil and the teeming millions of her population—if we can impress upon the neighbouring Powers—whether they lie outside her borders or

are included in her own dominions—if we can impress upon them that her rulers have renounced for ever the policy of annexation, of territorial aggrandisement, which formerly spread distrust and caused disturbance all around; if we do these things, and if we can spread to all the populations there under our charge the blessings of English civilization and English government; if we can give them the culture which will enable them to appreciate those blessings and to take part in spreading them and in making them effectual; if these things can be done, then this present period of repose and of apparent stagnation will be put to the best use it possibly can be put to. We know that morally as well as physically, a tropical atmosphere is one of terrible uncertainty. We can never tell when the evil day may come, or when this peaceful state of things may be disturbed. Though we cannot see the cloud on the horizon, we cannot predict how far or how near it may be. We can only be assured that if we make the best use of our present opportunities—if we push to the utmost of our power the moral and material improvement of that vast territory and of the teeming nations that people it, we shall then have placed our Empire upon foundations that cannot be shaken.

MR. LAING, having listened to the very interesting statement that had just been made, said, he was sure that all those who were interested in India might well feel satisfied at the future prospects of that country under the administration of the noble Lord, who had dealt with the various questions affecting the Government and prosperity of that country in such a comprehensive manner. On such occasions as the present it would be useless for Members of that House to discuss an Indian budget, with the same minuteness with which the provisions of the financial statements for England were criticized. The Indian budget was peculiar in its nature; it was agreed to in that country before the particulars of it were known here, and the financial responsibility of the Indian authorities ought to be duly respected and preserved. But, at the same time, it was desirable both for India and for this country that correct and comprehensive views of the real position of affairs over there should be entertained in this country, for her progress and prosperity were influenced, not inconsiderably, by the public opinion of England. The question, for instance, as to whether

new and additional taxation ought to be imposed upon the inhabitants of India, or whether the public works ought to be aided by loans, depended upon the feeling that prevailed in England on the subject; and sound opinions could only be the result of accurate and ample knowledge. He might further add that, while deprecating any minute interference on the part of this country with the actions of the Governors of India, yet it might be useful to them to see whether their policy did or did not meet with approval in that House and in the country generally. For these reasons, he thought that the noble Lord had set a good example in inviting a fuller and somewhat more comprehensive discussion of Indian questions than was customary on this budget being brought forward. He personally felt considerable responsibility for the present state of the Indian finances, as it was upon his responsibility, in a great measure, that a great many of the taxes affecting the Native population had been repealed during the last year of Lord Canning's Administration, and that thus the apparent deficit now existing was brought about. It was by his advice that the income tax had been reduced. He was also responsible for the licensing system of taxation, which would have affected several millions of the Native population, not being carried into effect. At the time it was doubted whether the course taken by Lord Canning's Government on these points was prudent, and it was said that it was only to be justified by the result proving that the finances of India might be kept in a healthy condition without the aid of these taxes, in which case there could be no doubt upon the policy of repealing them. The real objection to the income or licence tax in India was not only the miserable sum, comparatively speaking, that it realized, but the amount of extortion, and oppression, and irritation to which it necessarily gave rise in attempting to enforce it from the Native population by means of such officials as they were compelled to employ in India. He had no hesitation in saying that for every rupee that might have been obtained by the operation of the licence tax another rupee would have been extorted from the population by the Native officials employed in collecting it. He, therefore, considered it a point of first-rate importance that irritating and oppressive taxes of this description should be abolished, always providing that no financial exigencies made the continuance of them necessary,

and he was convinced that Mr. Massey had exercised a very wise discretion in not reimposing them. He should not object to a moderate or modified income tax levied upon the merchants and traders and persons of that class, if Mr. Massey should find himself able at some future period to propose such a tax, but he did not consider that in the present posture of affairs there was any necessity for running the risk of attempting to impose anything like a general income tax. The force of this proposition, of course, depended mainly upon the view which was taken of the intrinsic soundness of Indian finances as they stood at present. On that point the opinion to which he had given expression had been challenged, and he was anxious, therefore, to take the opportunity of showing the Committee the real condition of Indian finance as regarded its past progress and future prospects. For that purpose it would be necessary for him to regard the mutiny as forming, as it did, the era in India of a new system of finance, as well as the beginning of an improved state of things in many other respects. Up to the time of the mutiny India had been engaged in a series of wars, brought upon it mainly by the necessity which existed for the extension of its frontiers to its natural limits. Whether those wars were altogether just or necessary he would not say, but the fact could not be disputed, that from the time when our territory in India was confined to a single fort in Calcutta to the time when, under Lord Dalhousie, it obtained its natural frontiers—the Himalaya Mountains and the ocean—we had on our hands a continual succession of wars, which naturally also brought with them a continual succession of financial deficits. The administration of Lord Dalhousie though brilliant, was remarkable for its wars and its deficits. They would find that during the twenty years preceding the mutiny £50,000,000 were added to the National Debt of India. The mutiny, of course, added to the financial difficulties of the country, and from 1857-60 the annual deficit averaged £12,000,000, adding no less than £36,000,000 in the three years to the National Debt of India. This brought about such a degree of financial distress in India, as had been truly said went to the verge of bankruptcy. It became necessary, in the last year of Lord Canning's Administration, to adopt a most vigorous means of improving the revenue and reducing the expenditure, and for that pur-

pose more sweeping measures were never, he believed, adopted in any country; for upon a total expenditure, open to revision, of scarcely £30,000,000, no less than £6,000,000 were struck off in the course of about twelve months. Thus the equilibrium of Indian finance was restored. The question, therefore, was whether the equilibrium had been so maintained since that period as to hold out a fair prospect for the future. Now, if they took the period which had elapsed since the financial year 1861-2, which was the first year in which the new financial measures were brought into operation and the equilibrium established, they would find that the united surpluses of those six years amounted to £1,905,000, as compared with accumulated deficits amounting to £670,000, showing in the period of what might be called the new era of Indian finance an excess of surplus amounting to £1,235,000. He believed that the fairest way of arriving at an accurate opinion upon this subject was to take the figures for a series of years, because it must not be forgotten that the slightest fluctuation in the opium revenue was sufficient to change a small surplus into a small deficit. The gross revenue during the six years since 1861-2 had increased from £43,829,000 to £47,041,000 a year; and taking into account the surplus in the last year, the whole balance of surpluses over deficits during the six years amounted to £1,235,000, or an average of over £200,000 a year. But the noble Lord had pointed out to the Committee the reasons which, in the case of Indian finance, rendered a nominal deficit a real surplus. Since 1861-2 there had been a large outlay upon public works and a large outlay for guaranteed interest on railway capital, which was as yet unproductive, because the lines being as yet unfinished no return could be expected. The outlay in these directions had certainly not been less than £2,000,000 or £3,000,000 a year—an expenditure which in any other State in Europe, or in the accounts of any private company, would have been carried to the capital account and not charged upon the revenue. In the last budget of 1866-7 Mr. Massey included an expenditure of £5,770,000 upon public works, a large portion of which would be unquestionably reproductive, though he was inclined to think that the noble Lord opposite had estimated a little too highly the reproductiveness of some of this outlay. But, at any rate, no one could doubt that at least half of this outlay would be really

reproductive; and, in addition, it must be borne in mind that in these budgets the very cost of land for the railways was charged to the revenue, although it was beyond doubt one of the clearest charges upon capital that it was possible to conceive. In the same way they would find on the revenue side of the Indian budget of this year not less than £3,000,000 or £4,000,000, which, in any budget except an Indian one, would appear as charges upon capital, and hence the trifling deficit of £72,000 which appeared upon the estimate was clearly, in fact, a surplus of not less than £2,500,000, and possibly of £3,000,000. Now, to discover what was the natural elasticity of the Indian revenue, they ought also to look over a long period before they could arrive at any trustworthy results. In the three years 1854-7, before the disturbing causes of the mutiny came to be felt, the gross revenue of India amounted, in round figures, to £32,000,000. The revenue in 1861-2—the first year of the new *régime*—amounted to £43,829,000, and at the present period the last returns were, as near as possible, £47,000,000—for the estimate for the budget was £46,750,000, and budget estimates were always somewhat below the actual figures. The result, then, was that in the ten years preceding 1861-2 the gross increase on the revenue had amounted to £14,000,000, but of that amount £6,000,000 were due to new taxes and the acquisition of new territory; so that the increase ought to be regarded as £8,000,000, or a progressive increase at the rate of £800,000 a year. But since 1861-2 the revenue had increased from £43,829,000 to £46,752,000—an increase as nearly as possible of £3,000,000. But that £3,000,000 ought, in reality, to be increased by £2,000,000, the amount which was formerly derived from the income tax when it figured in the budget of 1861-2, but which had been since repealed. The real elasticity of the revenue, therefore, since 1861-2, amounted to £5,000,000, being at the average rate of £1,000,000 a year. The result thus came out as nearly as could be, that for the ten years before 1861-2 the average increase was at the rate of £800,000 per annum, and that for the last five years it had been at the rate of £1,000,000 per annum. Now, they might anticipate that this state of things would continue. It was a highly satisfactory rate of growth, and was certainly as high as he ever contemplated when he made the predictions which had been re-

ferred to. But, then, the important question arose, how far could the opium estimates in the Indian revenue be relied upon? Now, no doubt the figures under the head of opium varied a good deal from year to year; but still, on the average of the last twenty years, since opium had been an important part of the budget, the return on the whole had been steadily increasing. There had been no one year of total failure, but there had been variations in price, which had arisen by curtailing the production in order to obtain a higher price. When the price rose, then the Native opium of China came into competition. But still the increase of the revenue had been steady on the whole. Taking the net returns, which was the proper course, from 1861-2, it appeared that the revenue from opium in that year was £4,910,000; in the next year it was £6,199,000; in 1863-4, £4,525,000; in 1864-5, £4,993,000; in 1865-6, £6,702,000; and the estimate for 1866-7 was £6,738,000—so that, taking the last six years, the average net revenue from opium had been £5,676,000, and the last two years had been the most productive. He believed that the opium revenue depended entirely upon the consumption in China, which tended steadily to increase. He had occasion some time ago to look into the figures, and he found that some fifteen years ago China was spending about £6,500,000 a year on Indian opium, while she was now spending no less than £13,000,000, or double the former amount. The calculations which gave that result might be relied on, because the number of chests and the price were known. That showed a steady progression in the taste for Indian opium in China. The noble Lord had expressed some apprehension that there might in future years be some loss of revenue under that head in consequence of other sources of supply being opened. That, he (Mr. Laing) believed, was a point upon which the noble Lord's apprehension would probably be corrected by experience. There was nothing more natural than such a supposition at first sight. If there was such an enormous profit from the sale of opium, was it not likely to be grown elsewhere, and how then could we retain the monopoly we possessed? But those who were practically acquainted with the subject were aware that opium was no more of uniform quality or flavour than claret. Several districts in India had a superiority in regard to opium, just like the superiority of Château Margaux and Lafitte with re-

spect to claret. The best test was that of facts. About 1860-1 the production of opium had been greatly diminished, partly owing to the Mutiny, and consequently the price ran up to an extravagant height—some 2,400 rupees per chest, about double the ordinary rate. Encouragement, of course, was given to any possible competition, and Native Chinese opium did enter more largely into the market. And here he would remark, in passing, that it would be a great mistake to suppose that no opium was grown in China, and that we were the only poisoners of the Celestials. On the contrary, the production of Native opium in China was very considerable, but it was an inferior article. Whether owing to peculiarity of soil, climate, or cultivation, it never fetched above half the price of Indian opium in the same market, and nothing but the exorbitant price of the latter could bring the Chinese product into competition with ours. But the moment the price went down to a reasonable sum Indian opium resumed its place, and had maintained it ever since. He believed, therefore, the opium revenue was as secure as the revenue from gin and whisky in this country, provided we followed a prudent course and did not, by greatly limiting the production and forcing up the price, kill the goose that laid the golden eggs. It was always possible to make a single good financial year in India by adopting an imprudent policy. What we ought to keep in view was, during a series of years to get the largest possible revenue out of the article, and that would be done by such a production of opium as might keep the price varying from 1,000 to 1,200 rupees per chest; but if we went beyond that sum there was danger of the Chinese product intervening. He would not enter into the moral aspect of the question, but he believed himself that the effects of opium were very analogous to those of gin and whisky. He believed that taken in excess it led to very deplorable results, but that the great bulk of it was consumed by the mass of the Chinese population with no greater injury than was done to our countrymen in Scotland and Ireland by the consumption of a good many gallons of whisky. He had shown the state of things to be an average progression of Indian revenue at the rate of £1,000,000 a year. The next great question was as to expenditure, because though the revenue might have increased at the rate of £1,000,000 a year, if there should be an unavoidable ad-

vance in expenditure at a higher rate we should be in a bad state. Comparing the last year, respecting which we had full and complete Returns, 1865-6, with that of 1862-3, which might be taken as the model year, when the maximum of diminished expenditure in every department was reached and the great reductions of the last years of Lord Canning's Administration came into full play, and there was a surplus of £1,800,000, the total expenditure in 1862-3 was £43,316,000, and last year it was £47,377,000, or an increase of £4,000,000 in four years—that is, at the rate of £1,000,000 a year, or almost exactly at the same rate as the increase of revenue. Now, it was important to make some analysis of that increase in order to see how far it was unavoidable, and whether it depended upon causes which were likely to continue in the future. The noble Lord referred to the large amount of fixed charge in the cost of collection of revenue in India. It was quite true the amount was large, but it should be borne in mind, that in the cost of that collection were to be included the charges for manufacturing such important articles as opium and salt, to which there was nothing of an analogous kind in the English budget, and which amounted to upwards of £2,000,000. Now, as to the fixed charges on the revenue. First, there was the dead-weight, including the interest of the debt, the allowances under treaties, and pensions and superannuations. These charges were fixed, and could not be touched. They amounted to £10,700,000 in 1862-3, and to £10,300,000 in 1865-6; so that it was nearly stationary. The saving arose from a decrease in the amount of railway guarantees, which more than balanced the increase in other directions. The manufacturing charges for salt, opium, post office, the mint, telegraphs, &c., had slightly diminished. They were £3,360,000 in 1862-3, and they had fallen to £3,200,000 in 1865-6. The cost of collection proper, for the land tax, Customs, and such like, had increased within the two periods from £2,760,000 to £3,230,000. So that the dead-weight of fixed charges was nearly the same, having been £16,820,000 in 1862-3, and £16,830,000 in 1865-6. In each case it appeared that only about £30,000,000 out of £46,000,000 was susceptible of economy. The main items of increase were on the army and public works. The budget of 1866-7 gave the Estimates for

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the army at £13,900,000, but the expenditure on stores was now entered separately. These, however, were military stores, and ought to be added to the cost of the army. The army expenditure had therefore really increased from £12,764,000 in 1862-3 to £14,640,000 in 1865-6—an increase of about £2,000,000. A great part of this increase might be accounted for by the fact that we had since been engaged in two small wars—the war on the North-West frontier, and the war in Bhootan. He had expressly guarded himself, in looking forward to the future income and expenditure of India, by the reservation that no wars should occur; but notwithstanding these two wars, the nominal balance was almost exactly equal, although £2,000,000 more were now spent upon the army. Some portion of this increase was inevitable, because the price of provisions and supplies had risen so much in India that the Government could not, in justice to the men, continue their allowances at the same standard. They were also obliged to make allowances in the shape of batta and otherwise to the officers of the Indian army. Still, he must express a hope that if a tight hand were kept over the military expenditure, the Government might be able to reduce the excess of £2,000,000 to an excess of £1,000,000. He should be satisfied if the increase over the military expenditure of 1862-3 did not exceed £1,000,000. It seemed to him that the “irregular” system, which practically meant having Sepoy regiments with very few European officers, was one that was fraught with very great danger. They had got on well at present, because they had a large reserve of Indian officers of the old army to fall back upon when they wanted them, and who could be added to any Native regiment going on service. But the authorities might find themselves in a position of great embarrassment and danger if they had no more European officers available for the Native army to fall back upon than were supplied by the “irregular” establishment. So long as we kept 70,000 European soldiers in the country we were tolerably safe; but the time would come when it would be impossible to keep that large European force, and then a great deal would depend on the organization which had been given to the Native regiments. Intimately connected with this subject was the constitution of the police force. The expenditure upon the police was, in 1862-3, £2,141,000;

in 1865-6, £2,398,000 ; and by the budget, £2,435,000, being an increase of £300,000. He wished to advert, not so much to the question of increase in cost as to the danger that this force might become a military force. It was laid down by Lord Canning that any police force in India ought to be a mere constabulary with staves in their hands, and not soldiers with muskets. He (Mr. Laing) feared that this excellent rule was infringed upon in many cases, and the noble Lord would find that there was a great tendency in this direction, because the civil officer liked to have a little military force that he could lay his hands on, and such a force added to his importance. There were cases in which an armed police acted beneficially, because more promptly, than the regular army in the suppression of disturbances. The danger of arming these men was, that the number of Native police was so great, and the proportion of European officers was so small, that in case of insurrection they might become like Sepoy regiments with one European officer, and that was a most dangerous state of things. This was the opinion of Sir Bartle Frere—a member of the Council of Lord Canning, who had charge of this department, and directed his attention to the organization of the new police. Next to the increase of expenditure upon the army and police, came the increase on public works. The expenditure on public works in 1862-3 was £4,400,000 ; in 1865-6, £5,250,000. So far from complaining of this increase, he should be happy to see it even larger. He believed that the Government would do most unwisely to adhere to the rule to do nothing for public works except what they could effect out of surplus revenue. The increase under the items of law and justice had been from £2,074,000 in 1862-3 to £2,398,000 in 1865-6, and in the budget to £2,607,000. The outlay upon education had increased from £400,000 in 1862-3 to £660,000 in 1865-6, and in the budget to £763,000. The practical result of the whole budget was, that there had been for four years an average rate of increased expenditure of £1,100,000 a year, which about corresponded with the yearly average increase of revenue. He trusted that the whole of this increase would not be maintained, because the present military expenditure might, he thought, be reduced by about £1,000,000 a year. His object in these remarks was to endeavour to prove that the general state of the Indian finances,

under the new system inaugurated after the Mutiny, was on the whole not at all unsatisfactory. Even although there had been a large expenditure on public works, which had been charged to revenue and ought to have been charged to capital, the last six years showed a surplus of £200,000 a year. The revenue was still increasing, and the expenditure ought at least to be proportionate to that increase. He had arrived at the conclusion that Mr. Massey did quite right not to propose hastily the imposition of new taxes because there was a small nominal deficit this year ; and we ought to be very cautious in this country of urging upon the authorities in India the imposition of new taxes which they did not quite see their way to adopting. At the same time he admitted that if they could advise a kind of modified income tax upon a fixed scale, something like our licence taxes for attorneys and others, it might be desirable to adopt it. Whether that were done or not, there was nothing in the position of the finances of India that ought to interfere for a moment with the carrying out of great works of public importance. He agreed with the noble Lord that "Peace and Public Works" ought to be the words inscribed on the programme of the Government of India. The satisfactory results that had followed the construction of railways ought to be an encouragement to proceed further in that direction. Much remained to be done in the construction both of the arterial system and of branches. Both on commercial and political grounds the main line along the valley of the Indus ought to be completed, so as to connect the Punjab with Kurrachee ; and, this line meeting that from Calcutta at Lahore, the railway communication from east and west ought to be prolonged to Peshawur. A line of railway between Peshawur and Lahore might at some time be of as much importance to us as one to Sebastopol would have been to Russia during the Crimean War. Hyderabad and the Nizam's territory ought also to be opened up by a railway. There were other important provinces, such as Oude, in which railways would pay if they were economically constructed. There was, indeed, ample scope for the expenditure of £20,000,000 or £30,000,000 on Indian railways during the next few years. No time ought to be lost in placing the existing lines in a position to carry the immense traffic which was ready for them. Many of them required doubling and an increase of rolling stock. The expenditure

that was so imperatively required ought not to be delayed by taking time to consider whether it should be incurred by companies under a guarantee or directly by the Government. No doubt it might be cheaper in some instances for the Government to do the work, either by employing its own engineers, or directly entering into contracts, but if Government called for a large loan a good deal of the money was kept idle until it was expended, while a company, whose capital was in shares, could raise the money by calls as it was required. Although the guarantee system might have cost the Government something, it had been the salvation of Indian railway works, which must have been suspended or stopped if it had not been for that system. It might be adhered to in the main, and at the same time the Government could do something on its own account, either by constructing minor lines or undertaking portions of trunk lines. The same observations applied to works of irrigation, for which there was more urgent need. There was every inducement to proceed rapidly with public works, whether railways or works of irrigation. On the railways £60,000,000 had been expended; the guaranteed interest was only £500,000, and that charge was almost certain to disappear in two or three years. This was an encouragement to spend £30,000,000 or £40,000,000 more. In conclusion, he expressed his satisfaction that on this occasion there was a better opportunity than former years had presented for the full discussion of Indian questions.

Mr. STANSFELD said, that the House was bound to recognize the remarkable ability with which his successor, at such short notice, had submitted the Indian budget, involving as it did, the complications of the accounts for 1864-5, the "regular Estimate" for 1865-6, and the budget Estimate for 1866-7, not to mention the comparison of the accounts for 1864-5 with what was laid before the House as the "regular Estimate" for that year. The accounts for 1864-5 showed a net deficit of £193,000, and the regular Estimate for last year a deficit of £263,000—a difference in favour of the accounts of £70,000. The difference was the result of the much larger difference on the side both of revenue and of expenditure. A comparison of the accounts with the regular Estimate showed a reduction of £631,000 in revenue and of £701,000 in expenditure. Even these

amounts, large as they were, were the balances of larger differences both of increase and of diminution on both sides of the account. There was reason to expect that, owing to improvements made in keeping the accounts, these differences would not be repeated in future years. Having referred to the budgets, regular Estimates, and accounts of the last three years, the hon. Gentleman said that not only with regard to those three years, but to recent years generally, there were observable not only those characteristics to which his hon. Friend had alluded, but a gradual and unavoidable increase in what might be called the Civil Service Estimates of India—that was to say, in the expenditure upon good and improved government. But the question more particularly before the House that night was whether the budget which the noble Lord had brought under their attention and the budget which Mr. Massey a few months ago sent from Calcutta was to be received, on the whole, as a sound and satisfactory budget. It ended in a deficit of £72,000, although there was a high estimate taken for the opium revenue, and although in the expenditure for the army there might not be all the saving effected that was expected. Yet it did not follow that Mr. Massey's policy was not a sound policy, and, for his own part, he thought Mr. Massey's budget was a sound one and justified by the circumstances of the case. He did not think that it would have been advisable for Mr. Massey in the first year of his administration to enter upon any new or speculative system. Nor was it necessary for him to do so; for, on the one hand, he had provided for an increased expenditure of not less than £1,000,000 for public works, and on the other he had, on his own estimate of the probable requirements of the Indian Treasury, an available excess of £2,000,000 of cash balances on which he could, if necessary, fall back. The growth of the revenue might, under judicious management, be made to keep pace with the growth of the expenditure. The income derived from opium was naturally watched with some anxiety, as it varied considerably from year to year, and was a rather precarious source of revenue; and he agreed with the noble Lord in not looking upon it with entire trust and confidence. Another disturbing element in Indian finance was the expenditure

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upon public works. The question had been mooted whether some of these works might not be carried out by private enterprise or by means of loans; and the principle of a loan had, indeed, been accepted by Lord Halifax and some other authorities. It was almost impossible to exaggerate the importance of public works of a remunerative character. It might be doubtful whether by making roads, for example, and levying tolls upon them, they could obtain a good return upon their outlay; but still, they could not on that ground alone say that road-making was necessarily an unproductive expenditure of public money. He (Mr. Stansfeld) did not object, therefore, to a loan; but before they entered upon financial operations of that kind they ought to look also at the condition of the revenue, and feel satisfied that it was likely to be sufficient to cover any portion of their outlay which could not, in the strictest acceptance of the term, be referred to a capital account. It was a very tempting thing to spend money that they raised on loan; but it was admitted on all hands that, however objectionable an income tax might be in India, there were wealthy classes there who did not contribute their fair proportion to the public exchequer; and he was disposed to think that, if there was to be an extensive and vigorous prosecution of public works, it was desirable that it should be accompanied—and he imagined that Mr. Massey was not unlikely to attempt it in following years—by some well-devised financial scheme, which would add to the revenue of India, and place it on a sound footing. Adverting to the speech of the Secretary of State for India, he concurred with the noble Lord that the period of conquest and forcible annexation was passed, and that we had entered upon a totally different period which ought to be characterized by the improvement of civil government, and by efforts to promote the contentment, prosperity, and the material, moral, and intellectual progress of the people confided to our charge. If that were the policy of the present Administration, as the noble Lord had announced, it would lead to a two-fold financial result—namely, the keeping down of the military expenditure, and an increase in the Civil Service Estimate. Our old policy had been abandoned, and the time had arrived when we could and ought to con-

centrate all our energies on the civil government and expend more money on law, justice, and education. He was delighted to find that that was the policy of the noble Lord, and felt certain he would be supported by the present Viceroy and the military and civil servants of the Crown. For his own part he should give his hearty and earnest support to such a policy, fully believing that it would gain for the present Government the gratitude of the people of India.

MR. SMOLLETT regretted that a little longer notice had not been given of the noble Lord's intention to bring forward his budget. He used formerly to say that the bringing forward of an Indian budget at the very far end of the Session, and with the attendance of only eight or ten Members, was something like a solemn farce. That expression, however, could not be used this year, for the budget, in his opinion, had been brought forward in a very statesmanlike and judicious manner. A great deal of information had been given to the House, and the debate was calculated to do a considerable amount of good. It used to appear to him that hon. Members took less and less interest every year in the affairs of India, and that the incapacity of the House to discuss Indian matters was very conspicuous. The reason was, that most of the men who were able to supply the requisite information were excluded from the House. At the present time Members of the Council of India were disqualified from sitting in the House of Commons, though formerly many of the Gentlemen who formed the Board of Directors were also Members of the lower House of Parliament. These Gentlemen were fully qualified to discuss any question that might be brought forward on the subject of India. At the present day there was no one in the House, except the Secretary of State for India, and the Under Secretary, if he happened to sit in the House of Commons, who knew what was going on in India, and they were extremely reticent and took care not to let anything ooze out which might lead to any troublesome result. Consequently the Secretary of State for India had become, as it were, an autocrat, and held in his hand the liberties of 150,000,000 of people. He could not give a more pregnant illustration of the ignorance prevailing in this country with reference to Indian affairs than by pointing out what had occurred during the

present Session. Hon. Members had talked about the age of annexation having gone by, but he ventured to deny that. From papers which were placed upon the table of the House about a month ago it appeared that during the last two or three years the Secretary of State had been conspiring to annex a principality in India. Everybody was aware that a proclamation under the Sign Manual was addressed to the people of India in 1858, when Lord Derby was in power, and when, he believed, Lord Stanley was Indian Secretary. That proclamation said—

“We hereby announce to the Native Princes of India that all treaties and engagements made by them with the authorities of the Hon. East India Company are by us accepted, and will be scrupulously maintained, and we look for a like observance on their part. We do not desire any extension of our present territorial possessions, and while we will not permit any aggression on our dominions or rights to be attempted with impunity, we shall sanction no encroachment on those of others.”

Now, there was in Madras a little principality called Mysore, which was held by the present Prince under the guarantee of two treaties. He had always been looked upon as the hereditary possessor of that territory; but the idea went abroad that he intended to bequeath his dominions to the British Government on his demise. The Rajah of Mysore, however, never had, he believed, any such intention. He had an adopted son and heir, in accordance with vice-regal sanction and regal precedent in India, but he was at once informed by the Secretary of State for India that the Government would take no such circumstance into consideration at all. They at last made the discovery that the treaty was merely a personal treaty; that it was framed merely for temporary purposes; that those purposes had now been fulfilled, and it had been resolved accordingly to annex the territory as soon as the Prince should die. Now, the power of acting in that way was one which, in his opinion, no Secretary for India ought to possess, and he mentioned the fact to show that we had not yet done with the policy of annexation. It would be well, then, he thought, that there should be some Members of the Indian Council in that House, from whom information giving timely notice of such tricks might be obtained. As to the financial position of India, he must say he thought it was very satisfactory. The material comforts of its people were never, he was happy to say, greater than at the present moment.

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The reason was that the prices of all sorts of produce in India had been doubled or tripled within the last few years, while the rent of the land had remained stationary. The revenues which we derived from the land in that country was £23,000,000 sterling per annum, the entire revenue being £47,000,000. The expenditure, which kept pace with the revenue, was this year nearly £47,000,000, but in the last year of Lord Canning's administration it amounted only to £34,000,000, so that between 1856 and the present time the expenditure had increased by £13,000,000, and had more than kept pace with the revenue. We spent nearly £16,000,000 annually, including the charges in England, on our army; and £5,500,000 on public works, which were supposed to be neglected. Now, £13,000,000 in ten years was a monstrous increase of expenditure, and we must, he thought, look not to income taxes or licences in order to make the two ends meet at the close of the year. He had not the slightest doubt that the expenditure might be diminished to the extent of £2,000,000 or £3,000,000 annually, and he hoped economy would be the rule at the Indian Office. He should in the next place proceed, with the permission of the House, to say a few words with reference to reproductive works in India, although the views which he was about to advance would not, he was afraid, be palatable to some Gentlemen in that House. The subject of works called reproductive had received very little attention in that House until within the last ten years. In 1856 Mr. Vernon Smith, now Lord Lyveden, the Minister for India, noticed with great approbation in his Budget speech some reproductive works in the Madras Presidency. He stated that those works gave returns of from 50 to 700 per cent per annum from irrigation alone, admitting at the same time that no works of irrigation in any other part of India produced anything like such results. There was no doubt that was the case, for the returns on which Mr. Vernon Smith relied were not true. The Presidency of Madras, however, which had attained such notoriety, had ever since been engaged in endeavouring to maintain that pre-eminence by manufacturing accounts and making imaginary profits. He could state that on his own authority, having been himself a collector of a district and engaged in the species of manufacture to which he referred. He had not manufactured accounts of his own accord, for he had always dissented from the

views of the Government on the point. He had acted under orders. Returns had been sent to him to fill up, and he had declared, in sending them back, that the profits were imaginary. He would briefly explain the way in which those profits were really made. Everybody was aware that land in India depended entirely in many instances for its productive power on irrigation. That irrigation frequently was procured from reservoirs, which, in all probability, cost a very large sum in the first instance to construct. Now, if one of those reservoirs happened to be breached, owing to a tempest, and the water, as a consequence, escaped, the land was allowed to remain barren, and the loss of a revenue of £10,000 a year might be the result. A reservoir had, for example, been breached by a storm in 1850, and had continued in that helpless condition for two or three years, until the necessary repairs were effected. During those three years there was a loss of some £3,000 of current revenue in the aggregate; but in 1853 an engineer repaired the damage done to the reservoir, probably at a cost of £500. In a few years afterwards he prepared his accounts, and they were cooked thus:—The Returns from irrigation in 1850, 1851, and 1852 were set down at nil, while the Returns for 1853, 1854, and 1855 were set down at 10,000 rupees, as the result of a total expenditure of £500 in 1853, and the profits in that way calculated at 200 per cent. Profits made after that fashion were, however, merely imaginary gains; for, in truth, by the outlay nothing had been obtained except the original rent of the soil; but it was in the manner in which he described that accounts were cooked when he was in Madras, and they were, he believed, cooked in the same way up to the present moment. In 1851 the Government of India appointed Commissions for each Presidency in India to report on the state of public works in the several Presidencies. The Commission for Madras consisted of three persons. At its head was Mr. Bourdillon, a civilian, who was assisted by two military men. Mr. Bourdillon was a gentleman of considerable talent and a capital penman, and he wrote a most readable report, but one which he regretted to say was wholly unreliable. He and his brother Commissioners accepted as gospel all that was told them by the Engineer officers, and they inserted one chapter in their book to show that the works which had been devised by the Government Engineers' Department during the previous ten years—though

some undertakings were acknowledged to have turned out failures—had each produced an aggregate profit of 100 per cent per annum. Now, that was absolutely impossible. He would take the case of one great work of irrigation which was at the time being carried out by the Government for the purpose of watering part of the district of Rajahmundry. That undertaking had been in progress from 1848; some most expensive masonry work had to be constructed, which occupied the engineers for a period of two years, and the Commissioners declared in their Report that the work already yielded 70 per cent on the outlay. In 1854 the profit was represented to be 70 per cent, but the account was accompanied by a statement that such a dividend was only a small amount of profit, for in a few years the Commissioners asserted that the undertaking would yield a net return of £300,000 a year to Government, and a clear gain of £3,000,000 to the peasant proprietors. That statement was made by the Commissioners, and circulated over the world; and the Government allowed it to go forth as if it were true, though it was a perfect fabrication. Being on the spot, he set himself to work in order to discover whether there was the smallest ground for the statement of those imaginary profits—and he found that they were entirely fabulous—in point of fact, the weir across the river Godavery was only commenced in 1847. The channels and canals for irrigation were opened in 1851 and 1852: the profits could only commence from that date; and the public accounts proved that the rents in the district had not increased more than £4,000 a year in 1853 and 1854. There had been considerable inquiry into his charges; they were found to be true, and the facts were suppressed; but if any one doubted his statement he was ready to move for any inquiry as to whether those accounts had not been fabricated. In 1858 certain works were planned in connection with the Madras Presidency, of which Sir Arthur Cotton was the projecting engineer. A company was formed in London to carry them out, and it was proposed to raise £2,000,000 of capital, and to carry on the works on a great scale, solely on private account. A deputation from the company went to the India Office, then presided over by the noble Lord the Member for King's Lynn (Lord Stanley), who received them with great courtesy, and assured them that he felt a lively interest in the success of their

suggestions. The noble Lord not only gave them a concession in India that they might have an opportunity of commencing their works, but he gave them a guarantee of 5 per cent on £1,000,000 of their capital. On the faith of this guarantee they raised £1,000,000 of capital. In the years 1859, 1860, and 1861 money was plentiful and easily obtainable; the amount was paid at once into the Indian treasury, and £300,000 of interest had been paid under the guarantee, the works not yielding the smallest return. In 1866 the first £1,000,000 was expended and more money was wanted, but not 1s. could be got on the credit of the undertaking itself—and why? The reason was that the monied interests in England did not believe a word of the statements put forth by the projectors of cent per cent profits. Under these circumstances, the company had recently come forward as supplicants for a loan; they had recently asked the India Board to lend them £600,000, and he believed the Government would lend it. If so the money would be thrown away. The works would go on; for the directors received good salaries, and there was a profit to be got by employing their friends as engineers. In fact, the £600,000 would be good money thrown after bad. The same company in 1861 originated other public works. They obtained a concession to join the Mahanuddy river with Calcutta, by means of a canal. The nominal capital was £3,000,000; they had raised a considerable sum of money, under the representation that everything in India would yield cent per cent. But their shares were at £5 discount on £13 paid up, and he believed they would go down to zero: when that took place the company would get up complaints against the Government, and the Indian authorities would, to get rid of them, repay the whole outlay and take the works on public account. Such was the history of some of our public works. There was one more he would mention, the Great Ganges Canal. When in India he examined many of the great works, and found them to be great windles. The engineer calculated on the works yielding $12\frac{1}{2}$ per cent. Lord Dalhousie spoke of it in the highest terms as likely to be beneficial to the country, and he highly eulogized the engineer, who was made a Grand Cross of the Bath, and was provided with a seat in the Indian Council. Now the scheme was a total failure. General Sir Arthur Cotton condemned the scheme, and proposed one

of his own, which in turn was condemned by a body of engineers to whom it was referred. In the face of these enormous failures there was a plan in contemplation by the Indian Government of gigantic magnitude. Colonel Strachey had written to the Governor General, and proposed to make works for irrigation and navigation in all the Presidencies on a lavish scale. Sir John Lawrence approved the scheme; and asked the Government at home to borrow for it £20,000,000. Was this to be done? Were works of this costly nature to be entered upon while neither the Ganges Irrigation Company nor the Madras Irrigation Company yielded a profit? Colonel Strachey said he should not be surprised to see the works productive in ten years. Well, in ten years many of those now present would not be here to see whether the prophecy was fulfilled; and by that time also he was well assured the gallant projector would have retired from the service with a handsome competency. Did the Government mean to support this? If they did he would early next Session move an Address against any borrowing of money for these purposes, without the sanction of Parliament was first obtained.

MR. CRAWFORD said, that he would not occupy the attention of the House for any long time, because he thought the whole question of Indian finance had been explained to the House in a very clear manner by the noble Lord the Secretary for India (Viscount Cranbourne), by the hon. Member for Wick (Mr. Laing), and by the hon. Member for Halifax (Mr. Stansfeld), whose speech made one regret that the House had not long had the benefit of his talents in the transaction of Indian business. The hon. Member for Dumbartonshire (Mr. Smollett), who had just spoken, had told the House that he, as a Government officer in India, was engaged in cooking accounts.

MR. SMOLLETT said, that perhaps he had not fully explained himself. What he meant to say was, not that he had committed any fraud, but that the Returns to which he had referred were drawn up in a way to show a profit of 7 per cent, which, in his opinion, was not realized.

MR. CRAWFORD was glad that he had given to the hon. Member an opportunity of explaining, but he should rather be disposed to wait for the statements of others before he took for granted all that the hon. Member had asserted in disparagement of

everything connected with the public accounts in India. He thought that the conclusion which every Member must come to was, that the finances of India were in a very satisfactory state. No doubt that, while the revenue of the country was flourishing, the charges were considerable; but, regard being had to the large amount of money expended on public works, it appeared that there was virtually a very considerable surplus for the public in India. The noble Lord hardly seemed to estimate sufficiently the advantages which would result to the public revenue from the completion of Indian railways, which he ventured to say would have the effect of causing no inconsiderable addition to the revenue of India. The two great Indian railways would connect one side with the other, from Bombay to Calcutta, with a communication from both places to Delhi. Before half-a-dozen years he anticipated an income of 10 per cent on these lines. There was another point connected with the railways and the revenue of India. One effect of the increase of the railway communication in that country would be the greater consumption of salt. Now, the noble Lord when speaking of the falling off of the revenue had mixed up salt and saltpetre, which were two things having no relation one with the other. When the duty was placed upon saltpetre it was believed that the effect of this course would be to incite the inventive minds of the people in this country and various parts of Europe to discover a substitute; and already this had been done to a considerable extent. The noble Lord was also in error in regard to the public sales of opium in Calcutta. He spoke of private sales, but it should be understood that those sales were entirely in the hands of the Government, who put up such a quantity as they chose, the public having nothing to do with it. He entirely concurred in what had been said by the hon. Member for Wick (Mr. Laing), not fearing any considerable reduction in the revenue on account of the falling off of the sales of opium in Calcutta. It had been said that the Chinese were increasing their supply of this article, but they could only do so when prices were high, and then the taste of the opium of India was preferred to that of China. Reverting to the subject of railways in India, he wished to notice the statement of the noble Lord that the East India Railway had cost more per mile than the Great Indian Peninsula Railway itself. In the case of the latter line great natural diffi-

culties had to be encountered in the shape of mountains to be traversed; but, on the other hand, the East India Railway had to pass over several mighty rivers, and the bridges constructed for that purpose had cost more than the cutting through the mountain passes of the Great Indian Peninsula Railway. On the East India line there were bridges approaching a mile in length, the materials of which had all been sent out from this country, and the whole of those structures had cost more than £1,000,000. The company had also suffered in various ways from the Indian mutiny, and the total loss they had incurred on that account was estimated at about £2,000,000. He mentioned those facts for the purpose of removing any impression which might prevail that the business of the East India Railway had been wastefully and imprudently conducted. He had every reason to believe that those Indian railways had been conducted in a manner which would do credit to any country in the world, and that they were in every respect equal, and in many respects superior, to our own first class railways. There was another point on which he should be glad to obtain some information from the noble Lord. It was understood that the introduction of a gold currency into India was exciting the attention of the Indian Government. He understood that a Commission had been sitting upon the subject, and that a Report had been already made to the Government. Now, it was a matter of considerable interest to the merchants of this country that the result of the inquiries of the Commissioners should be made known as soon as possible; and he hoped that if Parliament were not sitting at the time their Report arrived, the noble Lord would take care that the public should at once be made acquainted with its purport. The noble Lord would, perhaps, also inform them whether instructions had been sent out to India to send to this country the accumulations of gold which had taken place in the Indian Treasury. Those accumulations were suffered to amount to from £500,000 to £1,000,000, and the arrival of such an amount of bullion would, under present circumstances, be a matter of some importance in this country. He had to observe that he thought the hon. Member for Dumbartonshire (Mr. Smollett) had done some injustice to Colonel Strachey. That gentleman had for many years been connected with public works in India; and he (Mr. Crawford)

believed that there was no other officer in that country to whom the Government, the public, and, in particular, all persons interested in railway enterprise, were under greater obligation.

LORD WILLIAM HAY said, that as he had spent many years in India he hoped he might be allowed to take an humble part in the discussion. The noble Lord the Secretary for India had expressed some surprise at the small amount of revenue yielded by the Excise duties in India; but the noble Lord seemed to have forgotten that, unlike Europeans, neither Mahommedans nor Hindoos drank intoxicating liquors of any kind; and, indeed, looked upon the tendency of our rule to give encouragement to the use of such drinks as one of the evils by which it was attended. As to the income tax it was most desirable that it should be abolished, not only because a distinct pledge had been given by the Government to that effect, but because it was a tax most unsuited to the country. The noble Lord referred to the excessive percentage of incorrect income tax returns furnished by the Natives of India, and said that they contrasted most unfavourably with similar Returns in England. But he would suggest that if the Returns obtained in England were scrutinized, as in India, by foreigners bent on realizing as much as possible, a very different view of their accuracy might be the result. The noble Lord had said that this was a time when peace and prosperity reigned throughout India, and that there was little to do but to develop the resources of the country, and raise the moral and intellectual character of the people. The great improvements which had taken place in the communications with India and in India by means of railways, roads, and otherwise, had on the other hand not been altogether without danger to our rule, because they had made the Natives better acquainted, not with our strong points only, but also with our weak points, and it was a great mistake to suppose that either the Hindoo or Mahommedan would be content, without another struggle, to see the power which they once exercised pass away from them. Our obvious duty was, therefore, to take measures to render our position more secure, and that could only be done by placing our military defences on a proper footing. He would ask what had been done to protect the ports of Calcutta, Bombay, and Kurrachee? These import-

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ant seats of commerce were undefended, and he did not believe there was a single gunboat on such rivers as the Ganges and Jumna. But the point he wished to draw particular attention to was the gradual increase of the force known as the police force, which the hon. Member for Aberdeen (Colonel Sykes) last year said amounted to no less than 154,000 men—an armed force, dispersed throughout the country, and at liberty to do what they pleased. Upon that the hon. Member for Perth (Mr. A. Kinnaid) remarked that if they were armed it was the exception, not the rule; and the Secretary for India said that the police did not in most cases carry arms. Now he (Lord William Hay) had himself seen so many of these men carrying arms that he could not place much confidence in these statements; and having written to a friend in India, an excellent authority on the subject, he could state that the account that he had received was totally inconsistent with these official denials. His correspondent—one of the most distinguished officers in India—said that the Indian police force was in reality a Native army in disguise, that they were constantly seen drilling with muskets in their hand, and that for the purposes of a police force they were quite a failure. If the police were unarmed and scattered through the country little danger could arise from them; but, believing that they were armed, he thought they were more dangerous scattered all over the country than if collected in regiments at stations, where they might be controlled by the European forces at our disposal. But the police was not only dangerous on account of its military character, it was also a very expensive body, and there was a most extraordinary difference in its cost in the different Presidencies. For instance, in Bengal, with a population of about 40,000,000, the cost of the police was only £12,000 per 1,000,000. But in Burmah, with a population of 2,000,000, the cost was £119,000; whereas, in proportion to the population of Bengal, it should be £24,000. In Madras, the cost of the police was £353,000; but, according to the Bengal proportion, it should be no more than £276,000. In Bombay the contrast was still more striking, the cost of the police being £390,000; whereas, according to the Bengal proportion, it should be only £144,000. He thought the charge under the head of "Forests"

required attention. In 1864-5 the expenditure was £187,000, whereas in 1865-6 it was £300,000. Some reason should be given for this. The increase in the revenue was very small, but the increase in establishment was very large. The hon. Member for London seemed to think that what are described in India as "forests" are tracts of land on which timber trees are exclusively grown; the fact being that in many forests nothing is grown except shrubs, low trees, and brushwood, fit only for fuel. The importance or rather the indispensable necessity of preserving these forests will be readily conceded when it is remembered that many thousands of people and many hundreds of miles of railway must for years to come depend for fuel on the wood grown in them. Hitherto there had been no system whatever in the management of these forests. For the most part they were intrusted to doctors having a knowledge of botany, or military men skilled in sporting; but no attempt was made to introduce a real system of forest management. In Germany, Switzerland, and France, forest management was reduced to system and taught in colleges. It would be the greatest possible benefit to India if persons so educated were sent to India and placed in charge of these forests, instead of their being left in the hands of amateurs. The increase of pauperism in India also demanded serious consideration. He referred to those European vagrants who were now found wandering all over India, many of whom had been soldiers, but whom their comrades were glad to get rid of—a set of ruffians whose violence and misconduct made them a terror to the population, and whose influence on the Natives was an especial source of danger. It would be interesting to know what steps had been or would be taken to remove this great and growing evil. With regard to the amount spent on public works of a remunerative character, there had been a good deal of exaggeration. Many of these works undertaken were indispensably necessary for the defence of the country against internal and external foes; and it would be found, if a calculation were made, that after all very little money had been spent on any other account. Nor did he regret this. It was certainly desirable that in improvement works the initiative should be taken, as far as possible, by the Government; but when they became remunerative Government should dis sever itself from them. It had

been said that the annexation policy had resulted in the greatest harm to India, but his experience induced him to form a contrary opinion. When he went to India, more than twenty years ago, the Punjaub had not been annexed; it was filled with Native soldiers, armed and trained by Europeans—Frenchmen and Italians—of great energy and ability, and if it had not been taken possession of our position in India would, at this moment, be most insecure. Annexation was, in his opinion, a necessity; it was the policy of the late Lord Dalhousie, to whom England owed the security of her position in India. In conclusion, he would venture to express the opinion that if the Government of India would mainly devote its energies to strengthening the defences of the country, to placing the army and the police on a sound and well-organized basis, and to improving the means of communication both by land and water, the further development of the resources of India might safely be left to English capital and to private enterprise.

SIR JAMES FERGUSSON said, the short time he had been in office, and the inferior knowledge he possessed on Indian subjects compared with other hon. Members in that House, made him somewhat delicate in expressing his opinions upon this question. Some things, however, had been said in the course of this debate which he thought ought not to be allowed to pass without some remark. The hon. Member for Wick (Mr. Laing) was one of the most friendly of critics, for he had taken a more favourable view of the financial prospects of India than even his noble Friend (Viscount Cranbourne) had done. He (Sir James Fergusson) should not have referred to the remarks of the hon. Member for Wick had he not fixed on the policy pursued since the year 1861 as the cause of India's prosperity. Those who were acquainted with the history of India must admit that its present increasing revenue, its improved condition, and its internal tranquillity were owing very much to the energy and money expended during the years preceeding 1861. Though unproductive at the time, the policy pursued in those earlier years had resulted in present benefits in accordance with the expectations of its promoters. The vast drains upon the National Exchequer previous to 1861 were consequent upon the carrying out of great public works in India, rivalling, and in some cases ex-

ceeding, in greatness the works of the old Indian princes, and these until very recently had produced no return. As to the process of annexation which had been referred to, and which had, happily, been discontinued, he regarded it as having been forced upon us and pursued from high and imperative motives if not in self-preservation. Then, the great work of uniting the various provinces of India produced its fruits in these later days; at our greatest need the greatest of our recent acquisitions had proved the means of recovering the rest; and in every direction they were reminded that, although the more recent policy pursued in India had been wise and fruitful, those who laboured there in former times should not be refused their meed of praise. The hon. Member for Wick referred to some of the public works that were going on in India of an unproductive character, and amongst those he had classed expenditure for barrack establishments. But though in one sense barracks were unproductive, there was no description of works by which a more desirable saving might be effected. One of the great expenses connected with the Government of India was occasioned by the large casualties among the British troops. It should be recollected that it cost the country £100 to place a soldier in India, and anything that tended to reduce the mortality of our troops there must be looked upon as a work of a reproductive character. Statistics showed that while ten years ago the mortality among European soldiers in India reached 69 per 1,000, the ratio was reduced last year to 21 per 1,000. No better proof of the advantage of such expenditure could be given. The hon. Member for Wick referred to the police establishments in India, but the fact was that the substitution of a less disciplined force for the regular military was only the change of one army for another. In particular districts where there existed circumstances of peculiar danger the police were armed with muskets. But that state of things might be taken as an exception to the general rule. They were at first armed with cutlasses, but these weapons were being gradually substituted for batons, with which they were now generally armed. If they had been a great expense to the country, it would, at all events, be gratifying to know that good results had arisen from their maintenance. From papers which had been recently presented to hon. Gentlemen, it would be seen that in Bengal

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the police force numbered 26,591 men. That was doubtless a large number, but the returns stated that it was necessary, particularly in Calcutta, to increase it, inasmuch as it was found that the existing force was insufficient to hold the criminal and riotous Europeans in check. Great fault had been found with the old village police, and a disposition had been shown to substitute this more efficient and better disciplined body for the old and uncertain force. In the North Western Provinces the new police force had already shown itself superior to the old force, and especially in what used to be its weak point—the detection of crime. It had also improved in its *morale*, the complaints of corruption being now exceedingly rare. Measures for the detection of crime were now more effectual, and numerous captures had been made. To whatever cause the increase of crime might be attributable it certainly did not arise from the insufficiency of or deterioration in the police. In the central provinces the number of convictions for burglary and ordinary theft had increased. The proportion of apprehensions and convictions, as compared with the number of cases charged, exhibited a great improvement, although the detective ability of the force seemed still to be rather deficient. The force was rather popular than otherwise among the people, and, with strict supervision, it proved a very valuable body. In British Burmah their discipline was improved and their conduct steady, and, on the whole, the police force of India was looking well, but it was necessary to have strict supervision over it. The hon. Member for Wick had referred to an important question—that of the army—and said that he looked upon the Indian army as containing one of the few elements of danger with which this country was threatened. He (Sir James Fergusson) would not now enter into the question of the organization of the officers of the Indian army, which would have the serious attention of the Secretary of State, and no time would be lost in promulgating the result which might be arrived at. The question formed one of those difficulties the existence of which must involve many complaints; but he was convinced that there had always been a desire to deal fairly with the officers of the army, as with all ranks of the service, and one more attempt was being made to reconcile the differences which existed, and he hoped it would be attended

by better results than those which had attended previous attempts. He felt sure—and that was his reason for touching upon this point—he felt sure that no complaints which the officers had made, and no discontent which they might feel with their lot, would ever cause one element of danger to Her Majesty's Indian Empire, or make them less ready than they had hitherto been to do their duty, or to enforce discipline and loyalty among their men. With regard to the question of public works, his hon. Friend the Member for Dumbartonshire (Mr. Smollett) had made statements which ought not to pass unchallenged, alleging that the public money had been expended upon unproductive works. It was not to be doubted, nor was it disputed, that in some cases the works had not realized the expectations of their projectors. In some cases they had been failures, and in some cases they were unfinished; but to say that the public works of India with regard to communication—the hon. Member had not, however, said anything against the railways—to say that those works had not conferred a great blessing upon our Indian Empire, was to say that which was entirely inconsistent with the facts of the case. The hon. Gentleman had referred to the Godavery River. In consequence of the allegation of his hon. Friend when resident in that country an inquiry had been held under the Board of Revenue with respect to the work done there, and one of the results of that inquiry had been that a picture had been drawn comparing the state of the country before those works commenced with the state in which it was placed after they were completed, showing that a district which was before a wilderness had grown into a garden. To procure the irrigation of this district a weir of 3,950 yards had been constructed. The hon. Member referred to that work, and seemed to think that the money expended might as well have been thrown into the river.

Mr. SMOLLETT denied that he had said that. What he had said was, that up to the year 1855 that work, on which £300,000 had been expended, was said to have yielded 70 per cent of profit, and that in a few years it would yield £300,000 of profit, whereas up to the year 1855, it had never returned more than £204,000, and that was only £1,000 more than the amount of the permanent settlement fixed fifty years before.

SIR JAMES FERGUSSON said, it
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was not his province to defend the Reports of 1855, but to show the state of the country at the present time. The district was intersected by canals, and altogether 780,000 acres of land were irrigated. As to the Ganges Canal, it was true that, on account of the channel having too great an inclination, the work had not fully realized the expectations that were entertained; but measures were determined on to remedy the defects of construction. It had conferred incalculable benefit on the country that was irrigated by it, as was proved by the revenue derived from it, which in last year alone increased by £21,000. The irrigation works on the Kistnah were in a forward state for a considerable distance. His hon. Friend laid great stress on the Madras Company having as yet got no return, though they constructed the work under the guarantee of the Government, but it would be very odd if they got any before it was completed. Bridges and other extensive operations were being carried out, and there was a provision in the agreement that, if not finished by 1871, the work should be made over to the Government, who would be able to make a good use of it, even if the Company did not previously do so. Her Majesty's Government had been blamed in past years for not having expended more money on such undertakings, but they were certainly not liable to this reproach now. Their grants, however, were made with due regard to economy, and the strictest supervision was exercised. He believed the works now in progress were not unworthy of a great nation, and would prove extremely beneficial to India. In reply to the question whether a loan of £20,000,000 was about to be opened by the Government, he was happy to say that there was not the slightest chance of the Secretary of State rushing into the market with any such alarming project. The policy pursued by the Government was to consider each measure by itself, and when one was determined on to take such steps as might be necessary to carry it out. With regard to road making, he need hardly point out that this was perhaps the most remunerative of all public works in India, for the reason why the traffic on some of the railways was insufficient to yield any return was, that roads to communicate with them were not made fast enough. The noble Lord the Member for Taunton (Lord William Hay) had referred to the defences of India, and he

could assure him that measures of defence for the harbours and rivers were being considered, and would, he hoped, be carried out. In conclusion, he defended the character of Colonel Strachey from some observations that had been made, remarking that that officer was devoted to his profession and to the public service, and that no works under his supervision could be either extravagant or ridiculous.

MR. J. B. SMITH complimented the noble Lord the Secretary of State for India upon the able statement he had made to the Committee after only being a fortnight in office. He suggested the propriety of bringing forward the Indian budget earlier in the Session. He saw no reason why the accounts should not be presented to Parliament on the first day of the Session, so that there would be ample time for discussing their details before the pressure of business became too great to permit hon. Members to go minutely into them. It was a matter which had long engaged the attention of hon. Members interested in Indian affairs, and he hoped the noble Lord would adopt that course in future. He hoped this would be the last time they would see the affairs of India brought forward in that House on the eve of the whitebait dinner. It was a mistake to suppose that between three and four millions of money were expended annually on reproductive works in India. Out of the sum of £5,131,000 put down as expended for public works in 1865, he found that £1,358,000 only was for reproductive works—such as bridges and canals—all the rest being for military barracks and similar works. The erroneous and wasteful practice of the East India Company he regretted to see continued by the Government of India—namely, the execution of great public works out of surplus revenue only. A public work, when commenced, should be finished with as little delay as possible, but the Indian Government had a variety of works on hand to which annual grants were made out of surplus revenue, if any, and consequently they remained for years unfinished, in the end costing two or three times as much as they would have done if completed at once. He was glad to hear that the Government had at length decided upon opening out the river Godavery, a work which he had urged during the last ten years. This river is the Mississippi of India, and will become the highway to the riches of Central India. He hoped, in the execution of this work, there would not be

a repetition of the folly of past times. As an example of the way in which public works were made, he would mention that in 1859 the engineer of the Godavery, being in England, obtained a grant of £7,000 for the purchase of tools; but when they arrived in India they were of no use, as he had no means to employ men to use them. It was not until November, 1860, that he received a communication that £30,000 was granted to proceed with the works. It was difficult to meet with suitable workmen on the spot, and some had to be obtained from a distance of 200 miles. He had scarcely begun to set his men to work when an inquiry came from the Treasury whether he had spent the £30,000, and stating that the grant was only made for the financial year ending in April, and the balance unexpended must therefore be returned to the Treasury. He had spent in the five months only about £7,000, and the remainder he had to return: the consequence was, he had to dismiss the men he had with so much difficulty engaged. As soon as Lord Canning heard that the works were suspended, he ordered the grant to be renewed; but the engineer found great difficulty in engaging fresh workmen at 20 per cent increased wages. If the Government will persist in the folly of executing public works out of the public revenue, it should finish one thing at a time, and not give a little to one and a little to another and be twenty years before the whole were finished. Public works ought to be executed by means of loans, and not out of revenue. From a return he had obtained, he found that some of the Madras irrigation public works had paid as much as 200 to 300 per cent per annum, arising probably in these cases from the repair or the completion of old works; but the average return of all the works was 40 per cent per annum on the whole sum expended. He thought that was an encouragement to proceed with others. It was now found that there were some defects in the engineering part of the Ganges Canal, but it was probable they might be remedied. It would appear that there were two schools of engineers in India pitted against each other—namely, the Madras and Bengal engineers. The Ganges Canal was constructed by the Bengal engineers, and a great controversy had taken place upon the subject. It appeared to him, from reading both sides, that Sir Arthur Cotton, one of the Madras engineers, had the best of the argument.

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Sir Arthur Cotton had been to the canal, and suggested certain means for remedying the defects, but the Bengal engineers demurred to it, and the Government appointed Major Crofton to decide between the rival engineers. Major Crofton and Sir Arthur Cotton also differed, and the Government then appointed a Commission composed of several other engineers to proceed to the works and report. Sir Arthur Cotton objected to this appointment, on the ground that where there was a difference of opinion it should be reported on by a superior engineer, and he contended that the persons who had been selected had never executed similar works themselves. Major Crofton was to accompany the Commission to the works, and point out what he considered was necessary to be done, and Sir Arthur Cotton complained that he also ought to have an opportunity of showing the Commission what he considered were the defects of construction. The matter was so important that he (Mr. J. B. Smith) suggested that a Royal Commission or a Committee of the House should be appointed to examine into all the circumstances out of which the dispute arose. He saw with regret that there was no decrease in the amount of the military expenditure, and he would suggest to the noble Lord that if the army were armed with breech-loading weapons the number of soldiers might safely be materially reduced. It appeared to him that the best defence of India was founded upon a just government of that country, and he was glad to find that the noble Lord intended to base his rule upon the royal proclamation issued by the present Secretary of State for Foreign Affairs (Lord Stanley)—a proclamation which was received with acclamation by the people, and regarded by them as the Magna Charta of India.

COLONEL SYKES: Sir, at this late hour I will not discuss financial details; but, in the interest of England and India, I will make some observations on the military policy of the British Government since the extinction of the political authority of the East India Company. The East India Company had a local European army, of artillery, cavalry and infantry, latterly exceeding 20,000 men; three of the infantry regiments had been continuously 100 years in India from the battle of Plassy, and the artillery of that army, whether in science or discipline, was equal to that of any western Government. Regimental reliefs were not required, and

time-expired men very generally re-enlisted, owing to the prospects of employment in the civil branches of the ordnance, commissariat, or public works; influenced also very much by many having married Native wives, and looking to a permanent residence in India. The Native regiments were effective and sufficiently officered when they took the field; because at that time all staff officers were obliged temporarily to vacate their staff appointments and join their regiments while on the field. The officers and men were attached to each other from long association. Such was the system under the East India Company—efficient and comparatively inexpensive. And now, Sir, I will point out to the House the amalgamation military policy which, since February 1861, has been substituted for this system, and its effects. From a Return which I hold in my hand, and which was ordered to be printed in February 1865, but a copy of which I only obtained yesterday, the number is shown of deaths, time-expired men, invalids, regiments relieved from India, recruits sent out annually, and the regiments sent to India as relief of the Royal troops, together with the cost of transit in the years 1860, 1861, 1862, 1863 and 1864. In those five years the total vacancies of officers and men from all causes have amounted to 40,523, inclusive of 1,041 officers, or at the rate of 8,105 annually; and the cost of the passage-money of the time-expired men and invalids (officers and men) has exceeded £500,000, and more than another £500,000—£526,485—has been spent in bringing entire regiments home, consisting of 848 officers, and 21,136 men. The cost of sending out 18,620 recruits and 525 officers, was £232,845. Reliefs of regiments only commenced in 1863 and 1864, and in those two years 465 officers and 10,000 men were sent at a cost of £141,246. An important feature is developed in these two years. The vacancies by deaths, time-expired men, and invalids, amounted to 13,757, including 467 officers; and their places were only supplied by 5,812, including 217 officers. The deficiency in the supply of numbers by deaths and invalids of 7,945 men, was partly made up by sending out stronger regiments than those relieved—namely, 10,465, including 465 officers, against 6,036, including 259 officers, leaving, however, 3,716 vacancies by deaths, &c., unfilled. Sir, I have brought the policy of maintaining an overwhelming

European force in India to that point when it must be evident, if the official figures be trustworthy, that we do not supply the vacancies which annually occur in that force, and that it is highly impolitic to attempt to do so, as it is a dangerous drain upon the youthful blood and sinew of our people. In fact, we have 31,000 European troops in India more than the East India Company maintained, including the Royal contingent before the Mutiny, and that number is more than our present relations with the people of India require. And now, Sir, a few words on the subject of our military policy in respect to the Native troops in India. For 100 years past the three Native armies of India have fought our battles, with rare instances of defeat. Their regimental organization and discipline generally equalled that of European troops; and I speak from long experience as a Sepoy officer. The individual cost of the Sepoy was from one-eighth to one-fourth of the cost of the European soldier, including their pensions. They were contented, respectful, and efficient; and the command of a regiment occasioned less trouble than the command of a company of Europeans. Our fatal policy of 1861 has sadly altered this state of matters. Our folly in outraging the religious prejudices of the high caste veterans of the Bengal army, Brahmins and Rajpoots, and bigotted Pathan Mahommedans, occasioned the lamentable mutiny of six-eighths of the Bengal army; but the Native armies of Bombay and Madras remained loyal, and their loyalty saved us from being driven to the coast. The panic, however, occasioned by the Mutiny, occasioned a general distrust of the Native soldiery. It was resolved to diminish their numbers and their efficiency. The veterans were degraded into irregulars, armed with the old musket; and an effectual mode was adopted of weakening the efficiency of Native troops in the field by limiting the number of European officers to each regiment to six instead of fifteen or twenty; for all officers who have served with Native troops know that their serviceableness in the field depends upon the number of their European leaders. The regimental organization of the European officers has been abolished, and they are posted to do duty with regiments with which they have never served, and with the men of which they therefore cannot have any community of interests or feeling.

Colonel Sykes

The result of this hasty and blind policy is universal discontent and distrust in the Government by officers and men, the more so as the loyal Native armies of Madras and Bombay feel themselves unjustly punished for the misconduct of the Bengal Native troops. Sir, I have felt it my duty to give this expression of my opinion of the military policy which has been adopted since 1860; and I feel assured that the noble Lord's means of reducing the present enormous military expenditure in India, and reviving the old attachment of the Native soldiery, will only be in the ratio of his approximation to the successful system of the East India Company—namely, a local European force and a properly officered Native army.

MR. LIDDELL complained that though the Indian budget was not brought forward till so late a period of the Session, the Department had not yet furnished Members of the House with the papers on the subject. The information they contained—to which his hon. Friend the Under Secretary of State for India had made so much reference—were really the only official sources of information open to hon. Members, and it was therefore a fair ground for complaint that the House should be called on to discuss the affairs of India, and to exercise its supervision upon the policy of the Indian Government, before those papers had been distributed. He had heard with great pleasure the declaration of his noble Friend that evening, that the policy of the Government would be to push forward the public works to the utmost, but he desired to ask his noble Friend an important question in reference to this subject. He held in his hand the opinion, signed by Sir John Lawrence, and, he believed, by all the members of his Council, that “no reliance can be placed on the ordinary revenue of India for giving effect to this class of works (irrigation works), so essential to the well-being of the country.” His noble Friend had shown such ability and power in mastering details within a short period, that a subject of this grave importance was not likely to have escaped him. If the ordinary revenue could not be relied on for carrying into effect a proper system of irrigation, what did he propose to do? One of these schemes of irrigation involved no less an ultimate expenditure than £29,000,000, and as much as £20,000,000 within the next ten years. This scheme had received the sanction of the Governor General and the greater part of his Council, and had

been sanctioned also by Lord Halifax: it must be considered to have reached a certain degree of maturity, and it seemed to him that it was of so much importance that the House was called upon to express its opinion in reference to it, and not to leave it to be adopted or rejected by the Secretary of State for India. Still, he congratulated his noble Friend upon the success which had attended the inauguration of his policy in the House. He felt that, as an independent Member, he was justified in inquiring of his noble Friend in what way he contemplated carrying out that policy. A very significant speech had been made in the course of the debate by the noble Lord opposite (Lord William Hay), that as soon as the public works in India became remunerative the Government ought to abandon them. But that would be the strongest reason why the Government ought not to undertake them. India was often described as a great trust, and, undoubtedly, it was the greatest trust which Providence ever committed to one nation. It was on behalf of India, then, that he raised this question. While engineers were discussing the merits of schemes, and while Governments were hesitating, the people of India were starving. A remarkable illustration of this was furnished by the fate of the project for the irrigation of Behar. Lord Canning had before him a project for irrigation works in that province, and invited tenders for their construction. But the scheme fell through, and the province had since suffered severely from famine. In fulfilling, therefore, the trust which had been committed to us, these great and indispensable works must not be delayed. How did his noble Friend propose to push them on? By a loan, or out of the revenue of the year? This revenue was declared to be totally inadequate for the purpose, and it seemed to him, therefore, that there was no choice but to proceed by way of loan. The expense of permanent works ought not to be borne by the present generation. The benefit was a permanent one, and part of the cost should be borne by posterity. These works could not be carried out upon the scale and with the rapidity which was necessary, except by loans, and it would be requisite also that competent men should be provided in this country, seeing that in India the staff of engineers would not be sufficient to superintend the construction of such works. His noble Friend had shown such a capacity for mastering in a very short time the de-

tails of a difficult and complicated subject that he hoped he would be able to give an explanation on this subject, and that it had not escaped his attention, notwithstanding the brief period during which he had held office.

MR. AYRTON said, that the great amount of mental labour which the Secretary for India had already bestowed upon this subject led to the hope that the noble Lord would not follow in the footsteps of his predecessor, and suppose that nothing should be done to improve the administration of India, and that that administration was perfect. He could not help inferring from an observation which had dropped from the noble Lord that he was about to enter upon a very useless proceeding—namely, to invite the House to put upon its journals the very dull and uninteresting historical fact that on the 30th of July, 1865, the revenues of India amounted to a certain sum, the expenditure to another sum, leaving a certain balance. What was the use of the House of Commons resolving itself into a Committee about a state of things existing a year ago without expressing any opinion upon the subject? We had by law transferred the administration of the finances of India to an authority there with power to legislate upon them, and in the early part of the year a financial statement was made in India. That statement was not laid upon the table of the House of Commons, and therefore the noble Lord had been quoting from a document of which they knew nothing. When we handed over Indian finance to an independent authority in India, we might very well dispense with all reference to the matter here. We might as well deal with the affairs of the reign of Queen Anne as with the Indian finances of 1864-5. What the House of Commons ought to deal with was a very grave matter—namely, that a Minister of the Crown should have power to expend millions without being under the control of that House. When he recollected the sort of contracts late Secretaries of State for India had been entering upon for the building of ships and other matters, he felt that it was high time to put an end to such a system. He ventured to submit to the noble Lord, who had taken up this business with ingenuousness and frankness, that it would be better to put an end to the farce of late years, and to submit to the House of Commons a statement of the finances for the ensuing year.

In such a case as that they would be sitting there to some purpose, for the House would then be charged with a responsible duty, whereas under the present system, when hon. Gentlemen were called upon to attend to a mere historical fact, it was highly creditable to them that they declined to do so, and walked out of the House. A great part of this discussion had turned upon the proceedings of the Government in India with respect to public works. But that was a phrase which was evidently calculated to mislead those who were accustomed to a different state of things in this country. In India what were called "public works" included everything in the nature of expenditure. Now, there was no combined account of the whole income and expenditure of the different departments in India under the several heads. The consequence was there was no accurate statement of the financial condition of India, no correct balance-sheet. That circumstance had been admirably illustrated by the various statements that had been made in the course of the discussion of the military expenditure of India for the year. The noble Lord might say that there was at least a detailed account—that there was the expenditure of the army in India and the military charges connected with that army in England. And yet both together did not make up the whole. Though they might have £13,500,000 for the army in India, and a certain specified sum for military expenses in England, there was £800,000 besides in another part of the account to be added for barracks and other military buildings. The noble Lord ought to consider whether he could not produce a complete balance-sheet showing the whole expenditure. It was in vain to discuss the expenditure on public works, for there was no organization at all in India with reference to those works. The whole state of affairs was a perfect chaos in that respect, and no one was responsible. The Council of India was originally of a limited character, and when its defects were brought under the notice of Parliament it was thought right first to appoint a person of legal attainments in connection with it, and afterwards a Minister of Finance. Two great departments were thus placed under the supervision of distinct members of the Council; but they had got no further. The want of responsibility was one of the main causes of that grievous misapplication of the public money which had been so often

described, but which was only a small part of the blundering connected with the public works of India. Until they had in the Council of the Governor General persons specially charged with responsibility in reference to the duties of commerce, agriculture, and other particular interests of the country they would have a repetition of the blundering which had been going on year after year, and which had wasted not merely hundreds of thousands but millions in India. If the noble Lord wished to see a real improvement, he must begin by re-organizing the Indian Council and placing it on a footing commensurate with the present condition of affairs. Another defect in the Indian Council was this—according to the law the Governor General was compelled to act by the decision of his whole Council, and everything was to be done with every member of it; but that had become an impossible mode of conducting the business of India, which must be divided into distinct departments, so that the Governor General should have the power of acting with the person charged with each particular department. When the former Government of Lord Derby brought in a Bill putting an end to the old Court of Directors, it was not proposed that the members of the new Council should hold office for life, but, unfortunately, the Committee yielded to a suggestion of Lord John Russell, and appointed them for life, and the Government of Lord Derby, in the circumstances in which it was placed, was almost compelled to accept the suggestion. The noble Lord ought to review this matter, and if he would promise to legislate next Session so as to limit the office of Member of the Council of India, he would be certain to receive support from that side. The time had come for infusing new life and energy into the Council which was falling into decay from extreme old age. If new life were infused into it, he felt certain that, combined with the noble Lord's own energy, business would be conducted with much greater satisfaction to the people of India. At present it was deplorable to have to transact any business with the Secretary to the Council, or with the Indian Government. He had been told that it was impossible to get a letter answered by them under twelve months. At present vast resources in India were locked up from the incapacity of the Government. If they were opened up he expected to see a great and permanent increase in the agriculture and commerce of India; but until they

Mr. Ayrton

struck at the root of the evil, things would go on as they had done for the last few years.

MR. H. D. SEYMOUR must congratulate his noble Friend the Secretary for India upon the success which had attended his statement to-night, and also upon the liberal policy which he had announced on the part of the Government. He wished to ask him whether he had taken steps to have the Indian accounts made up at an earlier period—say the 31st of December—so that they might be printed in time for the meeting of Parliament. He was glad to hear from the noble Lord that the new Ministry were not in favour of the policy of annexation. He understood that an unquiet feeling existed in India on this subject, that there were officials in high places who had designs upon Sindia and Holcar, and that even the past services of the princes of the Rajpoot States were in danger of being forgotten. In Mr. Massey's able statement a doubt was expressed as to the best mode of carrying out public works—whether it should be by private or by public enterprise. It was said that the Indian Council were divided in opinion on that point, and that higher authorities were for doing away with private enterprise for such works. Yet these men had been themselves the servants of a joint-stock company which had first conquered and then governed India. There was no policy so dangerous as that of erecting a great bureaucracy in India for the exclusive execution of all the public works. He approved the expenditure for public works, but he was informed that the department was in a most disorganized condition. There was a want of supervision, and he doubted whether the sum of £5,000,000 or £6,000,000 was spent as profitably as if the same sum were employed by private enterprise. The education department was increasing, but there was reason to believe that a large and increasing proportion went in high salaries to officers and a very small proportion in the real education of the people. Could the noble Lord give the House any information about the department of public accounts? Lord Halifax told them that two gentlemen had been sent out from England to put the accounts in a better state. Unfortunately, they both succumbed to the climate and died shortly after their arrival. He rejoiced to hear of the liberal policy of the Government. It was an ominous fact, and one that ought to be explained, that the reve-

nue from Customs was not increasing, and there was reason to fear that in India, as was once the case in France, large masses of silver were buried in the earth. If the Natives could be induced to invest their wealth in the development of agriculture, there was no reason why the progress of India should not equal that of the United States.

VISCOUNT CRANBOURNE acknowledged the friendly spirit in which his statement had been received by all who had taken part in the debate, and especially by the hon. Member for Halifax (Mr. Stansfeld), and said that so many questions had been addressed to him that it would be impossible for him to weld his replies into a consistent whole. He did not know how much harm might result if he were not to repudiate the terrible idea broached by the last speaker, that there was some notion of dethroning the rulers of Sindia and Holcar; but he did not know what foundation there could be for it unless the hon. Member had received a private telegram from Sir John Lawrence. Towards all the Native princes with whom we were on terms of amity the Government earnestly desired to continue the moderate and friendly policy inaugurated by Canining. There was no foundation for the tragic tale that two Treasury officials who had gone out to India to arrange the accounts had died in the attempt. On the contrary, it appeared from the statement laid on the table of the House by his predecessor that the two gentlemen had returned and presented their final report of the measures adopted. He sympathized with the complaints made as to the way the public works were entered in the accounts. It was impossible to determine with accuracy whether public works ought to be charged to capital account or to revenue account; but the alterations that were necessary for obviating this difficulty might easily be made. He would not renew the controversy as to the buoyancy of the Indian revenue, of which the hon. Member for Wick (Mr. Laing) was a better judge than himself; but the hon. Member misunderstood his argument, which was that the admitted increase arose from articles upon which we could not permanently rely. He sincerely hoped that the view of the hon. Member would prove to be the accurate one. He was anxious to correct the impression, not shared by the hon. Member for Halifax, that he censured the course Mr. Massey had taken. Under the

circumstances he admitted that Mr. Massey had no choice but to refuse to raise any further taxes. It was obvious that the state of affairs in India and the condition of the money market would have made it exceedingly inexpedient to impose new taxes. Considering, too, the large amount he was placing to the credit of public works, there could be no doubt he would not have been justified in throwing additional burdens upon the inhabitants. No one could doubt that a railway to Peshawur was a necessity, but it was a question of money; it would cost five or six millions, which was not easily obtained. With respect to the questions whether he would carry on public works out of taxation or by loan, he would be sorry to pledge himself not to ask for a loan, or not to submit any scheme that Parliament would support and that ought to be adopted. At present, however, a loan was simply impossible, and would only damage the credit of the railway on account of which it was asked for. It seemed to be imagined that if money were found public works would of course advance, but labour was not always to be had, for, large as the labour supply of India was, it had been taxed enormously, and in some places wages had been quadrupled. After such a rise it was clear that there must be a limit to the expenditure in labour. The difficulty in the way of concentrating expenditure was that labourers could not be brought together, and money was necessarily expended upon separate public works, because it was expedient to utilize the supply of labour which existed in different parts of the country. As far as he could ascertain, it was a mistake to suppose that the existing railway companies had not at their disposal sufficient means to provide the necessary rolling-stock. This was one of the first matters he inquired into, and he believed that the only limit to the supply was the ability of those from whom it was ordered to furnish it. He should have been thoroughly ashamed of the mistake imputed to him by the hon. Member for the City of London that he had confused salt with saltpetre; but the hon. Member himself could hardly be aware that a certain amount of chloride of sodium, or common salt, was produced in the manufacture of saltpetre; and, therefore, the production of saltpetre and the salt increased or diminished together, and the two trades were correspondingly affected. With regard to the question of a gold currency for India, it had been

Viscount Cranbourne

referred by the Governor General to a Committee, which had not yet made its Report; but when the Report came home he hoped it would be acted upon as rapidly as circumstances would permit. A good deal of anxiety had been expressed to have the financial statement for India made at an earlier period of the Session, and in India they had changed their financial year so that it should end on the same day as the financial year in England—namely, the 31st of March. That would enable the accounts to come home in the middle of April instead of May; and then it would be open to the Indian Minister, if he could secure a day for the purpose, to bring forward his budget when he pleased. But the difficulty as to making the Indian statement earlier in the Session did not arise with the Department but with that House. It was not easy to get the House of Commons to take an interest in Indian affairs, and when he heard the hon. Member for Stockport's complaint on that subject he could not help thinking of the epitaph to Sir Christopher Wren, *Si monumentum quaeris circumspice*. The array of green benches while that discussion was proceeding best explained the reason why the Indian budget was not brought on earlier in the year. If he were to ask the Leader of the House to grant him a much earlier day for that purpose, he was afraid his application would be futile; and he had rather that the hon. Member for Stockport himself should make such a request to his right hon. Friend. With respect to the suggestion of the hon. Member (Mr. Ayrton) for the immediate execution of the Indian Council, he confessed that he did not feel the moral courage requisite for the operation; and he was bound to add that he did not see the necessity for it. He did not himself admit that they were a decaying or stagnant body, but, as far as he had seen, they were an able and active body; and if the hon. Gentleman were only present at the Council to-morrow he would see a much more lively scene than was witnessed in that House that evening. Whether the entire Constitution under which India was now governed was one that was to be approved in all respects he would not then discuss; but he must protest against any proposal to alter that Constitution which was founded on any want of activity or of fitness on the part of the gentlemen forming the present Council. He had now only to thank the House for the indulgence it had extended to him.

Mr. KINNAIRD urged the propriety of making increased grants for education in India if we desired to leave behind some traces of our beneficent rule in that country.

Resolved, That the total Revenue of India for the year ending the 30th day of April 1865 was £45,652,897; the total of the direct claims and demands upon the Revenue, including charges of collection and cost of Salt and Opium, was £8,978,504; the charges in India, including interest on Debt and the value of Stores received from England, were £30,478,716; the charges in England were £4,802,401; the Guaranteed interest on the Capital of Railway and other Companies, in India and in England, deducting net Traffic Receipts, was £1,591,797,—making a total charge for the same year of £45,846,418; and there was an excess of Expenditure over Income in that year amounting to £193,521.

House resumed.

Resolution to be reported *To-morrow*.

THAMES NAVIGATION (*re-committed*) BILL.

(*Mr. Milner Gibson, Mr. Monsell.*)

[BILL 205.] COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Bill considered in Committee.

(In the Committee.)

Clause 63 (Prohibition of sending Sewage &c. into River where not so sent at passing of Act).

Mr. AYRTON said, that that clause did not carry out what the metropolitan Members understood to have been the intention of the Committee upstairs—namely, that all sewage flowing into the Upper Thames might be stopped by the new Board of Conservancy, on their giving notice to do so; for, as he read the clause, all drains now in existence through which sewage flowed would continue to be legalized by the Bill.

Mr. MILNER GIBSON said, that the first clause regarded the future, and the second the present. He was at a loss to understand the objection of the hon. Gentleman. There were two ways of bringing the sewage in future into the Thames; one by making new sewers, and the other by using the existing ones; and the clause provided that the existing sewers should be stopped after notice.

SIR STAFFORD NORTHCOTE said, that the first of the two clauses prohibited for the future the conveyance of any new

sewage into the Thames, while the second was intended to give power to the Conservators to stop all sewage at present flowing into the river. It having been pointed out that there was some ambiguity in the language of the 64th clause, he should propose additional words for the purpose of making it quite clear that power was given to stop the existing sewage.

Mr. AYRTON said, that upon that understanding he should be willing to allow the clause to pass.

Mr. HENLEY said, that taking the two clauses together, their effect would be to prevent the flow of sewage from any individual cottage or farm house into any tributary within three miles of the Thames. He thought that would operate as a hardship in many cases in which there was no nuisance whatever, and pointed out that in the case of the overflow of the river it was almost impossible to prevent the return water from carrying off a portion of the existing sewage. He hoped the clause would be modified.

Mr. LOCKE said, that it was obvious that the clauses applied to new sewage works. The Conservators were aware that some sewage now flowed into the river, and Clause 64 could not apply to sewers that were legalized and now in existence. He did not see why there should be any difference made in the case of those who lived higher up the Thames and those who had houses lower down. The main drainage system had been created at the cost of £4,000,000, and the restrictions which were to be made should apply equally to all.

Mr. SHAW - LEFEVRE said, this clause was much opposed by the town which he had the honour to represent.

SIR CHARLES RUSSELL drew attention to the fact that the river which ran past Aldershot into the Thames received the drainage of the Camp, and yet water was taken from this river for the use of the Camp. He thought that the Government should at once cease to pollute the Thames in this way.

Mr. HENLEY pointed out that the proprietors of the small cottages and farm houses to which he referred could not possibly avail themselves of the main drainage system. The small amount of drainage issuing from those houses did not create any nuisance whatever, even in the tributaries into which they drained, much less in the Thames. He repeated, that unless there was some modification made in the clause great hardship would be created.

MR. LOCKE said, if the existing cess-pools were not deep enough they ought to be made deeper. At any rate, it would be a great nuisance if they were allowed to be emptied into the brooks.

Clause agreed to.

Clause 64 (Notice for Discontinuance of existing Sewerage Works).

SIR STAFFORD NORTHCOTE moved the insertion, in the thirteenth line, after the word "case," of the words—

"Whether any such sewage or other matter aforesaid has or has not been so caused or suffered to flow or pass before the passing of this Act."

It was desirable, he thought, that the principle should be laid down in the broadest manner, that the Conservators should have the power of putting a stop to all such nuisances as that to which the clause related. There was, at the same time, no reason why they should not exercise a discretion in those cases where the inconvenience to the individual whose drain might be closed by their order would be very great, while the nuisance of allowing it to continue open might be, as far as the public was concerned, very trifling. To introduce any further relaxations into the clause would be, he thought, greatly to mar its beneficial effect. A Bill would probably be introduced next year dealing with the powers of the Conservators below Staines, and it might be possible to have inserted in it words to meet the case of small occupiers.

MR. HENLEY contended that the privilege of having drains in connection with their houses, unless a nuisance to the public was thus created, was as much the right of the small occupiers in question as any other which they possessed. Where a nuisance was proved to exist he was perfectly willing that it should be put an end to, but the case was entirely different where no injury to others was done. The result of the operations of the clause would be to drive people to make filter-beds, which would create pestilence in their immediate neighbourhood, while as large an amount of objectionable matter would be conveyed into the river as at present. The principle embodied in the clause was one, he might add, which the Government dare no more try to carry out in the North of England than they dare fly.

* Clause, as amended, *agreed to.*

Clauses 65 to 67, inclusive, *agreed to.*

Mr. Henley

Clause '68 (Right to prosecute to be in Conservators only).

MR. AYRTON moved, as an Amendment, the insertion of words with the view of giving the Metropolitan Board of Works also the power of instituting a prosecution.

SIR STAFFORD NORTHCOTE had no objection to the Amendment. He did not see any object in the clause, inasmuch as he thought no one should be prevented from enforcing the Act; but if it was to be retained he thought the right to prosecute might be extended to "any local Board," as well as to the Metropolitan Board of Works.

MR. MILNER GIBSON said, the object of confining the right of prosecution to the Conservators was to prevent malicious prosecutions and divided jurisdiction. The matter was one with which the Metropolitan Board of Works had nothing to do.

MR. YORKE thought that either the clause ought to be omitted or the right to prosecute extended.

Amendment negatived.

Clause agreed to.

Clauses 69 to 76, inclusive, *agreed to.*

Clause 77 (Collateral Security on Conservancy Fund).

MR. AYRTON asked whether it was intended to give the Conservators unlimited borrowing powers?

MR. MILNER GIBSON explained that it was not so intended. The Conservators might borrow from the Public Loan Commissioners, provided the Commissioners were satisfied of the security they offered.

MR. GLADSTONE suggested that some clause should be added, either when the Report was brought up or when the Bill was re-committed, imposing some limit upon the borrowing powers of the Conservancy.

SIR STAFFORD NORTHCOTE said, that he would undertake to bring up a clause to limit the borrowing powers.

MR. CANDLISH suggested that the clause should be postponed.

SIR STAFFORD NORTHCOTE could see no reason for postponing this clause, seeing that the amount the Conservators should be allowed to borrow could be discussed and determined afterwards.

Clause agreed to.

Clauses 78 to 82, inclusive, *agreed to.*

Clause 83 (Power for Conservators to redeem existing Debt).

MR. AYRTON said, he did not know whether the construction he put upon the clause was correct. He understood that the tolls levied upon the shipping and steamboats at the port of London were to be applied to the liquidation of the debt of £88,000 contracted by the Commissioners.

MR. MILNER GIBSON stated that this was what the framers of the Bill intended.

Clause *agreed to*.

Clause 84 (Clause S. Additional Payments to Conservators).

MR. AYRTON observed, that the Commissioners ought not to have made the demand here stated, and he contended that the sum now paid to them was sufficient.

SIR GEORGE BOWYER explained that the additional money would not go to the present Commissioners, but to the five new Commissioners for the appointment of whom the Bill provided.

Clause *agreed to*.

Clause 85 (Clause T. Compensation for Loss of Emolument).

MR. AYRTON asked how it was possible to give remuneration out of an insolvent undertaking, for unless the money came from without it would be impossible to do so. There had been no receipts, and nothing to do, yet those people who had brought the Thames into its present state wanted to be compensated for their mismanagement. It was the most impudent proposition he had ever known, and he could only account for it by considering that his right hon. Friend must have been in that state of good nature that he was sometimes seen in when he would give himself away to gratify the persons who asked.

MR. NEATE said, that these gentlemen had done all that they could do to keep the Upper Thames in good order, and as they would lose their emoluments by this Bill they would be entitled to some compensation.

SIR GEORGE BOWYER thought it would be very unjust not to compensate those who had lost their offices.

SIR FRANCIS GOLDSMID did not think they had any claim to compensation, considering the way in which they performed their duties.

MR. LOCKE was opposed to compensation in this instance.

SIR STAFFORD NORTHCOTE believed this clause was agreed to in Committee. There was great force in the

argument of the hon. Member for the Tower Hamlets.

MR. MILNER GIBSON considered that when persons were deprived of their offices under circumstances like those presented by the present case, they had a right to have their claim for compensation considered. That was the general rule when persons holding offices for life were deprived of them.

MR. HENLEY wished to know to whom the term "officers" applied. Would it comprehend lock-keepers?

MR. CHILDERS thought it would be desirable to define the word "officers" in the interpretation clause.

SIR GEORGE BOWYER said, as there were only two officers—the clerk and the surveyor—it would be better to insert those words in the clause.

MR. NEATE submitted that the word "officers" ought to include the lock-keepers, and that if compensation was given to the higher class of persons it ought to be given to the lower also.

Clause *negatived*.

Clauses 86 to 88 *agreed to*.

Clause 89 (Application of Capital).

MR. AYRTON had an Amendment on the paper and rose to move it, but before he had the opportunity of doing so.

THE CHAIRMAN had put the Question that the clause stand part of the Bill, which was carried in the affirmative.

MR. AYRTON said, that it was the first time in his experience since he had been in the House that the Chairman had put the Question when a Member had risen to address the House for the purpose of moving an Amendment. It was extremely inconvenient.

THE CHAIRMAN: Did the hon. Gentleman move an Amendment?

MR. AYRTON: Yes; but the Question had been put, and there was no opportunity of my putting it.

MR. CHILDERS moved a clause making it lawful for the Commissioners of the Treasury to inquire whether any and what compensation was due, and also to determine out of what fund such compensation should come?

New Clause (Treasury to determine compensation.)—(Mr. Childers.)—*brought up*, and read the first time.

Motion made, and Question put, "That the said Clause be now read a second time."

The Committee divided : — Ayes 62 ;
Noes 24 ; Majority 38.

House resumed.

Bill reported ; as amended, to be considered *To-morrow*.

INLAND REVENUE BILL—[BILL 209.]

(*Mr. Hunt, Mr. Gladstone, Mr. Childers.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed,
"That Mr. Speaker do now leave the Chair."

Bill considered in Committee.

(In the Committee.)

Clause 1.

MR. GLADSTONE said, it was quite a novelty to pass a Bill of this nature affecting trade and revenue without any public statement being made.

MR. HUNT had thought the Bill would be received with common consent, but after the suggestion of the right hon. Gentleman he consented to postpone the Bill.

House resumed.

Committee report Progress ; to sit again on *Monday* next.

REPRESENTATION OF THE PEOPLE
BILL [BILL 68], AND RE-DISTRIBUTION
OF SEATS BILL—[BILL 138.]

BILLS WITHDRAWN.

MR. GLADSTONE : Sir, in rising to move that the Orders of the Day for going into Committee on these Bills be discharged, I have to say a very few words in explanation of the course that I have now finally taken with reference to them. I did not on the resignation of the late Government, at once move that the Orders should be discharged, under the conviction, which I shared with my Colleagues, that it was our duty to allow those Orders to stand until our successors had taken their places, in order that they might have an opportunity of stating either their general intentions or any special matter connected with their views in relation to the Bills, or to the subject of Reform. But the declarations made by various leading Members of the Government in another place, and likewise in the country, have satisfied us that it is not their intention to take any steps in reference to these Bills. And I beg it, Sir, to be understood, that I by no means make that circumstance a subject of

complaint against them in the present state of facts. We, however, hereupon determined to propose that the Orders of the Day should be discharged, and the Bills dropped. But in making that proposal, I did not think it right to treat the dropping of these Bills as a matter of course ; and, therefore, I gave previous notice of my intention to move that the Orders be discharged, so that any Members of the House might have an opportunity of expressing their opinion as to the Bills, and as to the question whether any attempt ought to be made by the present Government to deal with them. It being now two hours past midnight, I will not long detain the House at such a period of the sitting ; nor, indeed, would I have detained you, Sir, long at an earlier hour, upon this subject. I do not think that, under the circumstances in which I am placed, it would be advisable for me to attempt any further proceeding with these Bills ; but, after all that has happened, it may be expected that I should say one word with respect to the future. The great subject of the amendment of the representation of the people is not any longer primarily in my hands, nor in the hands of those with whom I had the honour to be associated. It is of course to Her Majesty's Government, in the first instance, that the country will look for its decision with respect to this important matter. I do not press the Government upon the question ; I do not make any complaint against the Government for having declined to give any definite opinion upon it immediately on their assumption of office. I shall only say with regard to our successors in office, that it will be a matter of great satisfaction to myself and my Colleagues when the Government shall feel themselves in a position enabling them to deal with this question in an effectual manner. I do not ask from them, nor am I prepared to give on my own part or upon the part of those with whom I have the honour to act, any pledge with regard to the particulars of these Bills or either of them, or with regard to any particular provisions in these or any other Bills dealing with Parliamentary Reform. This is not a time when the matter should be so handled ; but I may say thus much ; we shall in the future be glad, irrespectively of all narrow and selfish considerations, to support any measure which we may deem to be at once prudent and effectual, if such a measure should be introduced by those who may be more successful than we have been in the attempt to settle a great Im-

perial question. We shall sincerely congratulate them upon a result so happy for the country. At the same time, I also feel it my duty to say, without reflecting in any way upon those who have been opposed to us, that we shall feel bound to resist to the utmost of our power any illusory or reactionary measure. Beyond what I have now briefly stated, we only desire that our intentions with reference to Parliamentary Reform should be estimated from what we have already said and done during the past Session; and whatever course we may feel called upon to take with regard to any Bill which may be introduced by the Government, we trust it may be found consistent with the spirit of our previous conduct. With these few words I beg leave, Sir, to move that the Orders of the Day for going into Committee on the Representation of the People Bills be discharged.

FEES (PUBLIC DEPARTMENTS) BILL.

Resolution reported;

"That it is expedient to make provision for the collection of Fees in Public Departments and Offices by means of Stamps."

Resolution agreed to:—Bill ordered to be brought in by Mr. DODSON, Mr. HUNT, and Mr. CHANCELLOR of the EXCHEQUER.

Bill presented, and read the first time. [Bill 223.]

CONSTABULARY FORCE (IRELAND) [PAY, &C.] BILL.

Resolution reported;

"That it is expedient to empower the Lord Lieutenant of Ireland to authorize an increased rate of Pay and Superannuation to the Constabulary Force, out of any monies that may be provided by Parliament for that purpose."

Resolution agreed to:—Bill ordered to be brought in by Mr. DODSON, Mr. HUNT, and Lord NAAS.

Bill presented, and read the first time. [Bill 224.]

NEW ZEALAND GUARANTEE BILL.

Resolution reported;

"That it is expedient to guarantee the liquidation of Bonds issued for the repayment of Advances made out of Public Funds for the service of the Colony of New Zealand."

Resolution agreed to:—Bill ordered to be brought in by Mr. DODSON, Mr. HUNT, and Mr. ADDERLEY.

Bill presented, and read the first time. [Bill 225.]

PAROCHIAL BUILDINGS (SCOTLAND) ACT AMENDMENT BILL.

On Motion of Mr. WALDEGRAVE-LESLIE, Bill to amend and explain the Act of the twenty-fifth and twenty-sixth years of Victoria, chapter fifty-eight, relating to Parochial Buildings in Scotland, ordered to be brought in by Mr. WALDEGRAVE-LESLIE, Mr. WILLIAM MILLER, and Sir WILLIAM STIRLING-MAXWELL.

Bill presented, and read the first time. [Bill 222.]

RAILWAY CONSTRUCTION FACILITIES ACT (1864) AMENDMENT BILL.

On Motion of Mr. WHALLEY, Bill to repeal so much of the Act of the twenty-seventh and twenty-eighth years of Victoria, chapter one hundred and twenty-one, intituled "The Railway Construction Facilities Act (1864)," as prevents the Board of Trade from proceeding, on the application of Promoters, in cases where any Railway or Canal Company affected in any way by the proposed undertaking may give notice of opposition, ordered to be brought in by Mr. WHALLEY and Mr. LOCKE.

Bill presented, and read the first time. [Bill 226.]

House adjourned at half after Two o'clock.

HOUSE OF LORDS,

Friday, July 20, 1866.

MINUTES.]—PUBLIC BILLS—*Second Reading*—Postmaster General (75); Pier and Harbour Orders Confirmation (No. 2)* (187); Extradition Treaties Act Amendment (200).

Committee—Standards of Weights, Measures, and Coinage* (208); Sheriff Court Houses (Scotland) Act (1860) Amendment* (57); New South Wales and Van Diemen's Land Government* (195); Revising Barristers' Qualifications* (196).

Report—Sheriff Court Houses (Scotland) Act (1860) Amendment* (57); New South Wales and Van Diemen's Land Government* (195); Revising Barristers' Qualifications* (196); Pier and Harbour Orders Confirmation* (185).

Third Reading—Crown Lands* (114), and passed.

THE DANUBIAN PRINCIPALITIES.

MOTION FOR PAPERS.

VISCOUNT STRATFORD DE REDCLIFFE, in rising to move for papers respecting the Danubian Principalities, said, that he desired, in the first place, to offer some explanation with respect to the delay that had occurred in bringing forward the Motion. The notice had been on the paper for some weeks; but in the interval circumstances had occurred, over which he had no control, that had obliged him to postpone it; and finally, when he was about to fix a day on which he thought he could rely he was requested by the late Secretary of State for Foreign Affairs to postpone the Motion still further, as the negotiations were then going on and inconvenience might have arisen from the subject being brought forward. Of course, he complied with the noble

Lord's request. The matter was again put off on the change of Administration, when his Motion shared the general fate of all public business. He confessed, indeed, that so many delays had occurred that at one time he doubted whether it would be worth while to bring the subject forward at all at so late a period of the Session. After careful consideration, however, he had come to the conclusion that the reasons for proceeding with the matter preponderated over those which could be urged on the other side. The subject related to countries with which, notwithstanding their great distance from England, we had connections which ought not to be overlooked. Whether we approached the Danubian Principalities by Russia or by Austria, no doubt the distance was very considerable; but their geographical position was not sufficient to destroy those interests which brought them into connection with this country. We had sufficient commercial intercourse with these countries to justify our taking peculiar interest in them, and we also had with them political interests of great importance. Their position between Austria, Russia, and Turkey was alone sufficient to give them a considerable importance in our eyes, connected as we were with the Turkish Empire. They had also an importance belonging to themselves. We could not view without interest a number of communities joined together by ties of race, language, and religion, and at the same time connected with a Power so very much at variance with them in all these respects. He presumed that there were but few persons of liberal minds in this country who did not desire that they should be in a situation to enjoy as much as possible the advantages which nature had designed for them; but the connection they had with the Turkish Government was one which had been sanctioned by the Conference to which Great Britain was a party, and that connection tended to considerably modify, if not to neutralize, the advantages which they had derived from their position. At the same time it was one which could not be easily set aside, inasmuch as we had guaranteed the integrity of the Turkish Empire by the Treaty of 1856, and inasmuch as the withdrawal of the Principalities from the Turkish Empire would inflict a considerable blow on the maintenance of that integrity. Moldavia and Wallachia stood in an interesting relationship, not only

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towards Turkey, but likewise towards her neighbours. In respect to Russia they had stood for a long time as a kind of barrier, or something interposed between what was thought to be the tendency of Russian encroachment and the integrity of the Turkish Empire. A population which coincided with them in race, language, and religion still formed part of the Russian Empire; while in the same manner there was a considerable population of the same description within Austrian territory. There had, he believed, been two treaties which affected their position; but it must be borne in mind that from the very remote period when Trajan conquered their barbarous Princes they had never enjoyed national independence. They were at one time connected with Transylvania, and also with the kingdom of Hungary; but at last they found it more convenient to enter into a voluntary connection with the Turkish Empire. They accordingly did so, and thereby secured at a small sacrifice their independence and their own separate Legislature, while they enjoyed a sort of protection which was given by the Turkish Empire. Indeed, there could be no doubt that their position was thereby improved. With regard to any danger which might possibly arise to Turkey in consequence of the establishment of the two Provinces, he might remark that the union of the two Provinces with their population of about 5,000,000 would in itself give activity to their desires, and tend to develop their resources. Of course, however, there would be a proportionate danger to the Turkish Government from which they were divided by religion and language. The difficulty connected with the union of the two Provinces was settled by giving each of them a separate Administration under the common government of one Hospodar. But a great deal of dissatisfaction having arisen in consequence of the manner in which Prince Couza had governed the Principalities, an insurrection had taken place, and he was driven from power. After that an invitation was sent to more than one person connected with Royal Families, asking them to accept the office of Hospodar. Prince Charles of Hohenzollern was one of those invited, and he accepted the invitation. It was said at the time that Prussia had nothing to do with his election; but circumstances which had since occurred had thrown considerable doubt on that assertion, and

which certainly did justify the strong suspicion that if Prince Charles had not been sent to the Principalities by the Prussian Government, at least the experiment had been sanctioned by them. It appeared that after some discussion and some difference of opinion Prince Charles of Hohenzollern was accepted not only by the Natives themselves but also by the Conference of Paris, and, notwithstanding the strong objections which were entertained on the part of the Turkish Government, though he was not actually installed, he was in the way to being installed in the office of Hospodar. This would seem to be in direct contravention of the arrangements of the Convention of 1858, and therefore it was desirable the country should be informed what was the real position of the English Government in the Conference of Paris. There appeared to be no visible reason for inducing the English Government to favour the views of those who supported Prince Charles of Hohenzollern, and, therefore, some might feel inclined to ascertain the reason which induced the English Government to give their consent to the proceedings which had taken place. Of course, if we had acted from consideration for others, in contradiction to the previous arrangements to which we had been parties, it was of consequence that Parliament and the country at large should be acquainted with the reasons which justified the change. All these facts derived additional importance just now from the present state of affairs in other countries. It was impossible to look around us without seeing that there was a dissolving principle at work which attacked in the strongest manner, though sometimes by invisible agencies, those relations between State and State on which the peace of Europe had been based during the last thirty years, and owing to which we had enjoyed a long period of tranquillity. When we saw the war that was now raging in Germany, when we called to mind the debates on the Danish question, and when we thought of the principles put forward to justify the aggressive policy of Prussia, he must say there was enough to induce us to carefully reflect on the present state of things and what those things now going forward might bring about. Was it not desirable to anticipate danger, and to give to Parliament and the country an opportunity of expressing an opinion on this subject? God forbid that he should recommend anything which should lead to hostilities between

this and any other country; but if there was contingent danger we ought to consider how far we should be doing our duty and providing for our future interests if we remained silent and unconcerned when such a state of things existed around us. Men who had lived through the past half century might well be surprised at the events which now astonished the world—they must perceive that what was now taking place surpassed in consequence everything which had occurred since the French Revolution. Were we to see a great Power struck out of the list of nations without showing some interest, or intimating that we entertained some opinions on the subject? Was it possible for us to view without concern what had already taken place? We could not arrest the progress of the war—we could not, perhaps, prevent the catastrophe which now seemed to threaten one of the great Powers of the Continent—but, at the same time, when established principles had been so strongly violated, it behoved this country—and, he would say, it especially behoved their Lordships' House to give expression to an opinion in favour of those principles. It was said that in the war now going on in Germany the great success of the aggressive Power was due to an arm of peculiar construction; but he must say that from the accounts which he had read it appeared to him that it was due more to a scheme of aggressive policy concocted and prepared for a number of years ago. No doubt the sentiments of this country had rarely gone with the administration of affairs in Austria—we had little sympathy with her in a variety of respects; but there was one ground of sympathy which he trusted would never be lost sight of in this country—respect for principle and the consideration of right. And if ever there was a clear right on the part of any Government it was that of Austria to exercise her discretion—however erroneous that discretion might be—in regard to the possession of Venice and in regard to the affairs of Germany. If the great battle which was about to be fought should be in its results only a repetition of those already fought, were we prepared to see a great Power like Austria struck out of the list—were we prepared to see so great a change in the European system? It might be that, without our being able to prevent it, so great a change might take place; but what we had to complain of was the open violation of principle and the manner in which treaties had been torn asunder and

thrown aside. Other principles might be established as the result of the present war; but we ought not to allow existing treaties to be torn up leaf by leaf without protesting against such a proceeding, and maintaining that as long as the principles upon which the European system was based were supposed to be in existence, no sanction should be given to an aggressive policy which was in plain violation of those principles. It might turn out that the danger to which the attacking party was exposed would produce a degree of moderation and tend to peace, and that, with the assistance of that Power which appeared to have exerted itself as a mediator, this very desirable end would be effected. It would be a sad and melancholy thing if the historian of these times should have to describe the fate of that great country—which, with all its faults, had been so useful to Europe—in the language which had been familiar to their Lordships since their schoolboy days—

*“Hæc finis Priami fatorum; hic exitus illum
Sorte tulit, Trojam incensam et prolapsa
videntem
Pergama, tot quondam populis terrisque superbum
Regnatorem Asiæ; jacet ingens litore truncus,
Avulsamque humeris caput, et sine nomine
corpus.”*

In that event there would be reason to look back with regret to the beginning of the second series of negotiations in respect to the Duchies fifteen years ago, when, perhaps, by a word properly spoken, a judicious, temperate, non-compromising word, Prussia might have been made to understand that if she persisted in the enterprise she might have to face a danger which, in all probability, would be overwhelming. While on this subject, he wished to say a word or two on the well-known principle of interference or non-interference. Now, the idea of a great country like ours pledging itself to non-interference in an unlimited sense was to him perfectly absurd. He did not think it was possible for a country situated as England was to carry out the principle of non-intervention altogether. We must have friends with whom we sympathized, and there would be times of danger and circumstances which might compel interference. What was required of a Government, whatever its politics, was that everything should be done to avoid war which could reasonably be done without the loss of national honour and dignity; he would even go as far as to say that

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great sacrifices of a certain kind might be necessary in order to the preservation of peace; but though from our insular position we might be better placed for carrying out the principle of non-intervention than other nations, and although we might have every desire to avoid war, yet it could not always be done without sacrifices which no great country could afford to make. There were times and circumstances when war might be avoided and peace preserved by combination with other Powers. There was also another subject on which he desired to make a few observations—namely, the subject of nationalities, which was a word which had been introduced into the political dictionary within the last fifteen or twenty years. In carrying out the principle of non-intervention he would ask where a stop could be made? No country had a greater claim to act on this principle than Italy; but even she had not been able to realize her expectations under it without seeking the dangerous assistance of another Power, and making a great sacrifice. There were also similar difficulties with regard to the Danubian Principalities and Germany. Supposing Prussia to gain her end—which seemed probable—was it supposed that these difficulties would be removed, and that she would be able calmly and quietly to sit down in the uninterrupted enjoyment of what she had obtained? He believed that this would not be the case. Territorial considerations and commercial interests would go much further in securing peace with neighbouring nations than anything arising from nationality. The principle in question appeared to have originated in what was a family feeling in the early stages of mankind, and expanded into its present dimensions. But under present circumstances, if it was to be acted upon, where, he asked again, was it to stop? Might not the Fenians find in it something to support them in their endeavours to raise an Irish Republic? He doubted whether France even, the most compact of European countries, would be free from danger under the action of such a principle. During the last month Bohemia, having discovered an old traditional name, had made a claim for national independence. What he contended was that, although some States had a stronger case for acting on the principle of nationality than others, it was a principle fraught with much danger, and at the same time brought but little advantage to the com-

munity. Nothing could be further from his intention than to say anything likely to increase the prospects of a general war. His were merely the words of an individual, giving expression to nothing but his strongest convictions, respecting which he could not consent to be silent. He trusted that he had said enough to justify the Motion which he intended to make. If Her Majesty's Government would consent to furnish the House with the whole of the papers he asked for he should be glad; if, however, they resolved, from sufficient reasons, to withhold some of them, he would cheerfully consent to their decision. He could not profess to be in possession of special information beyond what was in the possession of the public; but he confessed that he was under the impression that the negotiations with respect to the position of Prince Charles were so far completed that no inconvenience would arise from presenting the papers to Parliament. If he were mistaken on that point, his noble Friend (the Earl of Derby) would doubtless have the kindness to correct him. Seeing that their Lordships were in a great measure shut out from dealing with matters connected with the taxation of the country and supplying the necessities of the State, and were in other respects less closely associated with general legislation, they were, in his opinion, more particularly called upon to express opinions with regard to those high matters of national honour and good faith to which he had alluded than they would otherwise be; it thus fell to their lot to fulfil the higher duties of the statesman's office, in expressing with a fearless voice opinions which might support those who were suffering from unjust aggression. He trusted he would be permitted to enjoy some share of their Lordships' concurrence and sympathy in the task he had undertaken, and with that hope he moved for the production of the official papers relating to the subject.

Moved, That an humble Address be presented to Her Majesty for all official Papers of an ostensible Character relating to Negotiations which have taken place between Her Majesty's Government and any other State or States respecting the Two Danubian Principalities, Moldavia and Wallachia, whether in the Form of Conventions, Protocols, or diplomatic Correspondence, dated subsequently to the Paris Convention of 19th August 1858, and hitherto not communicated to Parliament.

THE EARL OF DERBY: My Lords, I certainly did not anticipate from my noble

Friend's Notice, which simply consisted of an announcement that he would move for Papers respecting the Danubian Principalities, that he would have thought it necessary to refer to so many subjects as he has. Having regard to the respect due to my noble Friend's long experience in foreign affairs, and the intimate knowledge he possesses, more especially of the affairs of the East, I trust it will not be deemed disrespectful upon my part if I decline to follow him over the wide range of subjects on which he has commented, but rather confine my observations within a narrow compass, and above all if I abstain, in the present state of the affairs on the Continent, from following him into a general discussion of the affairs of Europe. I must confess that some of the principles laid down by my noble Friend were listened to by me with some surprise, because, if they were followed to their natural conclusions, I cannot but think that his object must have been to impress upon your Lordships' mind his opinion that it was necessary, in vindication of our own character and our own principles, to take an active and prominent part in the unfortunate war now raging in Europe. [Viscount STRATFORD DE REDCLIFFE made a gesture of dissent.] My noble Friend shakes his head, but did he not say, "Will you allow Austria to be humiliated? Will you permit her to have Venetia taken from her?"

VISCOUNT STRATFORD DE REDCLIFFE: I asked, Will you view these things with unconcern and indifference?

THE EARL OF DERBY: Be it so then; but my noble Friend knows what that means. He asks whether we will allow Austria to be placed in a position of humiliation and have Venetia wrested from her? and he asks us whether we will, with indifference, permit treaties to be broken through? My noble Friend must know perfectly well that if his question were followed to its legitimate conclusion it would lead to the inquiry—shall we interfere with the war that is now taking place in Europe, and shall we by active interference stay the triumphant progress of Prussia and the realization of the ambitious views of Italy. Now, my Lords, I say the spirit of these questions is entirely at variance with the principles entertained by Her Majesty's Government. I do not pretend to lay down the principle of absolute non-intervention and non-interference with the affairs of foreign countries, no country

holding the position of England can afford to do so ; but I believe I express the opinion of all on both sides of the House, of whatever particular shade of opinion they may be, when I say that nothing could be more inconsistent with our public duty than that we should take an active part on either one side or the other in the present conflict—much as we may lament the events now taking place we should not be justified in interfering by force or by remonstrance which must lead to force. The Emperor Napoleon has been appealed to by one of the belligerents for his mediation and good offices. He has offered that mediation and those good offices ; but with what success remains to be seen. If our assistance or good offices should be needed to co-operate with those of France for the purpose of restoring peace to Europe, nothing would be nearer the desires of Her Majesty's Government than to afford them. But until our good offices or mediation have been applied for, I hold that we should be stepping out of our proper province if we were obtrusively to interfere between the conflicting parties, and still more so if we were to hold out a threat or menace to enforce our views with regard to the differences between the belligerents. I will not, besides, discuss those principles which my noble Friend has laid down with regard to nationalities, but will confine myself to the subjects which more immediately concern his Motion. If I had proposed to deal largely with them, I should have cause to regret even more than I do the absence through indisposition of my noble Friend the late Secretary of State for Foreign Affairs (the Earl of Clarendon) ; because it rests more with him and with his late Colleagues to vindicate the course which has been pursued with reference to the Danubian Principalities than with myself and those with whom I am acting. But I may very shortly state to my noble Friend what course has been taken, and what is the present actual state of affairs. My noble Friend has referred very minutely to the provisions of the Treaties of 1856 and 1858, whereby the Danubian Principalities were guaranteed, not by a single Power, but by a Conference of the six great Powers of Europe, their independence and privileges consistently with the maintenance of the suzerainty of the Sultan of Turkey. It is quite true that at a very early period those objects were departed from with the acquiescence and consent of the Powers which had composed the Conference, because in

The Earl of Derby

the first instance it was thought desirable that Moldavia and Wallachia should continue to form two separate and independent Principalities unconnected with each other ; and it was thought that the union of these provinces would be a source of weakness to Turkey, while their separation would be adding to her strength. The second proposition which must be borne in mind was that the Hospodarship should be in the hands of a native and not of a foreigner. Now, the first infraction of these principles was the election of the same individual Prince Couza by the two Principalities. This deviation from the original terms agreed upon was, however, sanctioned by the Conference, and if any danger be likely to arise from the union of the two Provinces, that danger has now lasted for at least eight years, and the present course of events does not in any way tend to its increase or its diminution. For my own part, I think this union of two Provinces forming together not a powerful country, is more likely to prove a source of strength than of weakness to the frontiers of Turkey. These Provinces continued under the administration of Prince Couza until the 22nd or 23rd of February last, when Prince Couza was deposed, and was compelled to abdicate on the following day. The revolution which brought about the event was perhaps the most peaceful, quiet, and bloodless recorded in the history of the world. Prince Couza was permitted to depart unmolested from those Provinces over which he had for some time held sway. There was no symptom of disturbance among the population ; and immediately after his deposition a Provisional Government was formed. After these events had occurred the Conference assembled, and its members at once laid down the principle that, notwithstanding what had been done on former occasions, it was, nevertheless, desirable to leave the Provinces themselves to decide in favour of separate or of united Government. In the meantime the Provisional Government had offered the Hospodarship of the united Provinces to the Comte de Flandres, by whom it was distinctly refused. Throughout the whole of the proceedings everything that was done was communicated and made known to the Conference, and from first to last the Conference laid down the doctrine that while the rights and independence of Moldavia and Wallachia were to be respected regard was equally to be paid to the rights

of Turkey. Whatever difference there might have been as to matters of detail that principle was always upheld. After the refusal of the Comte de Flandres the offer was made to Prince Charles of Hohenzollern, by whom it was accepted. My noble Friend has expressed an opinion that this offer was an underhand proceeding on the part of Prussia, and that it was in fact instigated by Prussia. But Prussia has entirely and absolutely disclaimed having supported the candidature of Prince Charles, and there is nothing in the papers relating to the subject which would tend to throw any suspicion upon that statement. A communication was made by the Provisional Government to the Conference. The Conference—I think very properly—declined to recognize the election of Prince Charles, or to notice the communication. It was determined that the principle of the union or the separation of the two Provinces should be decided by the new Parliament which was about to be elected, and in order that there should be no suspicion of collusion, or of any attempt to overbear one Province by the voice of the other, it was further determined that the Provinces should decide for themselves whether their decision upon this subject should be given by separate or united Legislatures. It was still further decided that in case either Moldavia or Wallachia objected to a union, that should be held a conclusive argument for separate Legislatures. The result was that neither Wallachia nor Moldavia would consult separately on the question of union: an united Parliament assembled, and 110 out of 166 Members decided in favour of the union of the two Provinces under the Hospodarship of Prince Charles. This decision was communicated to the Conference. There was no doubt that the proceeding was irregular, and at variance with the understanding of the Conference. But the question was, shall we proceed by force to support the claims of Turkey, if she should desire it, against the united wish of Moldavia and Wallachia—and shall we force upon those Provinces at a time when all Europe is in a state of convulsion a Government to which they are opposed—and by so doing add to the state of disturbance that already exists? The course which has been pursued is this:—The parties to the Conference have not recognized the accession of Prince Charles; but we have endeavoured successfully to induce the Government of Turkey to abstain from pressing by force

of arms the rights which she might have enforced; and we have recommended Turkey to ascertain whether terms cannot be agreed upon between the *de facto* Government of the two Provinces and herself, that while they maintain their own independence they will respect the rights of the suzerain Power. That is the state in which things remain. There are negotiations going on between Turkey and these Provinces, and an agent has been received at Constantinople. He has been consulting with the Turkish authorities, and I believe there is every prospect of the result being satisfactory; the rights of the people of the United Principalities will be maintained, and at the same time the rights of the suzerain Power will be maintained. I hope in the course of a short time the matter will be brought to an issue. But in the meantime it would be inconvenient to lay before the public all the negotiations that have taken place, and it will be better to wait until the negotiations are brought to a close or broken off, when the whole course of proceedings will be laid before Parliament. Under these circumstances, I hope my noble Friend will not press the Motion.

EARL RUSSELL said, he thought their Lordships would acquiesce in the decision at which the noble Earl had arrived—that until the negotiations were brought to a termination it would be unwise to produce the papers which had been asked for. He desired, however, to make a few remarks on the subject, as he and his Colleagues had been concerned in the recent negotiations. Under the Treaty of 1858, which contained five Articles in reference to the Danubian Provinces, their rights and privileges and those of the Porte were clearly and precisely laid down—the chief point being that with the exception of paying to the Porte a small sum of money by way of tribute, the Principalities should be entirely free and independent. The Convention of 1858 determined that no foreign Prince should have any power in the Principalities, but that a Native Hospodar should be elected. There were fifteen or twenty Princes from amongst whom the selection could be made, and, unfortunately, that had led to a series of jealousies amongst them, and hence the election of a foreign Prince. That being the case, and the Convention of 1858 having declared that no foreign Power should interfere in the internal affairs of the Principalities, when the Powers came together they were obliged

to recognize that obligation, and they would not depart from it. But he confessed that his own opinion was that if the Porte acknowledged Prince Charles of Hohenzollern as Hospodar, and if he should turn out to be a man of sense and judgment, he would be far more likely to administer the Provinces successfully than any Native Prince would do. It had for a long time been the favourite wish of the people of the Principalities to have a foreign Prince to rule over them. It was a matter upon which they had set their hearts; and, according to the general principle which had been laid down in modern times for action in these matters, the rule was, that the wishes of the people ought to be consulted and ought to prevail, but not so far as to threaten the security of other States. He therefore hoped that the Porte would be induced to recognize as Hospodar Prince Charles of Hohenzollern, the Prince agreeing to the terms of the instrument of 1856 by paying tribute and obtaining a firman from the Sultan. On the other hand, if the Porte were to send an army into the Principalities there was the great danger that hostilities would extend farther, and that a war of religion might arise should the people of the Principalities think that it was intended to interfere with their religious liberties. Therefore, he was glad to hear that Her Majesty's Government were prepared to advise the Porte not to interfere by force of arms. As the other question had been raised, he could say that he thought it would be most unwise for us to interfere at present in the affairs of Central Europe; but, at the same time, he fully admitted the force of the general principle that had been accepted by all the statesmen of this country, that no one State of Europe ought to have such a preponderance over other States as to threaten their independence and security. This was not the moment to pass any opinion upon the policy of Her Majesty's Government, but nothing had been said to lead them to suppose that the Government would not exercise the vigilance and patience which it was their obvious duty to exercise in existing circumstances.

THE EARL OF DERBY said, he would take the earliest opportunity of laying upon the table the papers connected with the subject.

Motion (by Leave of the House) *withdrawn*.

Earl Russell

POSTMASTER GENERAL BILL.

(*The Earl Nelson.*)

(No. 75.) SECOND READING.

Order of the Day for the Second Reading read.

EARL NELSON, in moving the second reading of this Bill, said, that its object was to legalize the holding of the office of Postmaster General by a Member of the House of Commons. The 25th section of the 6th of Anne disqualified the holders of certain offices for sitting in the House of Commons; but from time to time nearly every office in the Government had been freed from the operation of that Act—beginning with the Presidency of the Board of Control, and ending with the Secretary of State for War. There was no reason why the office of Postmaster General should not be held by a Member of the House of Commons; and, remembering the difficulties the present Prime Minister had in forming his Government, it was expedient to give additional facilities to the First Lord of the Treasury in the organization of an Administration, while the passing of the Bill could not by possibility be construed into a reflection upon the noble Duke (the Duke of Montrose) who had so lately accepted the office.

Motion agreed to: Bill read 2^a accordingly; and committed to a Committee of the Whole House on *Monday* next.

EXTRADITION TREATIES ACT AMENDMENT BILL—(*The Lord Chancellor.*)

(No. 200.) SECOND READING.

Order of the Day for the Second Reading read.

LORD TEYNHAM directed attention to the change which the measure would effect in the law of evidence, and expressed a wish to know whether, under cover of this alteration, it was intended that the magistrates before whom the accused parties were brought should alter the view they had hitherto taken in determining whether the accused were *prima facie* guilty of the offence alleged against them. He desired also to point out that no provision had been made for ascertaining the relation of the depositions sent over with the crime charged in the warrant of arrest.

THE LORD CHANCELLOR said, that in order to remove any alarm from the mind of the noble Lord, he might state that there was no foundation whatever for the notion that any change in the law of

evidence would alter the opinion which the magistrate might entertain of his duty. It was sufficient, he thought, to give that answer to the noble Lord, who, he regretted, had not urged his objections yesterday, on the occasion of the Bill being introduced and read a first time. For his own part, as he had taken up so much time yesterday in explaining the objects of the Bill, and taking into consideration the deserted state of the Benches on the side of the House where the noble Lord sat, he hoped the noble Lord would not consider it disrespectful if he declined to trespass any further on their Lordships' time.

Bill read 2^a, and committed to a Committee of the Whole House on *Monday* next.

REFORM MEETING IN HYDE PARK.

NOTICE OF MOTION WITHDRAWN.

THE EARL OF SHAFTESBURY, who had given Notice—

"To call the Attention of the Government to large Placards stuck up in various Parts of London, announcing the Assemblage of vast Numbers of the People in Hyde Park, on Monday, the 23rd, under the Summons of the Reform League," said: My Lords, when I gave the notice which appears upon your Lordships' Paper, I was not aware that the subject of the proposed Reform Meeting in Hyde Park had been discussed in the House of Commons, where a satisfactory answer was given by the Secretaries of State, both of the present and of the late Government. I hope and trust that the Government will persist in reserving the Parks exclusively for the recreation of the people. Let them be kept solely and entirely for the recreation of the people without any respect to partizans, whether of Reform, or of Garibaldi, or of the Pope. I do not say this because I am adverse to public meetings, for perhaps no man in England is so much indebted to public meetings as myself. I have carried a great portion of my measures by their means, and it is my intention, if God gives me health and strength, to hold a great many more. But I have always held them at convenient times, and in convenient places; and therefore I hope that the working classes will respect the rights of others, and not inflict upon others an inconvenience which they would be the first to resent if inflicted upon themselves.

House adjourned at a quarter past
Seven o'clock, to Monday
next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, July 20, 1866.

MINUTES.]—NEW WRIT ISSUED—*For Eye, v. Sir Edward Clarence Kerrison, baronet, Manor of Northstead.*

NEW MEMBERS SWORN—Right hon. Lord Claud Hamilton *for* Tyrone; Right hon. Henry Thomas Lowry Corry *for* Tyrone; Right hon. Viscount Royston *for* Cambridge County.

PUBLIC BILLS — *Ordered* — Traffic Regulation (Metropolis) *; Turnpike Trusts Arrangements *; Turnpike Acts Continuance *; Naval Discipline.*

First Reading—Traffic Regulation (Metropolis)* [227]; Naval Discipline* [231]; Turnpike Trusts Arrangements* [228]; Turnpike Acts Continuance* [229].

Second Reading—Hares and Rabbits (Scotland) [210]; Parochial Buildings (Scotland) Act Amendment* [222].

Committee—Militia Pay*; Drainage and Improvement of Lands Act (Ireland) Provisional Order* [216]; Courts of Justice* [217]; Public Works, Harbours, &c.*; Public Works Loans (Ireland)* [219]; Tramways (Ireland) Acts Amendment (*re-comm.*)* [213]; Paupers (Scotland)* [197].

Report—Militia Pay*; Drainage and Improvement of Lands Act (Ireland) Provisional Order* [216]; Courts of Justice* [217]; Public Works, Harbours, &c.*; Public Works Loans (Ireland)* [219]; Tramways (Ireland) Acts Amendment (*re-comm.*)* [213]; Paupers (Scotland)* [197].

Considered as amended—Thames Navigation* [205]; County Assessments* [179].

Third Reading—Oyster Fisheries* [169]; Straits Settlements* [176]; British Columbia* [186]; Thames Navigation* [205], and *passed*.

Withdrawn—Tests Abolition (Oxford)* [15].

DUTY ON DOGS.—QUESTION

MR. WALDEGRAVE-LESLIE wished to ask the Secretary to the Treasury, Whether the Government have any intention of bringing in a Bill this Session for the reduction and better collection of the Duty on Dogs? He must remind the Government of the present high value of sheep and of the great loss to a farmer from the destruction of even one sheep from the worrying of a stray dog. He believed that the late Government had prepared a measure on the subject, which he hoped the new Government would take up. Farmers, flockmasters, and the public generally had expressed a strong desire on the subject, and he would, therefore, put the Question of which he had given notice.

MR. HUNT said, that it was not the intention of the Government to pass a Bill this Session. The Inland Revenue Department had prepared a measure for trans-

ferring the collection of the tax from the assessed taxes branch to the Excise branch of the Inland Revenue. But he thought some of the proposals in the Bill likely to be vexatious to the owners of dogs. The matter was a difficult one, but he hoped to introduce a Bill next Session.

MR. DARBY GRIFFITH would like to ask the hon. Member for Pontefract, whether he had prepared a Bill?

MR. CHILDERS said, that before he left office he received from the Inland Revenue Department a draft of a Bill reducing the tax on dogs. It had not been finally revised, and he thought it better to leave it for his successor, in the shape in which he had received it.

LAW OF CAPITAL PUNISHMENT AMENDMENT BILL.

QUESTION.

MR. EWART said, he would beg to ask the Secretary of State for the Home Department, What course the Government intend to pursue with regard to the Law of Capital Punishment Amendment Bill?

MR. WALPOLE said, in reply, that, as the provisions of the Bill varied considerably from the recommendations of the Commissioners, owing to the great diversity of views upon the subject, Her Majesty's Government did not propose to proceed with the measure during the present Session. At the same time, they were of opinion that it would be better to go to a first reading, in order that the Bill might be printed.

CATTLE PLAGUE (SCOTLAND.)

QUESTION.

MAJOR WALKER said, he would beg to ask the Secretary of State for the Home Department, Whether, in view of the great decrease of the cattle plague in Scotland, and of the very extensive interests concerned, it is the intention of Her Majesty's Government so to modify the restrictions imposed upon the transit of sheep in Scotland as to permit the holding of the annual sheep and lamb fairs during the ensuing autumn?

MR. WALPOLE, in reply, said, the question was a very important one. There were no orders of regulations to prohibit the holding of fairs, but there were to prevent the moving of sheep in different parts of Scotland. It would just at this moment, when the cattle plague was spreading in one or two counties, be

highly injudicious to make any great change in the regulations. It was very important, before any greater facilities were given for the movement of sheep from one place to another, that the disease should be watched, and that would be done. There was every desire on the part of the Government to relax the regulations, provided it could be done consistently with checking the disease.

THE IRISH SOCIETY ESTATES.

QUESTION.

MR. KENNEDY said, he wished to ask the Chief Secretary for Ireland, When the Returns relating to the Irish Society Estates, ordered on the 8th of May last, are to be presented to the House?

LORD NAAS said, in reply, that notice of the Returns referred to by the hon. Member had been served upon the Irish Society by the officers of the House in the usual manner. The Irish Society was not under the control of any Department of the Government. He would advise his hon. Friend to renew the Motion for the Returns, with the *addendum* that they be laid upon the table forthwith.

CATTLE DISEASE—FOREIGN CATTLE.

QUESTION.

MR. FREVILLE-SURTEES said, he wished to ask the Vice President of the Committee of Council on Education, Whether it is the intention of Government to make any relaxation of the Order in Council which now compels all cattle coming from abroad to be slaughtered within four days after their landing in this country?

MR. CORRY said, in reply, that at a meeting of the Committee of Privy Council which was held yesterday it was decided not to relax the Order in Council at present.

SURVEY OF COAST OF CEYLON.

QUESTION.

MR. MARSH said, he would beg to ask the First Lord of the Admiralty, Whether it is the intention of Her Majesty's Government to cause that portion of the East Coast of Ceylon to be completely surveyed which is put down in the Admiralty Charts as "partially surveyed," and which lies in the track of the Mail Packets between Galle and Calcutta, and also in the track of Transports taking Troops by the overland route?

SIR JOHN PAKINGTON, in reply, said, he had applied to the Hydrographer's Department of the Board of Admiralty, and he found that there had been surveys of the greater part of the coast of Ceylon, which were considered quite sufficient. The west coast, the south coast, and the south-east coast had been carefully surveyed, and the only part not minutely surveyed was that between the south-east coast and the Bass Rock, extending over about 230 miles, which was very rarely frequented by merchant vessels. He had heard of nothing which would justify the Admiralty in withdrawing from the survey of this line of coast the vessel which was engaged in correcting the former surveys.

ARMY AND NAVY—MEDICAL OFFICERS.

QUESTION.

COLONEL NORTH said, he would beg to ask the Secretary of State for War, if he would object to lay before the House the Report of the Committee presided over by Vice Admiral Sir Alexander Milne relative to the Medical Officers of the Army and Navy; and whether it is intended to adopt the recommendations of the Commission in favour of the Medical Officers of the Army?

GENERAL PEEL said, in reply, that there could be no objection to lay the Report of the Committee on the table. It had, in fact, been moved for that very evening, and granted as an unopposed Return. It was not only the intention of the Government to adopt the recommendations of the Commission in favour of the medical officers, but to go beyond them. There would be no additional pay given this year, as it had not been provided for in the Estimates. It would not be necessary to publish a Warrant in order to introduce the new regulations.

ARMY—MILITARY STORE DEPARTMENT.—QUESTION.

MR. OLIPHANT said, he would beg to ask the Secretary of State for War, Whether there would be any objection to lay upon the table of the House Returns of the names of the officers of the Military Store Department; departmental grade; relative rank; length of service, distinguishing the periods served in each grade, including the time passed in a clerical capacity; nature of duties at present as-

signed; pay; amount of charge pay in those cases where an officer is in charge of a station; approximate value of stores under the officer's charge; the period which has elapsed since last promotion; rate or amount of retiring pay; and whether any steps are being taken to remedy the anomalies and hardships complained of by the officers of that department, the existence of which was admitted by the late Secretary of State for War?

GENERAL PEEL said, in reply, there would be no objection whatever to lay upon the table the Returns relative to the officers of the Military Store Department, with a trifling exception. He was happy to say that his predecessor had already submitted to the Treasury remedial measures with regard to these officers, and perhaps the hon. Gentleman would do well to wait the action of the Treasury before taking any further step in the matter.

COMPULSORY CHURCH RATE ABOLITION BILL.—QUESTION.

MR. HENLEY said, he would beg to ask the right hon. Gentleman the Member for South Lancashire, Whether he proposes to bring on this Bill for second reading that night—it stood fifteenth on the list—and, if so, at what time?

MR. GLADSTONE said, he would not bring it on later than twelve o'clock.

NAVY—THE "ROYAL SOVEREIGN."

QUESTION.

MR. OSBORNE said, he would beg to ask the First Lord of the Admiralty, If the experiments commenced by the late Board in firing at the *Royal Sovereign* will be completed as originally contemplated—namely, by firing flat-headed steel shot or shell from the Whitworth 7-inch gun, thereby ascertaining the penetration as compared with that of the round-headed shot fired from the 12-ton gun?

SIR JOHN PAKINGTON: Sir, in answer to the Question, I beg to say that I do not exactly know what the hon. Member refers to by the words "originally contemplated." I am not aware that anything passed privately between the Duke of Somerset and Mr. Whitworth; but I have made inquiry in the office of the Admiralty, and I find no trace of any intention to renew the firing at the *Royal Sovereign*. To fire again at the same turret would, I

apprehend, be very useless, and I am not aware of any intention on the part of the former Board to fire at any other of the turrets of the ship. In answer to the latter part of the Question, I apprehend that any comparison between the 7-inch gun and the 12-ton gun would be unfair. But as regards the question between the flat-headed shot and the round-headed shot, I believe there is no doubt whatever of the penetrating power of the flat-headed shot. The real question with regard to this shot is, whether or not its shape does not prevent its passing with accuracy through the air at long ranges, so that its flight is very uncertain. As the penetrating power of the flat-headed shot has been ascertained, any further trial against the cupola of the *Royal Sovereign* would be quite useless; and, to test the question that really remains with respect to the flat-headed shot, it would be far better to fire at a target at Shoeburyness than again to fire at one of the cupolas of the *Royal Sovereign*. Under these circumstances, it is not the intention of the Board of Admiralty to order any further firing at the *Royal Sovereign*.

MR. OSBORNE said, he would call the attention of the House at the earliest opportunity to our system of naval gunnery.

DUTY ON DOGS.—QUESTION.

MR. DARBY GRIFFITH said, he would beg to ask the right hon. Gentleman opposite (Mr. Gladstone), Whether he has come to any decision on the subject of the Dog Tax when he was in office?

MR. CHILDERS replied, that before the late Government left office it received from the Inland Revenue Department the draft of a Bill reducing the tax on dogs, but as it had not been revised, they thought it better to leave it to their successors in the shape in which it was.

STATE OF THE FINANCES.

OBSERVATIONS.

THE CHANCELLOR OF THE EXCHEQUER: Sir, I think it will be convenient to the House if I mention that on going into Committee of Supply on Monday I propose to make a short statement, showing the additional charge upon the Exchequer since the general Financial Statement made by the right hon. Gentleman (Mr. Gladstone), and what course we intend to follow in consequence.

Sir John Pakington

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

RAILWAYS (IRELAND).

MOTION FOR RETURNS.

MR. GREGORY said: In bringing forward his notice he was sure the present Government was aware that he had no intention of trying to extort from them any assurances on a subject which they could have hardly fully considered as yet, beyond the assurance that they would, during the recess, give it their fullest attention. The text on which the short sermon which he was about to deliver to the House was derived, emanated from the late Chancellor of the Exchequer at no more distant date than last February. The right hon. Gentleman, speaking on the subject of Irish railways, said—

"It was true that the difficult problem of intervention by Government in the concerns of railways, was, to a certain extent, limited in Ireland by the circumstances of the case."

And he added—

"No boon could be secured to Ireland so free from all taint, so free from all partiality, so comprehensive and effective in its application, as by some measures taken to secure to Ireland the benefits of cheap transit."

With such strong authority as that to support him, with the unanimous and earnest desire of the whole of Ireland that the railways in that country should pass through the heads of the State, he (Mr. Gregory) would venture to lay before the House some portions of the remarkable evidence which had been taken before the Duke of Devonshire's Commission, and which fully sustained the strong language of the late Chancellor of the Exchequer as to the boon that might be conferred on Ireland, and as to the eagerness with which that country looked forward to the action of Government, which alone could deal with such a subject. If any one took the trouble to read the evidence before the Commission, he would remark a strange circumstance in a matter connected with Ireland; and that is a virtual unanimity of opinion both as to the abuses which prevail in the Irish railway system and as to the remedies which should be applied; for, after all, Mr. Haughton, Chairman of the South Western, is the only witness who is enamoured with the present system. He looks upon

men and women and goods to be created to give shareholders the largest dividends with the least possible inconvenience to directors—as for a public, that is an ingredient which he altogether ignores. Forty-three witnesses were examined, the greater number officially conversant with railways and their traffic, either as directors and managers or as large customers. These witnesses testified to the universal dissatisfaction which prevailed throughout the country at the exorbitant rates of fares exacted, superadded to a most remarkable want of accommodation; in short, the minimum of convenience combined with the maximum of extortion. It would appear that the object, the successful object, of the present system was (to employ almost the words of a contemporary writer) to take care—

“That to as few people as possible, and not to as many, he conceded the privilege of passing from place to place; that such an extravagant charge be laid upon the conveyance of the very necessities, let alone the conveniences of life, as to enhance exorbitantly their selling price, and put some of the most essential of them permanently out of the reach of the bulk of the population; that the traffic of the country be regulated by a number of distinct co-operations, without any show of concord among themselves, generally with a distinct show of mutual rivalry and antipathy, exhibiting a perplexing variety of fares, charges, bye-laws, and modes of action occupied ceaselessly in hindering each other.”

Such will appear to be the results of Irish railway mismanagement—mismanagement not in all cases to be attributed to the fault of directors, but to circumstances over which they have no control. Now for the evidence to substantiate this. It came out that in the poorest of the sister kingdoms the fares are often much higher than in England, and invariably higher than in Scotland, as regards passengers. The two great lines of Ireland—the South Western and Midland—exact higher rates than any of the great English lines; but the case is still more remarkable on looking to foreign countries and comparing the tariffs of third-class passengers. We must bear in mind that the produce of third-class traffic is larger, even on Irish railways, which are essentially managed so as to check this source of income, than either of the two other classes:—1863, first-class, £201,000; second-class, £260,000; third-class, £325,000. In Prussia the rate is 3s. 2d. per 100 miles for third-class passengers; in the Rhenish railroads 3s. 10d.; Belgium, 5s.; Great Britain and Ireland, 8s. The result of these charges is this,

a most lamentable impediment in the way of the poorer portion of the Irish public getting into the habits of travelling. It appears, as Mr. Galt shows in his evidence, from the recent Returns of the Board of Trade, that the number of travellers in England and Wales for 1864 was 197,014,661; in Scotland, 20,205,455; and in Ireland, 11,902,049. Taking the population of Ireland at 6,000,000, and that of England and Wales at 20,000,000, we should expect to find three times the amount of passengers, whereas there is twenty times the amount on the part of England and Wales. There ought to be double the amount of railway passengers in Ireland as compared with Scotland, whereas there is double the amount in Scotland. And as for the Continent, Mr. Mulvany's evidence is very striking. He shows how large a proportion of the traffic in foreign railways is derived from third-class passengers. He says—

“You see the German women coming in with their large baskets of vegetables or fruit a distance of ten or fifteen miles into a market town at a cost of three-eighths of a penny per mile, and they make their marketing before twelve o'clock in the day, and go away in crowds. That is not so in Ireland, except in the neighbourhood of Belfast, where it does partly exist. The third-class passengers in Ireland are charged the same fare as the rich part of the people are charged in Germany, who travel in upholstered second-class carriages, and the anomaly to anyone who frequently visits both countries is so striking as to remove every shadow of doubt as to the impropriety of the rate which exist in Ireland, and the want of accommodation for the poorer classes.”

In fact, on the Rhine a second-class passenger is carried for 100 miles for 8s. 9d., and as by these carriages persons almost invariably travel who would be first-class passengers in England, it comes out that in England and Ireland a third-class passenger has to pay only 9d. less in his miserable mode of conveyance than a German passenger would have to pay in his comfortable second-class carriage. And now to show the unwillingness of Irish directors to take a single forward step to provide the immense advantage which facilities for travelling give to every country. Mr. Haughton, the Chairman of the Great Southern and Western line, stated that he was opposed to the issuing of third-class return tickets, on the ground of fraud. He objects to them even on market days. He says, “It is of no use to issue them, nor is there any traffic of that kind.” This is the system on which the greatest Irish railway is managed!

On the other hand, Mr. Forbes, traffic manager of the Midland Great Western, says—

“They tried the experiment of carrying third-class passengers at a single fare for the double journey, and the result has been that the trains which then ran empty are now crowded every market day; and I believe that if that system was carried out every day in the week it would be greatly to the advantage of the country.”

Other witnesses, among them Mr. Hemans, the eminent engineer, gave similar evidence, and proved that everything was done to deter people from going third-class rather than to encourage them. Now, to show a little more the spirit which animate directors. At the Great Southern and Western last half-yearly meeting the Chairman thus delivered his views to the shareholders—

“It is the decided opinion of the directors that if they consulted solely your interest, and not the expectations and gratifications of the public, they would never run an excursion train. The worry, the expense, and the risk attendant on these trains outweigh any problematical profit we derive from them.”

But the Rev. Mr. Bagot, in a lecture to the Farmers' Club, at Athy, stated that he organized excursions trains in 1865 on that very line, and that for five successive weeks they started from Athy carrying an average of 230 passengers each train. The average from Carlow was 300 per train; from Sallins, 450. Mr. Bagot stated positively that the company netted £500 by these trains; yet in spite of that, we see the hostility of the directors to any such undertaking, or, in short, to anything “giving worry,” to employ the words of the Chairman. Then as to goods. Mr. Barrington, Lord Mayor of Dublin, deposed that, owing to the high fares and want of accommodation, it was cheaper for him to send his goods to Liverpool, and thence by sea to Sligo, rather than from Dublin to Sligo direct. Mr. Bagot, another merchant, makes this remarkable statement:—He complains that parties can actually send goods from England, *via* Dublin, or through Dublin, to various towns of Ireland cheaper than they can get them delivered from Dublin to those towns. He adds—

“We consider that that is most injurious to us, and that it saps and undermines our trade; in fact, we frequently are obliged to send our goods to other ports in England, and have them stored there and re-shipped, in order that they may be delivered to the western parts of Ireland cheaper than we can have them delivered from Dublin.”

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How can any country emerge from its difficulties with such impediments in the way of its internal traffic? Mr. Forbes, a gentleman of great experience, and manager of the Midland line, stated that the rates of the carriage of agricultural produce was prohibitory; that in the county of Galway they were selling potatoes at 3*d.* a stone within a few miles of a railway station; whereas in Dublin they were selling at 7*d.* a stone; and that if the high fares were lowered they would establish an immense traffic with Dublin in grain, potatoes, poultry, bacon, and eggs. He calculated that if the rates were reduced to one halfpenny a ton per mile the traffic would be increased ten-fold, but the directors were frightened and would not hear of it. Mr. Meldon, a gentleman, solicitor to two or three lines, and a large proprietor, gives similar testimony. He states that potatoes come up to London from Cornwall by rail; but, though his property is on the railway, he is unable to send the produce to Dublin. Mr. Cooper shows that not more than one-seventh of the store cattle in Ireland are sent by rail; they travel on foot, owing to the charges. Mr. Pollok (a Scotch gentleman), the largest farmer in Ireland, has actually taken farms between Ballinasloe and Dublin, as he is obliged to drive his cattle by the road owing to the high charges of the railway; and Sir Percy Nugent, one of our largest gentleman farmers, sent word to the Commission that he, too, was obliged to drive his cattle by road alongside of the rail—the cost of carriage being so great as to deprive him of all profit. Lord Lucan stated that in his parts all the cattle went by roads, and he was convinced that a reduction would bring every one to the rail. The evidence of Mr. Mallett, President of the Institution of Civil Engineers in Ireland, and of Professor Sullivan, is also most valuable, showing the extent to which the development of the material resources of Ireland might be carried under a better system, and how prejudicially these resources are affected by the present railway policy. In fact, it is perfectly needless to pursue this subject further. Judgment goes by confession. Even the directors themselves acknowledge the evil. They say, however—and they say with truth—that the shareholders would not submit to temporary loss for a problematic advantage. The loss to them of 1 or 2 per cent would not be at all compensated by the patriotic reflection that

Mr. Barrington was driving a brisk trade in Irish soap, or that Sir Percy Nugent's bullocks were riding instead of being driven to market. It was unnecessary to go further into this branch of the subject. The evidence already alluded to, although an infinitesimal portion of what might be quoted, was sufficient to show that owing to the high rate of freights both passengers and goods traffic was generally impeded, and in some cases actually prohibited. Now, he (Mr. Gregory) came to another grievance connected with the Irish railway system. He meant the want of accommodation to travellers, and the difficulties interposed by the numerous small companies in the way of through journeys. These small companies, generally in difficulties, always jealous of their neighbours, and very often at war were a perfect nuisance. The annoyance, delays, and impediments placed in an unfortunate passenger's way by these wretched little corporations, reminded one of the tales of Italian travellers some seventy years ago, where a stoppage of more or less duration had to be made in the district of every little potentate. Mr. Tinsly, Mayor of Limerick, showed the extreme inconvenience to which the people of Limerick were subjected by the want of unanimity between the Great Southern and Western and the Waterford and Limerick Railways, which commands the exit from, and the ingress into, Limerick. Mr. Ryan showed that it took four days to enable a third-class passenger from Ennis, the capital of the county of Clare, to devote a day to business in Dublin and to return; and on being asked to explain this extraordinary statement, he shows that the passenger has to pass over six different lines. To use his words—

“Each of those lines is very short, and they have local directories, and they do not hit it off well. They appear not to understand each other, and I have not the slightest doubt that if all those lines of railway were under one central management, the times of the trains could be so adapted to the convenience of the public that it would induce a large amount of additional traffic.”

This cry from the West is re-echoed from the North. Mr. Macfarlane shows that you cannot go from Omagh to Dublin, and remain long enough to transact a day's business, without being absent three days from home, and yet Omagh is but eighty-six Irish miles from Dublin. If better accommodation were given he was convinced there would be six times the traffic on the line, for the expense was now so

great of being forced to pass two nights in Dublin, that men of business would wait for a fortnight or three weeks to allow commissions to accumulate. Other witnesses deposed to cars being established, say recently running along side of and competing with railways, and others stated that quite as much accommodation was obtainable in the old coaching days. So much for the acknowledged grievances, and now for the remedy. He (Mr. Gregory) already had stated that there was a marvellous unanimity both as regards the evil under which Irish railways were labouring, and as regards the remedy. By that he did not mean that there was no difference of opinion as regards particulars. Judge Longfield proposes that where certain companies reduce their fares, they should be guaranteed against loss by the Government. Judge Longfield considers that the loss would be temporary; but as it might be permanent, and as the loss might fall on the public, he (Mr. Gregory) could not advocate this plan, although backed by such weighty authority as Judge Longfield. Mr. Malcomson's aspirations took a wider flight. He proposed that Government should lend money at 3½ per cent to companies who were unable to borrow at less than 5 or 6 per cent. But, as Mr. Malcomson fails to offer any guarantee, either as to reduction of fares or as to better accommodation, that proposal may be dismissed. All witnesses, however, seemed to agree that the State must interfere, as the only possible means of extricating Irish railways from their present embarrassing condition, and of making them a blessing to the country. In that opinion he (Mr. Gregory) cordially concurred; but he thought there were certain principles to be laid down without which it would be impossible for the State to interfere. If it should be determined to purchase up the Irish railways, the basis and foundation of the transaction must be this:—1st. That the State shall not lose by the transaction, but, as the purchase has been made for Ireland's benefit, Ireland must be responsible for any temporary deficit which may arise. 2nd. That the railways so purchased shall not be managed by the direct action of the State. These postulates were absolutely necessary, as, no doubt, English and Scotch Members would by no means approve of their constituents being taxed for that from which they would derive no benefit, and Parliament would be naturally unwilling to place in the hands of Ministers

the extensive patronage connected with the railway system of Ireland. Now, it would appear at first sight a bold proposal to advocate the purchase of all the railways in Ireland; but the whole of the Irish railways in mileage but little exceed that of the London and North Western, and as to traffic theirs is about equal to that of the Great Eastern. Compare the smallness of Irish railroads with the greatness of English. The Irish capital is between £20,000,000 and £30,000,000; the English capital, £400,000,000. The gross receipts from Irish, £1,518,000; from England, £30,000,000. The difficulty of dealing with Ireland is but as the levelling of a molehill. According to the generally received calculations it would take about £25,000,000 to buy up all the working railways, together with those being actually constructed. This calculation takes a very liberal view of dealing with the shareholders, and as many of the working lines are entirely unremunerative to the original shareholders, and as many of those in process of construction can hardly be said to be progressing from want of funds, it is very clear that most shareholders would gladly come to terms. Now comes the question, what could be saved by such a transaction, or rather, what would be gained for the public benefit. There have been different calculations made, but he (Mr. Gregory) would take Mr. Galt's as it has been deeply considered, and was thoroughly sifted by the Committee. Mr. Galt divided the Irish railways into three classes. He says there are forty railways in full operation. Of these fourteen pay dividends on original stock, and consequently on preference shares and loans. The second-class are those who pay dividends on preference and guaranteed stock; of those there are thirteen. The third-class, ten in number, pay no dividends either to the original or preferential shareholders. Mr. Galt is of opinion that by offering the holders of preferential shares and debentures in the three classes $3\frac{1}{2}$ per cent Government stock and a bonus of 10 per cent in lieu of their present securities, there would be made a profit on Class 1 of railways which pay dividends to the original and preferential shareholders of no less than £95,000 per annum, out of Class 2 by the same process £34,000 profit would be made, out of Class 3 £11,000, in all £140,000 per annum. Then he looks to £110,000 annual saving from amalgamation, taking a lower esti-

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mate than Mr. Dargan—the total annual saving being thereby £250,000 or one-third of the present working expenses of the Irish railways which amount to £750,000. But now to the debtor side of the account. Of course the first object of this operation is the reduction of fares. It has been calculated that a great relief would be given by a reduction on passenger fares to two-thirds of the present tolls that is throwing the chief reduction on third-class passengers, and by a reduction on goods one-half. Nothing less than that would be satisfactory. But this would involve an immediate though not an ultimate loss of about £200,000 per annum on passenger traffic, and of £100,000 on goods traffic. But there remains another item not yet considered; and that is, the payments that would have to be made to holders of railway stock which has absolutely no marketable value at present, and which does not, and will not, in all probability, ever pay the original shareholders one shilling. Still they live in hope, and their shares cannot and ought not to be confiscated. The amount of these shares come to £3,836,000, or £4,000,000 in round numbers. Now, if these shareholders were offered 5s. in the pound for their shares they would be most handsomely treated, and the offer would be received with thankfulness. That would amount to £1,000,000, and would represent an annual sum of £35,000. Now, by this transaction, if the charge on passenger traffic were reduced one-third, and the charge on merchandise one-half, that would be equal to a reduction of Irish taxation to the amount of £1,000,000, and the holders of non-paying stock would receive one-fourth of their original outlay, which is now apparently worthless. And what would remain to be made up? Here is the balance-sheet—

Dr.	£	Cr.	£
To Loss on Passenger Traffic ..	200,000	By Profit on Class of Railway 1	95,000
Do. on Goods	100,000	Do. on Class 2	34,000
Annual Interest on £1,000,000 at $3\frac{1}{2}$ per cent ..	35,000	Do. on Class 3	11,000
		By Profit on Amalgamation of Railroads under One Management..	110,000
	£335,000		£250,000

The loss, therefore, would be under £100,000, and could be provided for by an additional penny in the pound income

tax. But this loss would be no more than temporary. Reduced fares always increase the amount of goods and number of passengers; and if the history of conflicts memorable in railway annals be perused, it will be seen that, even with the most extraordinary lowering of fares, the loss in dividend is but small. One of the most memorable of these battles was that of 1857, between the London and North Western and the Great Northern during the Manchester Exhibition. Excursion tickets were given between London and Manchester; the distance run was 400 miles. The first-class fares were lowered from 60s. to 7s. 6d.; second-class from 40s. to 5s. The loss was only $\frac{1}{2}$ per cent on the dividend. Some years since another contest arose between the Edinburgh and Glasgow and the Caledonian for the Edinburgh and Glasgow traffic. The fares which was 8s., 6s., 4s. for first, second, and third-class passengers were reduced to 1s. 9d. and 6d. The battle raged for a year and a half. Yet the Edinburgh and Glasgow paid a dividend less than ordinary of only 1 per cent, the Caledonian of $\frac{1}{2}$ per cent. These were exceptional cases no doubt, but there could not be a difference of opinion but that a lowering of fare would increase the traffic. Take the other side of the question and see how the raising of fares decrease traffic. Mr. Chadwick read a paper at a late social science meeting and showed the effects of railway fares in various cases, of which two may be quoted. In 1858 the receipts per train at 1d. fare from Shrewsbury to Upton were £11 15s. 8d. The fare was raised in November, 1859, to 3½d., and the receipts per train fell to £4 4s. 11d. The receipts per train in the same year from Shrewsbury to Walton at 1d. fare were £14 17s. 7d., but they were raised to 6d., and fell to £4 5s. 8d. All the chief witnesses, except Mr. Haughton and Mr. Ennis, agree that the lowering of fares would be only temporary loss. Such were Mr. Dargan's views. Mr. Bidder is asked Question 4,391—

"It has been represented to the Commission that the traffic of the country is a fixed quantity, and that there is really no prospect of any material increase even under the inducements held out by lowering fares—is that your opinion?"

To that Mr. Bidder gives this remarkable answer—

"I do not believe in that; on the contrary, I am certain that if the whole of the Irish railways were under one management, traffic would grow

up through the country that nobody has any notion at all of; and if you could quote a rate for the transport of materials and produce according to the fluctuations of the market I am certain that freight would arise, and other sources of income and traffic present themselves of which there is no appearance now.

"4,392—The same thing might have been said before the days of railways as to the traffic of this country?—Yes; in the Great Eastern district we have increased at the rate of about £80,000 to £100,000 a year in agricultural produce, but the increase was arrested for many years before additional facilities were given and the charges lowered."

Lord Clancarty, one of the directors of the Midland line, is so confident of the rise of receipts by the lowering of rates that he offered to guarantee his board from all loss by a reduction of 10 per cent on the charges on passenger traffic. The offer was refused, but Lord Clancarty still remains of opinion that a large increase of traffic might have been expected. Now, of course, it would be very foolish and rash to assert that the loss on such reductions as he (Mr. Gregory) contemplated would be immediately recouped. The habits of a people cannot be changed in a day. They must be, as it has been said, uncrystallized of the freezing restrictions which have hitherto confined them, and this holds particularly good of the third-class passengers, who will be so materially benefited by this operation. It will therefore be necessary to give time, and to look to time, to establish the new system with success. To sum up, he therefore would propose that the State should become the purchasers of the Irish railroads; that they should be intrusted to a paid board appointed by the State, but exercising all its functions and patronage free from Ministerial control; the board should be composed of men of the highest character, experience, and intelligence; it should be appointed for five years; that a large reduction in fares should be made; that the lines in process of construction should be finished and come into the system, and that no new line should be constructed without the approbation of the Commissioners during their term of office. There might be short lines necessary to complete a system, and those might be undertaken, but certainly if Ireland could get her unfinished lines completed, and her finished lines made available for public use, she would have done enough for the next five years. At the expiration of that period the lines might be handed over to three or more companies under

certain stipulations. Now, he (Mr. Gregory) had concluded his observations. He was aware that he had laid himself open to the remark that he might as well have awaited the Report of the Commissioners, but he demurred to that objection. In the first place, the evidence was before them, and the people of Ireland were unanimous in opinion that the evidence amply sustained the views he had expressed. In the second place, he knew not when the Report of the Commissioners might be issued, and it was all essential that this important subject should be considered before the recess; and lastly, but not least of all, the Report of the Commissioners might, and probably would be, influenced by the views of several witnesses who insisted that the loss should be borne by the Imperial Treasury, but all doubt on that point was removed by the proceedings of the great meeting held in Dublin in February last, of which the Commissioners could not take cognizance. At this meeting, attended by most influential persons from all parts of Ireland, it was unanimously resolved that Ireland, and Ireland alone, would be responsible for any loss occasioned by the transaction. He (Mr. Gregory), therefore, sincerely trusted that the Government would favourably consider this proposal. He was confident they would have the valuable assistance of the late Chancellor of the Exchequer. It was the boast of Conservative Governments that while their antagonists rested their claims on Irish gratitude, from concessions in abstract politics, they rested their claims on the sedulous desire to improve the material prosperity of the country—to put, in short, pounds and shillings in those pockets where only halfpence had congregated before. It was the laudable desire to improve the country that had endeared Lord Eglinton to men of all classes and creeds and politics in so short a space of time; and he (Mr. Gregory) sincerely trusted that, by the manner with which they would treat this great question, the principles of Lord Eglinton and their success had not been forgotten by those who now directed the Government of Ireland.

Mr. PIM, in seconding the Motion, said, he could bear testimony to the strong feeling which existed among the mercantile classes in Dublin with respect to the importance of the proposition brought before the House. There existed such a number of small railway companies in Ireland that he thought the good management of the

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lines was, under the circumstances, impracticable, and if these lines were amalgamated, he believed that they would not even then be conducted so well and usefully as under the arrangement proposed by his hon. Friend. A large reduction of fares would without doubt tend to develop the resources of Ireland. If any large numbers of persons in Ireland travelled, it must be at low fares. It was well known that in consequence of the high fares on the Irish railways many persons travelled by the second or third-class who might fairly be expected to go by the first or second. Between Belfast and Dublin there were three railway companies which had not always co-operated very harmoniously. The arrangements for communication between those two important towns was therefore by no means so good as it would be if the three lines were in the hands of one company. The fact that there is only one train in the day by which a third-class passenger could perform the journey must greatly interfere with the number of travellers. There might no doubt be an apparent loss for some time if the Government interfered in the manner proposed, but it would be made up by the increased number of persons travelling, the consequent improvement of trade, and the increased consumption of taxable articles. Ireland had certainly improved within the last ten years; but that improvement was, after all, so slow, as compared with the improvement of England and Scotland within the same period, that she appeared to the casual observer to have gone back. The relative difference between the prosperity of Great Britain and Ireland was much greater at the present moment than at the time of the Union. In such a state of things dissatisfaction and jealousy must naturally arise. It was, therefore, incumbent on the Government to endeavour to raise the condition of Ireland, as far as lay in their power, without injury to any other portion of the Empire, in order to bring it as nearly as possible to the same level with England and Scotland; and in his opinion there was no way in which that improvement was so likely to be effected as by fully and fairly carrying out the proposition which had just been submitted to the House by his hon. Friend the Member for Galway.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words

"there be laid before this House, a Return of all Foreign Railway Tariffs which may be in the possession of the Board of Trade,"—(*Mr. Gregory*,)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. DUTTON said, he had listened with much attention to the statement of the hon. Member for Galway, and he trusted that the Government would take the matter into their consideration, and be prepared with some scheme next Session which was likely to raise Ireland from the difficulties of the position in which she was now placed. It appeared to him that unless something effectual was soon done many of the Irish railways must stop their traffic altogether. Those difficulties had, he thought, arisen in a great measure from mismanagement. As compared with the English railways that management was very bad indeed. For a poor country like Ireland the passenger fares were undoubtedly too high, and unless they were very greatly reduced it would be impossible to tempt the people to make much use of the railways. With respect to the conveyance of goods, although the farmers in some parts of the country, from the great demand that now existed for their produce, and the high prices they obtained, might be able to pay the charges according to the present scale, those charges were, nevertheless, far too high. If the Government intended to interfere with the management of the Irish railways, he trusted that in doing so they would observe great deliberation and caution. What they wanted was not any increase of Irish railways at present, but that the lines already existing should be developed, put into good order, and their credit re-established. At present the Irish railways had no credit. If those advantages were secured English capitalists would be only too glad to invest their money in Ireland. Considering that the Irish railways had been admirably constructed and at the small cost of about £5,000, £6,000, or £7,000 a mile on an average, there was no reason why they should not pay a good dividend if placed under a proper system of management. But Ireland had not the means to throw open the existing lines. Government might help them without any loss to the State. The scheme pointed out was therefore worthy of consideration. The rate of interest now payable was 5 per

cent; but debenture-holders who were unable to get any return for their money would be glad, on Government security, to leave it for five years, at 3 or 3½ per cent, with the certainty that these debentures would be paid at the end of that period. Unless the Government stepped in mortgages would foreclose and some of the railways would be shut up altogether.

LORD NAAS thought that every one who took an interest in Irish affairs must feel very much indebted to the hon. Member for Galway for having brought this important subject under the consideration of the House. All must admit the great evils which exist in respect to the management of Irish railways. The arterial lines in existence are quite sufficient for the main wants of the country. They have been constructed in the best possible manner, on admirable principles, and at no very great cost. Nevertheless, there is no doubt that the Irish railway system, as a whole, has failed in a great measure to give that accommodation to the public which the public naturally expect. It appeared to him that the present condition of Irish railways was largely due to the divided state of the management. He believed there were between thirty and thirty-five different railway companies, and that their affairs were arranged by about five-and-twenty different boards. The operation of such a system as that must be patent to everybody, and nearly all the witnesses who were examined before the Commission expressed themselves strongly adverse to this plurality of small boards. Mr. Allport, the manager of the Midland Company, and who was one of the most experienced railway managers in this country, is of opinion that there is no difficulty in amalgamating the present Irish boards of railways to this extent that in a short time the whole might be intrusted to two or three boards at the most. Mr. Cawkwell, the able manager of the London and North-Western Railway, gave a similar opinion; while Mr. Dargan, who, perhaps, knew more about Irish railways than any other man, stated that £200,000 or £250,000 might be saved at once in the working expenses by an amalgamation of the boards; and when it is recollected that the working expenses of the whole of the Irish railways amount to £750,000 a year, and that the dividend paid in 1864 only amounted to £434,000, the House would see what a very large proportion the sum of £200,000 a year bears to the expenditure.

Mr. Dargan, though very much in favour of Government interference to a certain extent, stated, that even supposing the Government were unable to see their way to take such a step, he apprehended no very great difficulty in an amalgamation taking place by the spontaneous action of the companies, and had no doubt that, though not yet quite prepared for such a course, they would be so before long. Now, if at some future time whatever Government happened to be in power, might see their way to assist in the establishment of a better state of things, in approaching such a question the difficulty would be very much diminished if they found these undertakings in the hands of fewer bodies than at present existed, and he hoped that during the recess the railway companies would themselves take this view of the matter, and would to some extent agree to an amalgamation of the different boards. Two propositions, he believed, were submitted to the late Government in this matter. The first proposal was that they should put in operation the provisions of the Act of 1844, which was passed at the instance of the right hon. Gentleman opposite (Mr. Gladstone), and at once buy up the whole of the railways in Ireland. The other proposal which was afterwards submitted to them was that they should extend assistance to the companies on a very large scale, and that in return for such assistance a great alteration should be made by the railways in the fares both for goods and passenger traffic. He understood, however, that the late Government did not feel themselves in a position to consider either of these schemes, and in coming to that conclusion he certainly thought that they acted with great prudence; for the House would recollect that a Royal Commission, composed of gentlemen of the greatest experience and presided over by the Duke of Devonshire, was at present investigating the subject, and that consequently it was impossible to expect that any Government could come to any decided conclusion on such an important matter until the Commission had made their Report. He did not know what prospect there was of the Commissioners coming to a speedy conclusion of their labours, but he thought the recommendation of the right hon. Gentleman opposite, that the Commission should take the Irish case first, was a very wise one, the result having been that a mass of the most valuable

evidence had been collected, so that by the time the Report was presented the matter would be thoroughly understood by all interested in it, and the Government would be in possession, not only of the opinion of the Commission, but of that which had been expressed in the most authoritative manner by competent persons. Great difficulties would no doubt present themselves in the consideration of the question. Every one must admit that direct Government interference with such undertakings as these was open to strong objection; still, at the same time, it was possible that a scheme somewhat similar to that enunciated by his hon. Friend (Mr. Gregory) might be found practicable. It was quite clear that such action on the part of the Government and the Legislature was contemplated in 1844, and there was no doubt that many of the objections, and he thought they were almost insuperable, which existed to the Government taking advantage of the provisions of that Act as far as English railways were concerned did not apply to Ireland. The whole railway interest in Ireland was comparatively small; the capital was very limited compared with the enormous amount invested in this country; and the lines, moreover, had been made at such a moderate cost that many financial difficulties which would attend the English question would not arise in dealing with the Irish question. Great objections, nevertheless, existed to such a measure, and he believed no little difficulty would be found in devising a scheme that would be generally acceptable to the public on the one hand and to the proprietors on the other. The House, he was sure, would not expect from him now any definite opinion on the subject, but he could only say that during the recess the Government would be in possession of valuable information on the subject, which would receive its most serious consideration. They were cognizant, however, of the great difficulties in which the question was involved, and if they were not prepared in another Session to deal with it it would not be on account of any indisposition to devote all their energies to its consideration, but because those difficulties had been found to be insuperable.

MR. GLADSTONE: As my hon. Friend the Member for Galway made a reference to me, I am desirous to say a very few words before the Motion is disposed of. The noble Lord opposite has spoken very fairly on the question before

the House. But I think that on one point he slightly overstated one of the points that bore upon the case—I mean with regard to the intention with which Parliament passed the Act of 1844. The noble Lord said that interference with railways by the State, of the nature of their purchase or a step in that direction, was contemplated in that Act. The fact, however, is that words were inserted in it for the express purpose of preventing any Government at any subsequent period acting upon the assumption that such an intention was entertained at that time. The opinion of the Parliament of 1844 was that it was desirable to take measures for leaving their successors in a condition of perfect freedom to interfere with and acquire property in railways in case such a measure should be thought advisable. As I had myself some of the responsibility for that Act, the noble Lord will excuse me for pointing out the exact conclusion which was then arrived at, the matter having been the subject of much consideration, and, indeed, of contest between the Government and the railway companies of that day. I am also desirous that no exaggerated construction should be put upon some expressions which fell from the Chancellor of the Exchequer the other evening in referring to a measure which had been prepared by the late Government, and which had, he said, been very properly adopted by the present Government. I was apprehensive lest it should be supposed that some considerable advances to the Irish railway companies were contemplated. The measure, however, is really one of moderate scope, for the total sum contemplated to be advanced under any circumstances is within the limit of £500,000, and the Treasury Minute now adopted is only capable of being applied to a considerably smaller sum. The general policy of the Treasury, especially of late years, has been to confine advances at low rates of interest to cases where new undertakings were set on foot, it being obviously proper that the public funds should be applied, not in extricating existing undertakings from pecuniary embarrassment, but rather in stimulating new enterprises. In this instance there is undoubtedly a deviation from the principle; but it is not one which has taken place for the first time. Similar measures have been adopted before, especially in the case of Ireland, and such measures may be justified. In the very peculiar state of the money mar-

ket of this country, combined with the unsatisfactory condition of the Irish railway system, and always, of course, upon the assumption that no advances should be made except with absolute certainty of the sufficiency of the security, it was thought that we might be justified in taking some steps to prevent severe pressure upon some of the Irish railways. In point of fact I apprehend that, though I do not refer to any railway in particular, there were fears that, unless some such steps were resorted to, the great accommodation which the public derive from the railway system of Ireland, even in its imperfect development, might be suspended by absolute inability on the part of some of those bodies to meet their engagements, and possibly, therefore, by a temporary stoppage of their lines. As regards the question raised by my hon. Friend, it would be premature to pass any opinion upon the main point involved. Considering the fact that a Commission is sitting, considering the manner in which that Commission is composed and the amount of labour they have bestowed upon the inquiry, I think that none of us would be wise in giving any opinion upon the subject without reserving perfect freedom to re-consider the matter when the Report of the Commission shall be published. One conclusion, however, I have certainly come to. I know of no boon that could be conferred upon Ireland so comprehensive in its application, so impartial, so free from the taint or suspicion of ministering to any particular interest or to the views or convenience of any particular class, so far-reaching in its effect upon all classes and conditions of persons without distinction—I know of nothing that would be so universal in its effect as a better development of the railway system of Ireland. We must not be led, through entertaining that conviction, to any premature conclusion as to the measures which should be adopted. The Irish railway system, however, is so free from some of the most complicated considerations which belong to the English system, that we may say that the question has not grown out of our reach. At all events, it is in a state in which it may be carefully and impartially considered. Whether it is desirable, as the noble Lord seemed to think, with a view to consideration by the Government, that the first step should be the amalgamation of the Irish Boards I do not feel altogether sure. But there cannot be the least doubt that whether it

is desirable or not with a view to its consideration by the Government, in the interests of Ireland, it must be most desirable that the weakness, the inconsistency, the want of continuity in arrangement, and the immense waste of resources both in money and material which is inherent to such an extreme division and subdivision of interests should be got rid of. I heartily concur with the noble Lord in his opinion that, quite irrespective of the question whether we shall or shall not find it practicable to resort to any kind of satisfactory interference, the parties connected with the management of the Irish railway interest should, for their own interest and that of the country, seriously consider that most important subject. Beyond these few remarks, I think this is a matter in which—I will not say party opinions, because about that there need be nothing said, but in which abstract ideas and mere theories should be cast aside, and we should look the question fairly in the face, when the proper time arrives, in order that we may deal with it upon practical grounds alone. If, after maturely considering the difficulties of the question and the Report of the Commission, the Government think it is a matter which they can in any way approach with a prospect of conferring real benefit upon Ireland, I can only say that any proposal issuing from them will receive the fairest and most candid consideration from those who sit on this side of the House.

Amendment, by leave, *withdrawn*.

Question again proposed, "That Mr. Speaker do now leave the Chair."

STATE OF THE NAVY.

OBSERVATIONS.

MR. SAMUDA, in calling attention to the present state of the navy, and comparing this with the navies of other States, said, that on a former occasion he had pointed out that our iron-clad fleet consisted of thirty vessels, of which ten might be regarded as of the first class, being wholly protected, eleven were formidable vessels, but, being only partially armour-plated, could only be put into the second rank, while the remaining nine were small and slow, and might be wholly disregarded in the comparison which he proposed to draw on the present occasion. The whole of those vessels had been ordered prior to July, 1863, and since then only three large

vessels had been ordered. The practical result was, that it had taken seven years to procure twenty-one vessels, which was at the rate of three per annum. The three which had been ordered since 1863 were in the earliest stages of progress, and could not be added as efficient vessels until the end of next year. Thus, during the last three years no more than one vessel per annum would have been added to our fleet. Practically, all our wooden vessels were useless for war purposes. Improved artillery, especially shells, had entirely settled that point at the time of the Crimean war. He had been told by one of the Russian officers who commanded at Sinope that the destruction or burning of the Turkish ships was settled generally by the first broadside. Some of the vessels received a second, but only one remained to receive a third. This was significant of the destructive powers of modern guns upon wooden ships. Another fact revealed to us during the Crimean War was that armour-plating would restore to vessels the defence which had been rendered impossible by improved artillery. No time, therefore, should have been lost in replacing our wooden fleet, which had become useless, by iron-clad vessels. All countries in Europe were making exertions, wholly disproportioned to their previous position as maritime States, to substitute new fleets of iron-clads for the old fleets which had become obsolete. Even Spain had been building iron-clads in England, France, and at home. Italy had no less than sixteen iron-cased frigates in commission. Russia, probably with the view of withdrawing her operations from the knowledge of the world, had abandoned her previous practice of coming to England, and sometimes to France, and had taken to building in her dockyards at home. The amount that she was building there he was not acquainted with, but it was said to be very large, generally cupola ships of very great size. Turkey, who had no money to spare, in addition to four iron-clads, most formidable frigates, which she already possessed, and a fifth building of extraordinary size, was building smaller vessels in her own yards. France was so formidable already, and was so industriously adding to her navy, that it excited in him, and, he fancied, in all who desired to see England fill her proper station in the naval world, a great deal of uneasiness. From our insular position, and the extent of our Colonial Empire, that we should desire to remain the foremost naval Power in the

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world could not give rise to the slightest jealousy on the part of any other nation. From the latest information he had been able to obtain, France had no less than forty-two iron-clad vessels built and building, and the whole of the latter were intended to be completed by the end of next year. Of these forty-two, twenty-eight were large and fourteen small, and the whole would fight no less than 770 guns protected by armour. Now, the whole of our fleet, whether built or building, represented, large and small, thirty-three, and the guns which we could fight under protection 522, or not two-thirds those of France. And so vigorous had been the action of the French that, while by the last Return which he had obtained at the end of the past year, and to which he had called attention in the spring, the number of their vessels built and building was only twenty-nine, thirteen had been since added, of which ten were most formidable. Three of these were vessels fighting sixteen guns, protected by 8-inch armour, and with a speed of fourteen knots, and seven would fight twelve guns protected by 6-inch armour, and with a speed of twelve knots. In the case of America we had an instance of what could be done by a maritime country making a great effort to right itself. He had no statistics of the American navy, but he found by an article in *The Times* the other day on the *Miantonomoh* that the Americans had eighteen Monitors, carrying each four guns, and when their fleet was completed they would have seventy-five of various tonnage; and then *The Times* added, "Their iron-clad fleet is now larger than the whole of their naval force was in 1861." He begged to call special attention to that remark, viewed by the light of our present experience. Such, then, is a sketch of what the other great nations are doing, and it becomes important as defining in a large degree the exertions we are called upon to put forth to keep pace with them. Had our shortcomings been such as could be set right by increased exertions upon vessels now upon the stocks, or by an extra amount of vigour when the Estimates were brought in next year, he would not have troubled the House with the subject at this late period of the Session, but this matter could not be met in the ordinary way, so much were we behind-hand. The minimum strength of our fleet ought to be at least equal to that of all the fleets of Europe put together. With less than this England ought not to be satisfied

and cannot be safe. Recollect all the Powers in Europe except ourselves are military Powers—the use of a navy to them is of very secondary importance. Not only their defence, but all their means of warfare rests entirely on their armies, and these armies have swelled to such gigantic proportions that at this moment three States—not one of which has been usually accounted as of first-rate importance—have between them brought upwards of a million of soldiers into the field. Combinations and alliances are constantly shifting; we have seen France throwing her whole force into the scale to assist Italy against Austria one year, and the next threatening to turn it against Italy and in favour of Austria; and when such extraordinary combinations are even spoken of—happily he was not obliged to refer to them as having been acted on—how very dangerous it was to leave this country in a state incapable of resisting with promptitude and certainty any aggression that might be made on her through any such combinations or sudden changes of views of European Potentates. But it must be remembered that in any such event it would be utterly hopeless for us to look to our army for the chief portion of our defence. Our army was too small to cope with the hordes that might be brought against us, if only a base of operations could be secured for the invading force; but it is also manifest that an absolute and overwhelming command of the sea would entirely prevent any base of operations being secured and maintained, and that of itself would render every attempt at invasion abortive. But, altogether apart from this view of the question, there exist so many circumstances that require an augmentation of the navy as to render further arguments in support of this unnecessary. It is demanded by the great increase of our commerce, and the extended area of our colonies, and by the necessity of British interests being properly represented in the Mediterranean, the Pacific, the China seas, in India, and in our North-American possessions. If this be so, the question was, what would be the best means of augmenting our navy, of what size should the vessels be, how many and of what character? It was impossible that our present deficiency could be immediately supplied—that was a work of time; but he would submit that twelve vessels might be added of a nature which he would presently describe, if he could only induce the First Lord of the Admiralty to look at the matter

in the same light as he did. He would suggest, therefore, to the right hon. Baronet to bring in a supplementary Estimate to enable him to commence operations, and £400,000 would be sufficient for that purpose. And now he would describe the kind of vessels that should be added. We should add two of 3,500 tons, 1,000-horse power, and carrying two cupolas each, each cupola capable of fighting two vast guns—600-pounders, if we could produce them; if not, the largest we could make. They should be protected by an armour-plating of six inches in thickness, and have a speed of fifteen knots an hour. He would also suggest that ten smaller vessels should be put in hand of 1,500 tons and 350-horse power, and that they should be protected by six inches of armour-plating. These smaller vessels should carry two cupolas, each cupola containing one 12-ton gun, and they should have a speed of thirteen knots. The total cost of these vessels would be £1,600,000. A more favourable time for proceeding with them in the Royal Dockyards, and of obtaining any assistance that might be required from the private yards, could hardly be desired. Yet it was impossible to expect that they could be produced in less than two years. If so, the Estimates for their construction would not exceed £800,000 for each financial year, and the supplemental Estimate of £400,000 which he had suggested would not be additional, but would be in anticipation of the first £800,000. It might be thought that he had proposed too large a proportion of small as distinguished from large ships. Lord Clarence Paget told the House that these large ships were necessary for taking the sea and keeping the sea. There was something in this, but the necessity for having a large number of these ships had been much modified by subsequent experience. In former times when vessels relied solely on the wind for their motive power it was necessary that every ship should possess a large self-contained force. The difficulty of acting in combination was so great that one man-of-war fighting in line of battle was often unable, for want of wind and other causes, to come to the assistance of another. But with steam three of these small vessels could be as easily manipulated and brought to bear upon a single point as three regiments upon a field of battle could be directed against a single fortress. The advantage in a commercial point of view was also increased. The risk was diminished

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by increasing the number, and a number of small vessels might possess the same weight of metal as a single large ship, and they might be placed in such positions as to destroy a large vessel more easily than if the same force were concentrated in one large ship. He did not apprehend that the same objections could be taken to cupolas as he had been met with on previous occasions. The only remaining experiment which a large portion of the public and, he believed, the Admiralty also desired to see had been tried. The cupola of the *Royal Sovereign* had been fired at. The points desired to be hit were struck with the greatest precision, and all fear of damage to the machinery of the cupola was set at rest. The warmest advocates of the cupola could not have expected it to come out of the trial in so satisfactory a manner. [Sir JOHN PAKINGTON: Hear, hear!] His opinion had long been known on the subject, and indeed it really amounts to this—you can protect a vessel with armour if a cupola—you cannot if it be a port-hole ship. He doubted whether even an armour-clad ship however cased could be called a protected ship if it had port-holes. Every port-hole invited a shot, and if the same accuracy could be obtained in battle as in the late experiments with the *Royal Sovereign*, there would be an end to all the advantages of armour-plating, because an enemy's shell could pass in at the ports at will and so destroy the ship. Of course, they could not expect the same amount of precision to be obtained in war as on that occasion, yet, if a vessel were once in position, a certain proportion of shot or shell—say one in ten—would enter the ports if the gunners fired with their eyes shut, and a larger proportion if they fired with their eyes open. The cupola ship had the further enormous advantage of turning the gun away in a different direction when the men were loading than that in which they were firing. This would give them much greater coolness in action than was attainable in vessels having port-holes, through which the enemy's shot might enter and destroy the men. The cupola had also an advantage in the arc of fire which ranges over 300 out of 360 degrees of horizon, instead of the ninety degrees which could alone be obtained for guns fired from port-holes. Looking to these points of superiority, he could not see the possibility of these port-hole

ships holding their own against the cupolas. If it were to be regretted that our fleet was in so inadequate a condition, there was some compensation, on the other hand, by knowing that we had now an opportunity of considerably improving its character and efficiency. He was of opinion that the navy was immensely too small for the wants of the country, yet he knew the difficulties against which the Government had to contend, and was prepared to make every allowance for them. He had quoted from *The Times* some particulars about the American *Monitor* now in this country, but there were certain points about that vessel upon which he felt bound to express an opinion. Formidable she certainly was, but the extremely slow speed she possessed materially detracted from her qualities as a fighting ship. She also laboured under an immense disadvantage in requiring a system of artificial ventilation. Her thickness of armour-plating — of from ten inches to twelve inches — had an imposing sound, but that armour in point of defensive quality was not equal to that of numbers of our ships. Her armour-plating was composed of a number of plates rivetted together, while that of Her Majesty's ships consisted of a solid plate. The experiments on this subject showed that the resistance of these plates was pretty nearly as the square of the thickness of the single plate, so that the 5-inch solid plate was much more than equal to a number of 1-inch plates rivetted together, though making in all double that thickness. Such, then, from the information he had been able to collect, appeared to be the relative strength of our own navy and that of other States. By adding those twelve ships which he had mentioned, they would turn the scale with regard to their nearest neighbour. They would then have forty-five ships and 570 guns; and, although the amount of guns would not be equal, yet from the character of the ships they might rest content that progress would continue to be made on a somewhat similar scale until all their deficiencies were supplied. In conclusion, he begged to say that when he gave notice of his intention to call attention to that subject his own political Friends were in power, and he had expected to make his speech on the Ministerial side of the House. He hoped, therefore, that his right hon. Friend op-

posite (Sir John Pakington) would not believe that he sought in the slightest degree to interfere with any arrangement which he might think right, that he would acquit him of all party motives, and give him credit for having no other object than that of offering any experience which he might have acquired and any assistance which he could afford to the Department over which his right hon. Friend opposite now presided to enable them to carry out their most difficult and arduous task. As far as he had had an opportunity of judging, he felt convinced, from the great interest which his right hon. Friend took in that matter, and in naval science generally, both in and out of that House, the country would find that the great interests committed to his charge would not suffer in his hands; and he had no doubt whatever that they would have a development of the navy on which the nation would feel that it could repose with safety.

SIR JOHN PAKINGTON: Sir, I have listened, as I am sure the House also has done, with the greatest possible interest to the speech of my hon. Friend opposite, and I am likewise confident that the House will feel with me that in the course which he has taken he is in no degree influenced by anything like party spirit. I can quite bear out from personal knowledge his assertion that some time ago, and before there was any prospect of a change of Government, he intended to bring before the House the question which he has introduced to our notice to-night; and, instead of imputing anything like party motives to my hon. Friend, I am extremely glad he has not been deterred by what has occurred in the interval from making the important statement which we have just heard. Having had the pleasure of acting with my hon. Friend opposite for some years in an institution of naval officers of which we are both members, I know how very competent he is to bring forward a question of this kind. I could have wished that some Member of the late Board of Admiralty had answered him with a view to meet such parts of his speech as referred to their past conduct. It is for me to look more to the future; and, after his remarks, I am sorry that I am bound to say, speaking from the official knowledge within my reach, that, instead of overstating the disadvantageous situation of this country with regard to the navies of other nations, he has rather understated it. In referring to

the navy of Italy my hon. Friend opposite did not mention the number of ships which are building, as well as those in commission—a course which he took with respect to some other nations to which he alluded. The Italian navy, young as it is, at this moment possesses fifteen or sixteen iron-clad ships in commission; but to these must be added nine more which are building; so that we must reckon that the Italian Government has of armour-clad ships twenty-four, instead of fifteen. My hon. Friend also understated the strength of France. He said that France has forty-two iron-clad ships; but taking the ships built and building, and also taking the small vessels as well as the large ones, the strength of France in armour-clad vessels is no less than fifty-eight. I believe that some of these vessels, which are called batteries, are competent to act for coast defence; and I am sorry to say that we do not possess the same class of vessels to nearly an equal extent. Again, there is the Russian Government. At this time, if I am correctly informed, that Government has no fewer than thirty armour-clad vessels, a considerable number of which—I do not know the exact proportion—are turret ships. Then the American Government has no fewer than seventy-three iron-clad ships. I think my hon. Friend said the number was seventy-five. But the American Government is in the most spirited manner sparing no expense or trouble to strengthen its armour-clad fleet; and only this morning I received an interesting account of a ship now building at New York which I believe it is intended to provide with three distinct means of attack—namely, the broadside, the turret, and the ram bow. Of course, it was yet to be shown how far those attempts would prove successful; but, at all events, it showed how enterprising the American Government were with respect to strengthening their national defences in this important particular. And even the smaller States of South America are not neglecting this part of their defence. Brazil already has five iron-clad ships, Peru has two, and Chile also two. Well, with this array on the part of European and American Governments, I am sorry to say the position in which England stands is this—she has thirty-three of this class of ships, thirty of which, if I am correctly informed, are afloat, and only three in the course of construction. I have no idea of availing myself of this opportunity to indulge in any

attack upon the late Board of Admiralty—an attack which, from a person in my present position, would be unbecoming, and I believe also unjust. I should only be doing justice to the Duke of Somerset in saying that in regard to many parts of his administration he has left behind him an example which any of his successors will do well to follow. I agree with my hon. Friend opposite in thinking that, although our progress in respect to these armour-clad ships has not been such as we must all desire it should be—and I have taken the opportunity, when sitting on the other side of the House, repeatedly to make the same remark—yet great allowance ought, in justice, to be made for the difficult position in which the late Board of Admiralty were placed owing to the novelty of this question. In addressing the House when Lord Clarence Paget was Secretary to the Admiralty, I have again and again said that I thought it was the duty of the Board of Admiralty to spare no expense in trying all such experiments in regard to this important subject as might afford any fair chance of success. No doubt for a considerable time past we have been obliged as it were to feel our way, almost every ship that has been built within the last few years being experimental. There was, therefore, every excuse for the late Board of Admiralty not progressing more rapidly. The only point upon which I am disposed to express regret in regard to the course taken by my predecessor in this matter—and here I am but reiterating what I have said frequently from the other side of the House—is this—namely, that the late Board of Admiralty were so long in making up their minds with respect to the turret system. I do not wish to cast any censure upon them, and I repeat that I desire to make every allowance for their difficulties; but they did admit four years ago that the turret system was worth trying; and that being so, I have always regretted that the Government were so long in making experiments upon the turret system as applied to sea-going vessels. At length the late Board of Admiralty did decide to allow Captain Cowper Coles, the inventor of that system, to build a ship according to his own designs. Since I entered upon office, I have laid upon the table a supplementary Estimate for a sum of money to be applied to the construction of that ship, and in doing so, I have only done that which I know the late Board of Admiralty, if it had remained in office,

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intended to do. That ship will be proceeded with as fast as possible. My hon. Friend opposite expressed a hope that the recess would be utilized. I agree with him in that wish; and I trust that the recess will be utilized in the sense, if not exactly in the manner, which he indicated. My hon. Friend expressed a wish that we should during the recess proceed with the construction of the class of vessels which he recommends. If I understand him rightly, he would have us build a certain number of ships at 3,500 tons, carrying each two turrets, and with a speed of fifteen knots. Now, in replying to so very competent a judge on this subject, I shall not presume to say that such a ship as he has sketched cannot be built, but he will, at the same time, I am sure, agree with me when I state that no armour-clad man-of-war of 3,500 tons, with or without turrets, has as yet attained that speed. It is an extraordinary speed, and it is no doubt desirable that it should, if possible, be secured. I may add from private conversations which I have had with my hon. Friend, that it is, if I am not mistaken, his opinion that a ship of 3,500 tons, with two turrets, could not be built for less than £280,000. When, therefore, my hon. Friend expresses a hope that I should come down to the House before the close of the brief remainder of the Session and propose a supplementary Estimate of £400,000 for the purpose of the construction of such vessels as he describes, I think it is but fair to remind him that it was only on Monday last I entered upon my duties at the Board of Admiralty. I feel confident the House, as well as my hon. Friend, will on reflection be of opinion that I may utilize the coming recess—if not in a manner quite so rapid as he indicates, at all events in a manner which may ultimately turn out to have been more effectual and more prudent than taking at once so serious a step as he suggests. In the meantime, I can only assure the House that I am deeply sensible of the extreme importance of the comparison between the navy of England and that of other countries to which we have listened this evening. I beg to say further that I am fully alive to the importance of the turret system. I think the recent experiments to which my hon. Friend has referred were very judiciously and very properly made. The firing at a short range at the turrets on board the *Royal Sovereign*, whatever injury might be done to them or the shot itself, has been productive of very

useful results, inasmuch as it has, in my opinion, tended unanswerably to confirm the value of the turret system, and must go far to remove any hesitation which might previously have existed in any one's mind as to the extensive adoption of that system. The ship which Captain Cowper Coles is now being intrusted to build must, no doubt, be looked upon as an experiment to test the sea-going qualities of vessels carrying turrets, but I must state it to be my own conviction that we cannot afford to wait for the trial of that ship. We have, I think, already seen enough from what has taken place in foreign nations, as well as from the experiments made by ourselves, to lead us to the conclusion that the time has arrived when experiments should cease and action commence. We have, it seems to me, gone far enough to show that the turret system must not be neglected, and that if we desire—as the members of all parties must desire—to see the navy of England occupy the position which it ought to hold, it must not be allowed in that respect to remain unequal to that of foreign nations. Such is the spirit in which I undertake the arduous duties which have been imposed upon me, and it is by acting in that spirit that I hope to be able to utilize in the best manner the approaching recess. When, on the re-assembling of Parliament, it falls to my lot to state the result of the deliberations of the Board of Admiralty on the subject, I trust that Parliament and the country will be of opinion that I have not been unmindful of the great interests committed to my charge.

Mr. BARING, having observed that it was convenient for the proper discussion of the question which had been brought forward by his hon. Friend behind him that his speech should have been at once replied to by some Member of the present Government, who were responsible for the policy now to be pursued in reference to our navy, hoped the House would not think a few remarks with respect to the past-administration of the affairs of that service would be out of place. In dealing with that subject he laboured under very great disadvantages, for the noble Lord who had preceded him in the office which he had just vacated had been conversant with the business of the Admiralty for many years, and could speak with the greatest authority upon all the questions relating to it, whereas his own experience at the Admiralty had been extremely brief. He might, nevertheless, take it upon himself to say that

no charge of having neglected their duty in connection with the building of armour-clad vessels could with justice be made against the late Board of Admiralty, for he could confidently assert that they were as studiously and constantly alive as any set of men could be to the necessity of our having a fleet of such vessels creditable to the country, and of gradually superseding our old naval force. The observations of his hon. Friend the Member for Tavistock seemed to him to have been mainly directed to proving that England ought to possess a number of armour-plated ships equal to that of all the nations of Europe combined. That, however, was, he believed, a position which no Administration had ever taken up. It involved the supposition that the entire naval power of Europe might at a given moment be arrayed against us, and that we should be prepared for such an event; and his hon. Friend went even so far as to contend that we should take into account not only the ships which foreign nations might have built, or which were in course of construction, but also those which had merely been ordered—mere ships on paper—and that we should rush into a great expenditure in order that we might put ourselves on a level with the whole of the rest of Europe, on the ground that we might have to meet all these ships at a particular crisis. That was the main foundation on which the observations of his hon. Friend were based, and from his argument on that head he begged, speaking simply for himself individually, to express his dissent. The hon. Gentleman, having referred to a former speech of his, said he would not, for the reasons which he had then given, take into account some of our ships which he had mentioned, and thus reduced the number to be dealt with in a way which he, for one, was entirely unable to explain. The House must, however, when making a comparison between the number of our ships and that of other countries, take care that it was not deceived. A comparison might, for instance, be instituted between the number of ships afloat or ships ordered, or one class of ship might be compared with another; but in the observations which he was about to make he would confine himself to the sea-going armour-plated fleet of this country, premising that we had not, in his opinion, the slightest right to object to other nations constructing vessels for purposes of defence. Now England possessed, he maintained, a sea-going armour-plated

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fleet far superior to that of any other country. He entirely concurred, he might add, in some remarks which had fallen from the right hon. Gentleman the Member for Buckinghamshire in that House, and from the Duke of Somerset in another place, to the effect that it was inexpedient to raise questions based on a comparison of the naval force of England with that of other nations with which we are allied in bonds of cordiality and amity; but the great French nation would not, he thought, object to be told that a larger proportion of its armour-plated fleet consisted of ships constructed entirely for defensive purposes, so much so that he believed a considerable number of those vessels which had been compared with ours were unable, from their construction, to bear the increased armament which now, in days when artillery had assumed so gigantic a form, was absolutely necessary to constitute an effective offensive weapon. His hon. Friend, in drawing a comparison between the French iron-clad ships and our own, set down the former at forty-two and the latter at thirty-three. But, setting aside ships on paper, and limiting the comparison to sea-going armour-plated ships, he believed he was stating the facts of the case correctly when he said that we had at the present moment nineteen first-class ships of that description, the French only sixteen; while we had of the second class seven, and the French but one; so that we had altogether twenty-six armour-plated sea-going ships, against seventeen possessed by France. In making that comparison, he had not included the *Scorpion* and the *Wyvern*, which were, he admitted, very good sea-going ships for certain purposes. He also omitted two other turret-ships, the *Royal Sovereign* and the *Prince Albert*, considering that they were not to be put in comparison with sea-going ships, being more peculiarly adapted for service in the Channel and for defensive purposes. Therefore, he said, in contradiction to the assertion of the hon. Member for Tavistock, that this country had a very considerable superiority in armour-plated sea-going ships. He would not refer to ships for defensive purposes, because with respect to them this country had no right to feel jealous of its neighbours; but if he were to make a comparison on that head, he would be able to show that this country had a considerable superiority over ships of the same class belonging to other countries. Confining, then, the comparison to sea-going vessels, which

were the more important class of vessels for this country, he maintained that the state of the British navy did not approach to anything like the description given by the hon. Member for Tavistock. He entirely concurred in great part of the remarks of the right hon. Gentleman at the head of the Admiralty. With respect to the progress of armour-plated vessels in this country, it was necessary to consider, as the right hon. Gentleman had remarked, that the matter was one of experiment, and in course of time great changes had taken place. The right hon. Gentleman stated the number of iron-plated ships belonging to the French, large and small, building or built, to be fifty-eight; but, in order to make up that number it was necessary to include some old floating batteries built for the Crimean war and not very useful for any purpose now, and also two iron boats, which could be taken to pieces and put together again, and which were prepared for the Italian war, but which, fortunately, were not needed, both classes being vessels that ought by no means to enter into a comparison with the sea-going armour-plated ships of this country. Therefore, it was requisite, in making a comparison between this country and France, to take into consideration the character of the vessels compared with each other, in order to arrive at a correct conclusion as to the actual force of the navies of the two countries. After having shown that in respect to the force of the sea-going armour-plated fleets of the two countries, England was in a very superior position, he would now remark that another important point was the way in which the fleets were armed. To this matter the Duke of Somerset constantly paid a personal attention, and was the first to suggest, while the discussion about the Whitworth and Armstrong guns was going on, that the main thing was to produce a gun which should throw a heavy shot with a large charge of powder. The result of that suggestion was the introduction into the navy of the smooth-bore gun, which filled up a gap that had not been filled up before. Since that time the advance made in the construction of guns had been such that the Admiralty had been able to place on board some of Her Majesty's ships a 12-ton gun, which every one acquainted with the subject knew so well, and which was the gun fired against the turret of the *Royal Sovereign*. Consequently, the armament of the English fleet by means of the 12-ton gun and the 6-ton gun was

eminently satisfactory, and when the hon. Member for Tavistock compared the number of guns belonging to the English fleet with those of the ships of another country he had compared two weapons, one of which was many times superior to the other, so that in a numerical comparison of this kind it was difficult to arrive at a correct conclusion. As the hon. Member for Tavistock said that the late Board of Admiralty should have proceeded with greater rapidity in ordering and building iron-plated ships, he desired to inquire at what particular period ought they to have done so? No doubt it would be a good thing to have at the present moment a perfect iron-plated fleet, but how was it to have been obtained? When the late Board of Admiralty came into office the whole matter was in an experimental condition. No doubt the French had the start of this country, they having ordered three iron-plated ships in 1858, and three in 1859. The first iron-plated ship belonging to this country, the *Warrior*, was ordered in 1859, while the right hon. Gentleman opposite, who also provided for another iron-plated ship, the *Black Prince*, was at the Admiralty. The Board of Admiralty which succeeded ordered in the course of the year two more iron-plated ships, and from that time forward iron-plated ships had been ordered to such an extent that the slight start possessed by France in the construction of iron-plated ships was rapidly got the better of. Now, if at any particular moment during this experimental period—at the time, for instance, when the right hon. Member for Droitwich was in office—ten or twenty ships of the class of the *Warrior* had been ordered, would the House be now satisfied? Undoubtedly when the *Warrior* and *Black Prince* were ordered they were the best ships of the time, but in the present day they would have a defensive strength utterly inadequate to resist the shot now employed against iron-plated ships, and had any considerable number of them been built, this country would now be in possession of a class of vessels quite unsuited for the requirements of the present day. About last Christmas the hon. Member for Tavistock recommended to the Admiralty that six large cupola ships should be built instead of two large ones, and ten small ones; but if the Admiralty had ordered those vessels to be constructed they would have been inadequate to resist the artillery now produced. These ships were to have

two cupolas, each cupola weighing 120 tons, the weight of the two being 240 tons; but it was found the other day that a turret much heavier than 120 tons was not strong enough to withstand the shot from a 12-ton gun. The turret of the *Royal Sovereign* weighed 168 tons, and the Board of Admiralty were having another turret made which would weigh 200 tons. There was no greater authority on shipbuilding than the hon. Member for Tavistock; but so recently as last Christmas he recommended the Admiralty to build six ships which, he ventured to think, it would have been a great mistake to order. He would add that the plates, the backing, and the skin of the ships proposed by the hon. Gentleman were weaker than those which had been adopted in the case of the *Hercules*, which had been found to resist the shots fired from the heaviest guns that had been made up to the present moment. In the target of the *Royal Sovereign* the iron skin was 5-8ths, the backing 18 inches, and the iron plates 4½ inches; but in the *Hercules* target the iron skin was 1½ inches, the teak backing was 32 inches, and the plates 8 inches and 9½ inches. He, therefore, asked the House whether it would have been right or wise of the Admiralty to have incurred a larger expenditure for the purpose of building iron-plated ships, which, he believed, if they had been constructed, would have proved very inadequate to the requirements of the present time. That remark applied with still greater force to ships constructed for coast defence; because it was of the greatest importance that you should have the largest-sized gun in these ships; and if, when the Armstrong 100-pounder was the largest of our guns, coast defence ships had been constructed which would only carry a gun of that weight, those ships would have been quite unsuitable for the 12-ton gun, not to say the 22-ton gun, which he believed would shortly be placed on board our ships. As the question of the cupola principle had been alluded to by the right hon. Gentleman the First Lord of the Admiralty, he wished to say that from the first there had been no disposition on the part of the Board to prevent a practical trial of that principle. In fact, it was the Admiralty who introduced it first. Captain Coles had been in communication with the War Department on the subject of a shield, and in 1860 the Admiralty requested the War Department to hand the matter over to them. The first

of the cupola ships, the *Prince Albert*, was ordered of the hon. Member for Tavistock in March, 1862, which was before the action between the *Merrimac* and the *Monitor*. She was a long time in process of construction, owing to an almost complete alteration of the system. What had been a cupola was changed by Captain Coles into a turret, and many other alterations were made during the construction of the ship. Captain Coles was one of the first who foresaw that guns of great size would ultimately be introduced, and at his suggestion turrets of larger dimensions were adopted. There could be no doubt that the Admiralty made a trial at once by ordering one ship of greater size, and constructing another for Channel service and defence purposes. From that time down to the present neither this nor any other country had produced the class of ship which we should desire to see afloat—namely, a sea-going cupola ship, carrying defensive armour of the weight which we believed now-a-days defensive armour ought to be. Captain Coles offered to do one of two things—either, in conjunction with a draughtsman, himself to prepare the lines of an iron-plated turret ship, or to prepare one in company with some eminent shipbuilder. He was allowed to act on the first plan; but a committee of naval officers having examined the lines which he laid down, came to the conclusion that his vessel was open to objection on the ground that she was only a one-turret ship. That was the reason why that vessel was not constructed. They recommended the experiment of a two-turret ship; and that recommendation led to the order for the *Monarch*; she was now under construction, and he believed she would prove to be such a ship as that to which he had just referred as the sort of one it was desirable to see afloat. The late Board of Admiralty thought that, as a difficulty had arisen, Captain Coles should be allowed to adopt his second alternative—namely, to lay down the lines of a turret ship, in conjunction with an eminent shipbuilder. He was happy to learn that Captain Coles, having put himself in communication with the firm with which the hon. Member for Birkenhead (Mr. Laird) had been connected, the lines of such a ship had been produced; and if the late Board of Admiralty had remained in office they would have brought in a supplemental Estimate in order that her construction might at once be undertaken if she met with their approval.

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He did not know that he need say anything more with reference to the remarks of the hon. Member for Tavistock (Mr. Samuda), some of whose later arguments seemed to be in contradiction to those which he had advanced in the earlier portion of his speech. The hon. Gentleman gave at the beginning of his speech a formidable account of the American iron-plated ships, but at the close he reassured the House by giving an account of the American Monitors, which did not show that those vessels would, in his opinion, be effective against us. The hon. Member also alluded in terms of great respect to the iron-plated fleets of the nations of Europe, but they knew, and the hon. Member admitted, that a great many of those ships were not of a description which the Admiralty of this country would be justified in building. The iron-plated navy of England, both collectively as a fleet, and individually with respect to the ships of which it was composed, was vastly superior to that of any other Power in the world—speaking of it as a sea-going armour-plated fleet. From what took place at the late Board of Admiralty during the very short time with which he was connected with it, he was perfectly satisfied there was no subject to which they gave a more constant and diligent attention than to their system of constructing armour-plated ships. They deliberately declined taking the course of other nations in ordering a large number of such ships at once, because they thought the question should be dealt with gradually and experimentally, and as from year to year changes were taking place, those changes should be taken advantage of so as, in the end, to establish some system that would be satisfactory, without embarking in speculations enormously expensive upon vessels which would not be a credit to the country. In conclusion, he would only add, as far as his humble opinion went in that House, he could assure the right hon. Gentleman opposite that any measures he might desire to take in connection with this subject, and which he might think necessary and advantageous, would receive his best consideration, with the fullest disposition to give them his support. Having been but a short time connected with the late Board of Admiralty, he regretted that he could not afford such ample explanations on this important matter as the noble Duke who was at its head would have been able to give had he been a Member of that House

—for it was a question to which, during the whole time of his administration, his Grace devoted the most constant attention.

SIR JOHN HAY had no wish to detain the House by entering into any lengthened discussion on this interesting subject. He must, however, say that he was extremely obliged to the hon. Member for Tavistock (Mr. Samuda), himself one of the greatest authorities in the country, for having introduced the question, and he had also to thank the hon. Gentleman who had just spoken for the manner in which he had treated the subject. The hon. Gentleman began his statement by saying that the speech of the hon. Member for Tavistock rather seemed to cast some imputation on the late Board of Admiralty. Now, he (Sir John Hay) hardly thought that was the intention, but he could assure him of this—that on that side of the House there was no such feeling; and what fell from his right hon. Friend must have shown him that all the desire for the future was to derive advantage from the experiments the late Board of Admiralty made, and avail themselves of the concurrence, assistance, and support which the hon. Gentleman had promised on their behalf. No doubt there was a great necessity for increasing the force of ships in the service of this country. Although not perhaps going the length of the hon. Member for Tavistock, that we ought to have a fleet in this country quite equal to all Europe, it was quite evident the public service required in all parts of the world that the ships we sent there should be such as would be respected. Apart from the hesitation which had been very naturally and properly entertained to building ships of the new construction, and apart from the very proper economical desire not to spend money in building more wooden ships, there was this fact plain—that we had arrived at this position, that we had not got ships of the old construction, nor had we ships of the new construction; and the time had come when the Board of Admiralty must consider the question how the navy of England was to be brought up to a sufficient number of ships to perform the duties of peace in the various parts of the world. The fact was obvious from what very recently occurred in the Pacific. The United States of North America had an iron-clad ship there; the Spaniards had two or three iron-clads; the Chileans and Peruvians had iron-clad ships in their navy; and yet the navy of England in those seas was represented by wooden ships, admirably com-

manded and manned, no doubt, but no match for any of those iron-clad ships. It could not be at all satisfactory to the country to know that our ships on distant stations were inefficient for the purposes for which they were sent to those stations, and it was necessary to have iron-clad flag-ships instead of wooden ships for that purpose, without diminishing the force required for the Channel and home service. The Brazilians, also, had several iron-clad ships, and yet the flag-ship and squadron of England in that part were wooden ships. On the North America and West India station we had only one partially iron-clad ship, the *Favourite*, that could maintain the honour of the English navy in presence of that great nation whose number of iron-clads he need not recapitulate, but which had already been stated to the House as of a most formidable character. It seemed to him, therefore, that the time had come when either we must go to the necessary expense of repairing our old wooden ships to perform inadequately the duties required of them, or make iron-clad ships, which would efficiently do the duty required of them in those distant seas. He agreed with the hon. Member for Tavistock, that it was desirable to build ships of great speed not of too large a size for this service. In that case they must sacrifice something to the weights the ship must carry. They could not have ships plated with armour, and carrying heavy guns, but of that size that they must be costly to build and maintain. The proposal of the hon. Member, however, seemed to meet the necessities of the case. He (Sir John Hay) was quite sure that a ship of thirteen or fourteen knots speed and under 3,000 tons burden could be constructed, to be armed with two turrets, carrying the heaviest cannon in the world, and be perfectly able to take care of herself, while performing the duties required of her in a distant station, and although not plated with the heaviest armour, would prove thoroughly efficient to maintain the honour of the English flag. He was very glad to think that now, at last, after seven years of controversy, carried on by experiment and argument, the cupola, which had long been a pet theory of his, had arrived at the position in which it was, he believed, almost recognized as that which was to be the salvation of the navy. Speaking for himself, and not from official authority, he would say that he felt quite confident that, if they had not already solved, they were on the eve of solving the question

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of the construction of cupola sea-going ships, and he was certain when the arrangements were completed both sides of the House and all degrees and orders of men in the country would approve of the conduct of the Administration which should create a sufficient number of those ships to maintain the honour of the English navy.

MR. LAIRD believed that one cause of the great outlay for the navy, and of its present inefficiency, arose from the determination of the old Board of Admiralty to resist the introduction of the cupola system. His hon. Friend who had just spoken, and others also, had for long advocated the system, but it had been resisted by the Admiralty step by step and year by year. Another matter had been frequently urged by the hon. Member for Bristol (Sir Morton Peto) and also by himself, and that was the imprudent preference of the Admiralty for building wooden ships, though they were quite inefficient against the new war missiles. If the opinions of practical men out of the House, who knew the difference of cost in maintaining wooden and iron-ships, had been acted upon, the system of building wooden ships would have been abandoned long ago. The expenditure in the dockyards arose not so much from the cost of new work as from the cost of the continual repairs which were going on. The late Secretary to the Admiralty had alluded to the *Scorpion* and *Wyvern*, and he would take those vessels to illustrate the way in which things were managed in the dockyard. It had been stated by most competent men that if they were altered they would make very good sea-going ships, and would carry the heaviest offensive armament of any ships afloat of their tonnage—namely, each ship four 300-pounders; that they would have a very light draught of water, and would be made very valuable ships. He concurred in this opinion. But what had been the course of procedure at Portsmouth? The alteration of the *Scorpion* was ordered at the end of last year, upon which she was put into a dry dock and her deck and upper works pulled to pieces. But if the report of *The Times* were correct, although she might be required for service any day, no further progress had been made. Only a few thousand pounds were required to make her one of the most efficient vessels in the navy. He asked if this was a state of things the country would tolerate. He understood that the *Wyvern*, a sister ship, without the alterations having been

made, which were necessary to fit her for sea-going service, had been ordered to proceed to the coast of North America; but if, on arriving at her destination, she did not answer the expectations which had been formed of her, it would not be from the want of knowledge of what was required, seeing that in November last every defect in this ship was known and reported on. He agreed with his hon. Friend that the *Miantonomoh* could not be numbered among the class of sea-going ships, for her speed was not more than six or eight knots an hour. Such vessels would be valuable for the defence of harbours and the coast. Many harbours were now open to attack, and a merchant the other day told him that though there was property of the value of millions at Hong Kong, there was neither a fort constructed nor a man-of-war stationed there. He regretted much that cupola ships had not been earlier adopted, but, nevertheless, did not agree in all that had been said on this point. Of their general qualities there had been ample experience, for such vessels had made voyages across the Atlantic, and Captain Osborn two or three years ago presented a report respecting the *Royal Sovereign* which should have been sufficient to have induced the Admiralty to proceed in their construction. He had often pressed upon the Government the necessity of having cupola ships at foreign stations. They went at great speed, carried heavy guns, and as two-thirds of the usual crew would be sufficient to man them, a great saving would be effected by their adoption as contrasted with broadside vessels. The House had been informed by the late Government that they were about to build six wooden vessels of the *Amazon* class; they were to be similar to the *Alabama*, possessing great speed, and intended for the protection of our commerce. He trusted the new Board would thoroughly investigate the subject of proceeding with the construction of wooden vessels, and then he believed they would see reason for putting a stop to the enormous amount of repairs which were annually going on. Old wooden hulks, after alterations entailing great expenditure, were being put to sea, though they never could be a match for the armour-plated ships of other nations. Instead of continuing this process, he hoped a number of small armour-plated vessels carrying the heaviest guns suitable for foreign stations would be constructed. He did not think

so many of large size and the thickest armour were at present requisite, because ships with eight or nine inch armour-plating were not to be met with in all parts of the world. He anticipated most satisfactory results from the recent change in the Admiralty, and he believed that in a few years the House would wonder why the old system of wooden shipbuilding had not been abandoned earlier.

SIR MORTON PETO said, he was glad to find that that question was regarded by the House as one removed beyond the reach of mere party politics. He could state for himself that although he sat on the Opposition Benches, he rejoiced to see the change which had just been made in the Board of Admiralty, and he was exceedingly glad to see his right hon. Friend (Sir John Pakington) in the position he at present occupied. He was unable to look back to any period during the last six years with any degree of satisfaction at the course the Admiralty had pursued, for never had they kept pace with the improvements in science and the progressive spirit of the age. From the discussions which had taken place in that House, it was evident that the adoption of the cupola had been forced upon the Admiralty, and that the claims of Captain Coles had only been recognized when it was felt that they could no longer be ignored. The question the House was now discussing was one of the utmost importance. The present humiliation of Austria was owing to her not having kept pace with science. Whether regard was had to the army or the navy, the public would never have confidence in any Administration that was not prepared to take advantage of every scientific discovery, from whatever quarter it might come, and that did not place the honour and well-being of England above every other consideration. He trusted his right hon. Friend opposite would not be governed by a single mind, however experienced it might be. In these days, when science had such an immense range, and practical skill had such enormous results, no Board of Admiralty was safe which did not accept information, no matter whence it came, whether from official sources or not. During his recent visit to the United States, he inspected the dockyard and other arrangements of that country, and had examined the whole system of naval administration, and it was scarcely possible to conceive anything more humiliating to an Englishman than the superiority of that

system to the one adopted in our own country. Their navy, however, was not in a position to compete with us, for their seventy vessels were chiefly constructed for operations on the coast during the late civil war, and, though the *Miantonomoh* was visiting our shores, they were not thoroughly sea-going vessels. The American position was nevertheless a very powerful one, and we had no ship in the Pacific which could contend with the *Monadnock*. Moreover, the noble Lord who for the last few years had been at the head of the Admiralty (Lord Clarence Paget) was now on board a vessel in the Mediterranean which, though well adapted for hospitality, but with which he would at once go into harbour, and the crew of which he would disband, if we were engaged in a war with any great naval Power. Surely, however, ships should be constructed for fighting, and it was high time that these questions were grasped by the Admiralty, connected as they were with the honour and well-being of the country. He (Sir Morton Peto) did not indeed agree with the hon. Member for Tavistock that we ought to have a fleet equal to the united vessels of all the other Powers in Europe; but he thought that we ought to have a fleet able to meet the forces of any two Powers that might combine against us, and it should be adequately represented in every part of the world, so as to protect our commerce. This was not our present position, but he trusted that the right hon. Baronet (Sir John Pakington) would so utilize the recess, and would so frame the next year's Estimates, as to show that the honour of the country was safe in his hands. They were told that a certain number of vessels were to be built of the *Alabama* class; but one of those ships—the *Amazon*—had been destroyed within the last few days, in consequence of her coming in contact with a mercantile vessel, and she could not, in point of fact, be regarded as at all a war ship. He hoped the advice of the hon. Gentleman opposite (Mr. Laird) on this point would be adopted, for it was much cheaper in the long run to put aside vessels which would never be efficient than to spend more money in completing what ought never to have been commenced. There was another point to which he wished to call the attention of his right hon. Friend, and that was the state of our dockyards. He regarded the management of our dockyards as a disgrace to the country. He

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believed that there was nothing more profligate in the shape of expenditure in any nation in Europe. We got hardly any return for our money, because we were continually altering and repairing, and the consideration which appeared to influence the authorities was not how much ought to be expended, but how many men could be employed. He felt convinced that if an examination were instituted into the results obtained by the £50,000,000 or £60,000,000 spent by the late Board of Admiralty during the last six years, it would be found that we had got very little value for our money. We had no force in the Mediterranean or on other foreign stations adequate to the maintenance of our national position. A grave responsibility rested on the new Board, and he would promise the right hon. Baronet that those on that side of the House who dealt with practical questions would render him their cordial support, irrespective of party considerations, if they found him studying improvement and efficiency, and desirous of placing the navy in a satisfactory condition.

LORD JOHN HAY said, he thought that Englishmen who compared their own navy with that of the United States need feel no humiliation or alarm. The whole of the United States navy, with a very few exceptions, had been built within the last few years, and had been built by one half of the country for the purpose of subduing the other half, and without any reference to the exigencies of foreign service. These States had at present only about five iron-clad sea-going vessels. Out of the many iron-clads vessels belonging to the United States, he would take as a specimen the *Roanoke*. That vessel rolls so much in a slight swell that great apprehensions had been felt for her safety. There were five or six vessels of the same character as the *Miantonomoh*. Now that was a class of vessels which could not give us much apprehensions. The *Miantonomoh* might be found very useful if she arrived safely at her destination, but as a sea-going ship those who knew her best considered it dangerous to trust her across the Atlantic without being attended, as she was, by two vessels of another class. The greater proportion of their seventy-five vessels were well adapted for cruising along the coast, and going up rivers or creeks, but were not always successful in keeping afloat when engaged, according to report. Well, if that were the case, he

did not think that we had any right to feel humiliated at the prospect of being outnumbered by the American Government so far as iron-clad vessels were concerned. What had happened to the *Amazon* showed the advantage of waiting, and not completing ships hurriedly, and there was now an opportunity of securing greater speed and efficiency. The vessels of this class were not intended to compete with the large American ships of 3,000 tons—other vessels having been devised by the Admiralty for this purpose, and the construction of one having been already ordered. As to the criticisms of the hon. Member for Birkenhead (Mr. Laird) on the speed of the *Amazon*, it should be remembered that it was greater than that of the *Alabama*, which was, nevertheless, thought a very fast vessel, and which rendered such great service to the Confederate States. Reference had been made to Captain Coles, whom he admired very much, but he wished to express his opinion that he had been by no means a persecuted man. He was not one of those who disliked turret vessels, but, at the same time, he did not think they would ever occupy a very large space in the navy, not even if the present First Lord of the Admiralty continued in his office for a long time. He believed turret vessels would be found useful for coast defence, but he did not agree with his hon. and gallant Friend opposite that it was an easy matter to make a sea-going turret-ship. Until they could make turret-ships capable of going comparatively long voyages it would be inexpedient, in his opinion, to continue building them largely. He did not think that Captain Coles had been treated in a manner otherwise than was due to him. That gentleman had been somewhat at fault in his correspondence with the Admiralty; probably he was irritated that everyone did not at once appreciate the qualities of his invention; but, whatever the cause, he said and did many things which would have been better left undone. On the whole, he was of opinion after a careful perusal of the whole of the correspondence that Captain Coles had very little to complain of. He (Lord John Hay) confessed he could not join with the hon. Member who made the Motion under consideration, in the alarm and terror which evidently inspired him when he remarked that other nations were building fleets as well as ourselves. He felt with his hon. Friend who had spoken in behalf of the late Government, that it was scarcely possible

England would find herself pitted against the whole world, and that the late Government could not be blamed for having failed to provide for a contingency which no one had anticipated. The last speaker seemed to imagine that the dockyards were very expensively worked. Similar statements had often been made before; but in no case had the allegations been substantiated by facts. As he had been so short a time in office with the late Government, he could not take credit to himself for anything that had been done in the Department; but he could bear testimony to the care with which the accounts of the dockyards had been managed by the arrangements set on foot by the late Board. Although no doubt improvements could still be made in the management, it was now more perfect than it had ever been before, and he was of opinion that the present Board of Admiralty was quite as able as any other to make what further improvement was necessary in the administration of the Department.

SIR MORTON PETO explained that when he said England's position was humiliating, he referred to the management of her dockyards, and not to her navy, as compared with the navy of other nations.

MR. GRAVES said, he considered that this was a question of the deepest interest. But there was one point of great importance, especially in connection with sea-going vessels, which had not been touched upon, and that was the construction of vessels and machinery with a view to the economy of fuel. Allusion had been made to American vessels, and especially to the *Miantonomoh*, which it was important to notice had steamed the whole way from New York to Ireland, notwithstanding her small size, maintaining throughout an average of eight knots. He very much doubted whether we had any vessels in our service, either large or small, capable of steaming from England to New York. As one having had some experience in connection with steam vessels of the most improved type, he highly commended the new class of machinery coming into extensive use in the merchant service, as tending to economize fuel to a most important extent. He feared sufficient attention had not been given to this point in the designing of our fleet, as very few of our ships could keep under full steaming power beyond some six or seven days. The most recently constructed, the *Bellerophon*, could not carry fuel for more than four or

five days, so great was her consumption. Some experiments had been made by the Admiralty and exhibited with remarkable clearness the economizing qualities of the different kinds of machinery. Engines of the improved type to which he was alluding were ordered by the Admiralty in 1860. They were placed in the *Constance* in 1863. In 1865 they were tested and experiments made to try the steaming powers of three vessels constructed very much on the same principles—namely, the *Constance*, the *Octavia*, and the *Liverpool*. The conditions laid down were that those vessels were to run 100 miles at ten knots an hour, then to run at eight knots; and lastly to run at the rate of six knots an hour. The three started together, and whilst running the distance at ten knots an hour the consumption of fuel used by them was as follows:—The *Constance* fourteen tons, the *Octavia* 18 tons, and the *Liverpool* 32 tons. In the race at 8 knots the consumption was for the *Constance* 9 tons, the *Octavia* 14 tons, and the *Liverpool* 23 tons. In the race of six knots an hour the consumption of coal was—the *Constance* 4 tons, the *Octavia* 4 tons, and the *Liverpool* 12 tons. This was the relative consumption of coal by those vessels during the ten hours' steaming, and he obtained the results of these trials from the columns of *The Times*. A further trial was deemed indispensable, and a paper which had been presented to Parliament, in accordance with his Motion, gave the results of the trial of the *Constance* with the *Octavia* and *Arethusa*, three vessels as nearly identical in build, displacement, and speed as it was possible to get them, but each having different kinds of engines. The *Constance* had the same as was tried in her before; the others had engines such as were more commonly used in the Government vessels, and all had, as nearly as possible, the same quantity of fuel put on board. The three vessels started on the afternoon of the 30th September, at six p.m., for Madeira. The result was—the *Constance* arrived at Madeira, having steamed the whole way, on the 7th October at three o'clock p.m., the *Octavia* on the 9th October, at forty-five minutes past six o'clock, having on the 6th October stopped her engines with only fifteen tons of fuel; and the *Arethusa* arrived at Madeira on the 10th October, having stopped her engines on the 6th October, with only thirty-one tons of fuel remaining. Now, he should have thought

Mr. Graves

that those trials would have been followed up by further experiments if any doubt existed as to the superiority of the principle on which the *Constance's* engines were designed. In place of that those vessels were dispersed to various parts of the globe, nothing further was done in the way of experiment, and up to this hour not another engine like the *Constance's* was ordered. He mentioned those facts with the view of inducing the Board of Admiralty to investigate this question of fuel economy on board our steamers as thoroughly as possible. He spoke from no small experience being connected with a company having sixteen sets of these engines running on the West Coast of South America, where fuel was a matter of importance, and he did not hesitate to tell the House that their adoption had made that company a highly prosperous one. He would take one of their vessels of 2,000 tons called the *Limena*, of 400 nominal horsepower, and 1,600 tons. That vessel went from Liverpool to Valparaiso, a distance of over 8,900 miles, in 31 days and 4 hours, with 973 tons of coal on board, and steamed the entire distance at the rate of $9\frac{1}{4}$ miles per ton of coal, its average speed throughout the passage being 12 knots per hour. He would take another vessel, the *Payta*, of 1,822 tons, which steamed from Panama to Valparaiso, a distance of 6,000 miles, on 430 tons of coal, running $13\frac{3}{4}$ miles for every ton of coal on board, its average speed throughout the passage being 10 knots per hour. To show the House even more plainly the difference between the old and the new types of engines, he would merely instance one vessel that originally had engines of the old type, but that was now provided with engines of the new type, in fact, it was found to be economy to discard any engine of the type usually in use and replace them with the double cylinders. Formerly, with her old engines, the vessel used to consume 1,226 tons of coal, where now she made the same voyage upon 663 tons, and in shorter time. It would be apparent that that, putting expense altogether out of the question, was an additional guarantee for and element of strength in the power of those vessels. The matter was one of deep interest, and he thought it was a fair subject for the consideration of the Board of Admiralty. He thought it was the duty of those who were charged with the construction of our fleet to have taken more pains to satisfy themselves as to the merits

of these engines, and whether they did not combine all the requirements of the service with an economy of fuel which would give an advantage to our ships, scarcely secondary to the best guns or armour-plating. The subject, he believed, had not yet had the consideration which it ought to have had, and he hoped the Admiralty would not object to take a lesson from the mercantile marine, and from the results achieved by the *Constance* since when great improvements had been made in the carrying out the principle of the double cylinder engines.

MR. ALDERMAN LUSK asked the Government to remember economy when dealing with this subject. From all that had been said it might be imagined that we had not a ship fit for service, and if that were the case he would ask what we had done with the £12,000,000 per annum which had been expended on our navy during the past fifty years? It was absurd to go on building numbers of large and expensive vessels which might become obsolete almost before they were finished. He hoped we should never have another war, and never need our navy, except for the purpose of protecting our commerce in such waters as the China seas, where it was threatened with pirates. He hoped the Admiralty would be economical, and do their duty well, and he was sure that if they did not it would not be for the want of plenty of good and cheap advice.

FOREIGN POLICY.—QUESTION.

MR. LAING took this opportunity of putting the Question which stood in his name to the noble Lord the Secretary of State for Foreign Affairs. Having a lively recollection that this country drifted into the Russian war chiefly owing to a want of frank communication between the Government and Parliament of the time in the earlier stages of diplomatic negotiations, he thought the House would be neglecting its duty if it did not obtain from Her Majesty's Government some definite assurance as to the course they intended to pursue with regard to our foreign relations in the present critical state of Continental affairs. On the other hand, having a confident feeling that the assurance they would receive from the noble Lord would be satisfactory, he wished to avoid, if possible, making any form of Motion in the shape of an Address or Resolution which might have the effect of hampering the

Government in any of its negotiations with foreign Powers, a result which he would be the very last to bring about. He felt the more confident that the assurance the House would receive from the noble Lord would be satisfactory, inasmuch as the country had had already some intimation that the Government intended to adopt a general policy of non-intervention. Both the noble Earl at the head of the Government, in another place, and the noble Lord opposite (the Secretary for Foreign Affairs), in addressing his constituents, had defined the meaning they attached to a policy of non-intervention in terms in which he (Mr. Laing) cordially concurred. He agreed with those noble Lords that a policy of non-intervention did not mean a policy of peace at any price under any circumstances, but a sensible determination not unnecessarily to mix ourselves up in foreign complications, a resolution which it was practicable for an insular nation like this to carry out. Notwithstanding all he had heard that night, he believed the British nation to be sufficiently strong not to feel nervous or alarmed at any complications that might occur on the Continent, as long as she could keep herself from becoming a party to them. If her honour or her interests were touched, of course this country would know how to defend them, but as long as these were unassailed it was her policy to propagate her ideas rather by commerce and by civilization than by the sword. He was glad to find that the noble Lords added to their admirable enunciation of the principles of non-intervention the very important supplement that if we do not mean to interfere by force we should abstain as far as possible from proffering useless advice, and thus avoid mixing ourselves up in affairs which we did not intend to carry into execution—or, in other words, that “we should not bark when we don't intend to bite.” By following that course the country would avoid the difficulties which beset her in connection with Poland and Denmark, as her interference on behalf of those countries only brought additional disaster upon those whom she wished to befriend, and some degree of discredit on ourselves. The general principles of non-intervention having been so fully assented to, all that remained for the House to do was to ask for some assurance that those principles would be kept in view and would be practically applied to existing circumstances. He thought it might safely be

assumed that after the experience this country had had, and after so full a recognition of the principles of non-intervention by that House and by the country generally, no Government would willingly and with its eyes open, adopt a policy of intervention, and if, unfortunately, we did find ourselves entangled in foreign complications, the danger would approach in some insidious form which we should believe we had no reason to dread. He thought the most dangerous form in which intervention could be disguised was that of mediation. He did not mean to say that under no possible or conceivable circumstances were we to offer to mediate between contending countries, but merely that we should beware of it as being intervention in its most seductive form. The natural and humane desire participated in by all to stop the effusion of blood and a wish to keep up the influence of the country in Europe, combined with the traditions and prepossessions of the Foreign Office, which taught that the honour of the country was lost if we did not exchange a certain amount of correspondence with other countries whenever a fresh settlement took place in Europe, rendered that office peculiarly inclined to offer the mediation of this country in cases of foreign disputes. Whilst mediation presented itself in that seductive form it was clear that in the great majority of cases it was open to the greatest possible dangers. Mediation might answer very well in cases where a quarrel arose out of a point of honour, or where no great interest was at stake, in such a case, for instance, as in the trumpery dispute which took place some time since between this country and Brazil in consequence of the arrest of two of our midshipmen when in plain clothes; but where great national interests and principles were at stake, it was scarcely possible to conceive that active mediation might not become intervention on one side or the other. Proposals of mediation had recently been before the world which it was apparent, if carried out and acted upon, would have been tantamount to the most direct and active intervention in the present quarrel, on one side or the other. Another great danger to be apprehended from forcible and threatening mediation on the part of some great neutral Power was the tendency it had to patch up a hollow peace, and thus, in the desire to avoid the effusion of blood at the moment, the belligerent Powers were left in a position which rendered a future war at no very distant

period almost inevitable. Thus, even unarmed mediation was often calculated to involve the country tendering it in great and unforeseen complications. He need not go very far back in the past to find instances in illustration of his remarks. Had this country, in its anxiety to stop the effusion of blood, offered mediation after the battle of Solferino, in the Italian war of 1859, how greatly we should have been involved in the present complication! We should have been obliged to become parties to the Treaty of Zurich, and have been entangled in the question of the annexation of Savoy and Nice in a manner which might have endangered our friendly relations in quarters in which it was most important for us to preserve them. Again, take the case of the American war. If we had mediated between North and South, what complications, embarrassments, and difficulties any such mediation would have given rise to! Having pointed out the probable results of mediation, he would proceed to apply the principles he had laid down to the present aspect of affairs, and he believed that there never was a juncture at which they applied with greater force. What was the question really at issue in the war on the Continent? He thought that war was a most remarkable instance of the way in which Providence frequently overruled events for great purposes. Out of an almost imperceptible quarrel, out of a cloud no bigger than a man's hand, had sprung a disastrous war, in which were involved the largest and widest questions affecting nationalities and the territory of Empires. The questions at issue in the present war evidently were, whether we should have an independent Italy from the Alps to the Adriatic, and whether they should have an united Germany, constituted as one great political body. He had never, at least in the House of Commons, been disposed to regard the question of nationalities as one of sentiment. Not that he was indifferent to these great movements—not that individually he did not feel a strong sympathy with the countrymen of Dante and Michael Angelo, of Goëthe and Schiller, and wish that they could have the same national unity as more favourable circumstances had secured for the countrymen of Shakespeare and Milton. But sympathy was out of place in the expression of opinion in the House of Commons. What they had to look to was the solid and substantial political interest of those countries with regard to the state of Con-

tinental politics. Now, the interest of this country with regard to Continental politics was, in the first place, that there should be a steady and effectual balance of power in Europe; and, in the next place, that this balance of power should be so arranged in respect of territorial limits and nationalities as to afford fair hope of a permanent and stable settlement in Europe. He did not use this phrase, "the balance of power," in the old sense of perpetual interference with every little change that took place upon the Continent. The distinctive characteristic of modern European civilization was the establishment of several independent families of nations. There was not, as in the Roman Empire or in China, one great stereotyped system, but several independent national existences had sprung into being, each with a life of its own, and each independent of the other. Our greatest wars had been in aid of European Confederations against some attempt by one aggressive Power to establish an overwhelming preponderance in Europe. Such were the wars in which we took part against Philip II., Louis Quatorze, and Napoleon. England always headed the combination of independent States which warred to vindicate the system of independent nations. Our interest, therefore, was for the establishment of such a broad, substantial balance of power, and such an adjustment of the nations, that no one Government should find, in the divisions and the weakness of its neighbours, a temptation to go beyond its own territory, and aspire for more than its own proper share of influence in the Councils of Europe. That was the object sought for by the Treaties of 1815, but no one who had watched the history of Europe since that time could say that that settlement had been either a satisfactory or a permanent one. He had heard those treaties commended on the ground that, though they might have violated the rights of nations and the principles of justice, at any rate they had given us half a century of peace. But the assertion was quite inaccurate. From 1815 down to 1830 they gave us, indeed, a precarious peace, because the great military States which formed the Holy Alliance were then all-powerful in Europe. But that short and uneasy peace was interrupted by a war in Spain, the suppression of a constitutional movement in Naples, and the crushing out of all the aspirations of the great German nation for constitutional freedom. Since that period

there had been two great European revolutions, a succession of wars, and finally, what was almost worse than war, an armed peace, which was ruinous to the resources of almost every country in Europe, and was fast leading them to the verge of bankruptcy. The late Chancellor of the Exchequer, in his Budget speech, gave a very striking and instructive picture of the result of this system upon the National Debt of various European countries. From his statement it appeared that the National Debt of nine of the principal countries of Europe had accumulated by no less a sum than £1,500,000,000; that the great bulk of this debt had accumulated in time of peace; and that six of those countries had managed to increase their debts during peace at the rate of £61,000,000 a year. He (Mr. Laing) once had occasion to go into some statistical calculations of the amount expended during the ten years preceding 1863 either in war or by exaggerated armaments beyond the scale of former years, due to the apprehension of war, and he found that the sum thus spent during these ten years was not less than £1,000,000,000. That expenditure had been going on at an accelerated pace of late; and, with the solitary exception of England, he believed it had led all the countries of Europe into a condition from which there was no outlet but that of financial bankruptcy or such a settlement of the affairs of Europe as would justify moderate armaments and reduced expenditure. Again, looking at the question as one not of money but of life, it would be found according to the statistical researches of a learned German, that between 1815 and 1864 no fewer than 2,225,000 persons had lost their lives in war, and these were Europeans, for the calculation did not include Asiatics and others who had perished by war during the same period. He simply mentioned these facts to show that there now existed in Europe what might be called an unstable equilibrium. It was a state of things in which the resources of peace were wasted in war, or the preparations for war, and which had now become almost intolerable. The reason why the Treaties of 1815 had failed to secure an effectual settlement of Europe was not hard to find. Those treaties were founded on artificial as against natural rights; they were founded on the claims of princes as against those of peoples; and they ignored altogether the principle of

nationalities. He knew that some Gentlemen thought that the question of nationalities was a very disagreeable one, and that nationalities were very unreasonable for not allowing themselves to be entirely suppressed—a result which would certainly save a great deal of trouble. But the prominence of the nationality question now-a-days was, to a great extent, the inevitable result of modern progress and civilization. You could not extend education and the press, you could not introduce railways, steamboats, telegraphs, and cheap postage into a country without bringing together people who spoke a common language or felt that they had common interests and ought to be a common nation. Another reason why the feeling of nationality in modern times had become stronger than before was that, owing to the improved modern armaments, small States could no longer maintain a position of secure independence. They had now lost much of their relative importance. The days had gone by when a handful of brave men under a Leonidas or a Miltiades could resist the wealth and resources of a Persian Empire. However great their valour, Armstrong guns, shot, and shell, would clear them all away. For the solid independence of any people it was necessary that they should be formed into a considerable political State. Now, the present great Continental struggle raised in the broadest way the question of a new European settlement, based on nationalities, and the mediation of any neutral Power not implicated which tended to an imperfect settlement of this question, smothering it up and putting it out of sight for the moment, would produce results diametrically opposed to those which we ought to desire. It was infinitely better that the feeling which, right or wrong, had been raised in Italy and Germany should be so settled by Italians and Germans themselves as to give hopes of a lasting peace hereafter. Well, everything indicated that, if there was no interference by other Powers with the natural course of events, the result would be the establishment of a great independent Italy and Germany. Viewing this result by the practical tests which he had tried to apply, it would, in his opinion, be one eminently favourable to the interests of Great Britain. With regard to the balance of power, was it not notorious in history that the effacement of Germany, owing to the duality of Austria and Prussia, and the division

into small and insignificant kingdoms had been the cause of the greatest wars which had been witnessed in Europe? The Thirty Years' War, the War of the Succession, the Seven Years' War, all originated in that specific cause, and were wars fought between the two factions into which Germany had been split. Even the Continental wars in which England was engaged were brought about indirectly by the powerless, because divided, condition of Germany, which led certain European States to entertain schemes of aggrandizement and ambition that would never have been entertained if Germany had been strong and united. In considering the balance of power it was not unimportant to remember that the North of Germany, which would constitute one strong political body, would be, like ourselves, a Protestant Power. Happily, the days were over when war was waged for religion. Still, taking a comprehensive view of the situation of Europe and the prospects of a substantial and permanent balance of power, it was important that since two of the great Continental States, France and Austria, and several of the States next in rank, such as Italy and Spain, Bavaria and Belgium, were Catholic, we should not remain the only great Protestant Power in Europe. More especially would that be desirable as the other Protestant Powers which used to form a counterpoise to the Catholic Sovereigns had, owing to various circumstances, lost their relative importance. Sweden, Denmark, Holland, the great Protestant Powers leagued with us on former occasions, were no longer of the same weight in the scale of politics; while a great North German Power, being Protestant, would, with ourselves, establish a very fair equilibrium, religious as well as political. With regard to Italy, and speaking with a view only to the balance of power, he held that the creation of as many independent Powers as possible in the Mediterranean—a sea in which we should never claim a preponderance—would be greatly for the benefit of this country. In that point of view he looked upon the establishment of the Italian kingdom as favourable to the balance of power. Then nothing could tend to promote the prospects of a permanent and stable equilibrium in which we might hope to see disarmaments effected more than the establishment of these great nationalities. Germany and Italy, if once constituted great nations, must be Conservative. It was hardly within

the scope of imagination to conceive Italy crossing the Alps to attack 35,000,000 of Frenchmen or 45,000,000 of Germans. The Germans, on the other hand, would form a complete nationality, and would have no motive for passing beyond their own frontiers to win territory inhabited by people of a different race. The Germans were like ourselves a sober and peace-loving people, and, however warlike on a great occasion, more likely to prosecute the pursuits of peaceful industry than of grasping ambition. If, therefore, those nationalities were established, we might fairly look forward to the time when the equilibrium in the politics of Europe would enable us to escape from a false position to reduce our excessive armaments, to avoid panics, and to enjoy a real instead of an armed peace. Our interest in such a state of things was by no means a selfish one, because, if we felt the pressure in a slight degree other countries, such as France, Russia, and Spain, felt it in a much greater. These nations had a vital interest in such a settlement of Europe as might enable us to turn our swords into pruning-hooks, and permanently to cultivate the arts of peace. Finally, a real settlement of the great question now raised might, not by the intervention of Foreign Powers, but by the action of the parties themselves, prove to be for the true interest of that Power which might at first sight seem to suffer by it—namely, Austria. Her true position lay towards the East. Any one who knew anything about the condition of the Austrian Empire must be aware what a vast fertile territory spread out in Hungary and along the valley of the Danube. There was to be found ample scope for creating an Empire greater than already existed within Austrian limits. The true mission of Austria was in the cultivation of those vast regions which had been wasted by the protracted wars between Turkey and Christendom. Nothing could be more injurious to her interests than the establishment of peace through the intervention of a Power induced to interfere by the cession of Venetia. But that was a question for Austria, not for us. His great object in asking the present question was to obtain in that House an official assurance somewhat in the nature of that given unofficially by the noble Lord the Foreign Secretary to his constituents the other day. He would not ask or expect the Government to give any absolute pledge under no circumstances whatever to be

parties to any scheme of mediation. But the House might receive an assurance that nothing in the nature of armed mediation would be assented to by the Government without consulting the House of Commons. The House ought also to be assured that any scheme of mediation on which they might embark should be accompanied by such reservations made to foreign Powers as might leave the Government free, if at any time they found themselves drawn into a position where more active intervention on their part might possibly be sought. [Lord STANLEY: Hear, hear!] In giving that assurance the Government would not diminish the real weight of this country in any negotiations. On the contrary, if beyond all reasonable expectations any contingency should arise out of the present state of European politics in which the interests of England were really affected, if Her Majesty's Government called Parliament together without regarding any inconvenience which might arise from the season of the year, and stated frankly the reasons which led them to the conclusion that active intervention was demanded, then he felt persuaded that Parliament and the country would be disposed to go with them hand in hand in taking whatever steps might be necessary for vindicating the interests of this country. The old martial spirit of England was far from being extinct if solid reasons could be shown for a just and necessary war, and we were just as ready to go into it heartily—Parliament, Government, and people, all united—as we were determined to carry out the principles of non-intervention as long as we did not feel an imperative necessity calling on us to depart from them. It was with that view that he begged to ask the noble Lord the Secretary of State for Foreign Affairs, Whether he can give the House an assurance that no step will be taken which might commit this country to any intervention in the war now proceeding on the Continent without giving Parliament a previous opportunity of expressing its opinion as to the policy of such intervention?

MR. HORSMAN: It may be for the convenience of the House, as the noble Lord to whom my hon. Friend has addressed this question cannot rise to speak a second time, that I should now introduce the subject which stands in my name on the paper. It is only the consideration that it is for the general convenience that

the discussion on foreign affairs should be continuous and uninterrupted that I am induced to interpose between the House and the hon. Member for Stockport (Mr. Watkin), who has a Motion to make of great interest to other hon. Members as well as to himself. I beg, therefore, to tender my acknowledgments to my hon. Friend for allowing me to rise before him. I have been anxious to put certain questions to the noble Lord, because I feel that this is a very critical moment in Continental Councils, and that the war which is now raging in Central Europe may either be brought to an early and durable peace, or may be so dealt with by other Powers as to acquire larger dimensions, and involve all Europe in its flames. England is as yet neutral, but she is not unconcerned, and if this war spread, she may be more than interested, she may be materially affected. It is for that reason that I feel that on this occasion it is desirable to have some discussion, because one of those contingencies which my hon. Friend regards with so much alarm has already occurred—the intervention of England has already or is about to be invoked by one of the neutral Powers, and when the diplomacy of England is called into action it is the duty of Parliament to express its sentiments, and, if need be, to extract the sentiments of the Government. I am anxious to extract its sentiments because the incidents of this war have been so rapid that they have absolutely confounded the Councils of the neutral Powers, and while they are doubting and hesitating I feel that a timely declaration of the views of the English Cabinet, especially if found to be in accordance with the sentiments of Parliament, may go far towards confirming hesitating Councils and promoting that which we all desire—the re-establishment of peace. Now, there has been a great and unlooked-for change in the situation since the discussion raised by my hon. Friend the Member for Bridgwater (Mr. Kinglake) on the impending war about five or six weeks ago. Sir, we felt, at that time, that Prussia and Italy were the aggressors and peace-breaking Powers, and there was a universal sympathy with Austria, because she was the Power in whose moderation and forbearance we discerned a sincere desire for the preservation of the general peace. There was a sympathy with Austria, because—and it is an honour to us rather than a reproach—that in every Continental struggle, when opposing principles

are at stake, Englishmen will have their sympathies, and those sympathies will find a voice in the House of Commons, and more especially as we know that foreign Powers will construe the diplomacy of England by the utterances in Parliament. I say, therefore, that when this German-Italian question was last before the House my sympathy as between Austria and Italy was, as it always has been, entirely on the side of Italy, and as between Austria and Prussia—Prussia represented by Count Bismarck—my sympathies were wholly on the side of Austria. It was impossible for the friends of Italy not to regret, and, to some extent, to blame the determination of Italy to attack Austria, and so to precipitate a sanguinary war; but, at the same time, we could not be blind to the fact that the relations between Austria and Italy were rather those of an armed truce than a settled peace. Austria has never recognized the kingdom of Italy. Austria was one of the great obstacles to the evacuation of Rome. It was Austria that compelled Italy to keep up her great armaments, which exhausted her resources, and impoverished finance, and it was, in fact, the strong and irresistible crush of public feeling against Austria that drove on the King of Italy and his Ministers to make that attack which we all deprecated. But, as regards Prussia, there was no such excuse. On the part of Prussia it seemed to be a deliberate and wanton aggression, without cause and without excuse, and by a Minister whom we then regarded as rash and reckless, and who had shown himself the enemy of liberty at home and of national rights abroad. And therefore the general opinion of Englishmen at that time might have been summed up in one sentence—a hearty desire that the war might be limited to a short campaign, at the termination of which we might see Italy in possession of Venice and an Austrian army quartered at Berlin. But all this is now changed. Events have falsified every calculation. A campaign of ten days paved the way for greater changes in Europe than had been made since 1815. Germany was revolutionized in a shorter time than we took in England to construct a Cabinet, and Austria, defeated and helpless, retiring from Italy, flying from Germany, and trembling for her capital, addressed herself to France, and appealed for her interposition. And France, to the astonishment of all the world, and probably to no one more than her Emperor, unheeded by Prussia, re-

buffed by Italy, turned to England and asked for her co-operation to save Austria by staying the progress of the victorious armies that had routed and were pursuing her. Now, Sir, I think we have reason to be well pleased that the Emperor of the French has addressed—if he has yet addressed—this invitation to England. I know it must place our Government in a position of great difficulty, and, as regards the Emperor of the French, in a position of great delicacy; but I have no doubts as to the result. I believe we shall find the Emperor of the French at this conjuncture a man of great sagacity and moderation, and I place great confidence in the noble Lord who is intrusted with the administration of our foreign affairs. I read with great pleasure the speech which the noble Lord lately addressed to his constituents at Lynn, in which he stated his views of the relations and duties of England to foreign Powers. And I saw with pleasure that the noble Lord in his first official utterances was at pains to repudiate all sympathy with those who maintain that England has no concern in Continental affairs. That doctrine of non-intervention to which my hon. Friend has just alluded debars us, and very properly, from all interference with the internal affairs of other States, and where English interests are not concerned we are equally bound to abstain from all interference, unasked, with their external relations. But the interests of England are, however, so varied and widespread, and so easily affected by troubles in all quarters of the globe, that I hold it to be the first duty of an English Minister to study to maintain the influence of England at the highest point in every Cabinet of Europe, and, remembering that England is a great Power, and with a responsibility equal to her power, our Minister should be ready—nay anxious, to co-operate, in all times and all places, in every work by which he can promote the interests of liberty and progress combined with peace. I must presume that the Emperor of the French is addressing himself to England for a no less worthy object, and with the knowledge that the co-operation of England can only be given by a strict adherence to English policy. Now, I do not know—and if I did know, I should not put the question to the noble Lord—the precise nature of the communications that have passed between France and England. Some weeks ago it was stated in journals which are understood

to speak with authority that a joint note had been addressed by France, Russia, and England to the belligerent Powers. But as there has been no confirmation of this statement I suppose it was unfounded. Nor has it transpired on either side of the Channel that there has been any official invitation addressed by one Government to the other. I should rather suppose that there have been certain preliminary communications, and that, in fact, the Emperor of the French has sounded the English Cabinet to know how far and for what purpose they might accept an invitation to a joint action, and probably, if these communications are still going on, it will add rather to the interest and utility of the present discussion. My hon. Friend has some idea of mediation, and one of the rumours is that France has invited England to join her in a friendly mediation. If so, I can anticipate the answer of the noble Lord—that a friendly mediation in the midst of a war is a call on the victorious Power to desist. Again, it has been said that the Emperor of the French was meditating an armed mediation. But our Foreign Minister would of course tell him that an armed intervention by France at the present moment would be giving the signal for a European war. And therefore I assume that the Emperor of the French would not seek the co-operation of England unless he had determined to abjure all such designs. But, for some purpose or other, the joint action of England will be invited by France, and whether that invitation has been received or is only on its way, there are two questions which will present themselves to the mind of the English Minister. First, are the relations of England to the belligerent Powers the same as those of France? And secondly, are England's views of policy as regards those Powers identical with those of France? Now, both these questions must at the first blush be answered in the negative, although I am prepared to hear that the British Cabinet has received such assurances from France as will greatly modify the situation—and first, as to our relations with those Powers; they are very different from those of France. France, by accepting Venetia, has departed from her neutrality. Austria's object in ceding Venetia was to release the Austro-Italian army, and enable it to reinforce Benedek, and thus, by accepting that cession, the Emperor of the French did, in effect, send a reinforcement of 150,000 men to the

relief of Austria. In so doing he abandoned his neutrality, and became the ally of Austria and the enemy of Italy, and therefore it would be impossible for England to act with him or to recognize him as a neutral Power. But, on the other hand, our Government may have received, and I hope they have received, assurances from the Emperor of the French that he has only received Venetia in trust, and that he intends to transfer it to Italy without conditions; and, if so, one great source of difficulty will be removed. Then, as to our views of policy towards the belligerent Powers, are they the same as those of France? Unfortunately, there is a still greater divergency, because the policy of France has been avowedly and ostentatiously the policy of intervention, which England repudiates and condemns, and the intervention of France has been for purposes the very opposite of that which England desires. In Italy, the policy of England has been to promote the freedom, independence, and unity of Italy. But the policy of France has been to keep Italy unsettled, divided, and dependent. Again, England would desire to see in Germany a free, well-governed, and strong Power—compact, progressive, and weighty in European Councils. But France has always been partial to weak neighbours, against whom she could protect herself by enlarging her boundaries and rectifying her frontiers, and she has had a particular predilection for a weak and divided Germany. And, therefore, it would appear that unless the Emperor of the French were prepared to review his policy, it would be very difficult for the two Governments to act together for a common object. I hope the Emperor of the French is prepared to review his policy, and to bring it into accord with the policy of England. What course is it open to the two Governments to pursue? Prussia and Italy never rejected an armistice. They were ready to accept it on condition that the bases of peace were defined beforehand. As regards Austria those conditions were two. Italy requires that Venetia should be surrendered to her by Austria without conditions; and Prussia requires that Austria should cease to be a member of the Germanic Confederation. Austria has but to accept these two conditions and peace is secured to her at once, and the integrity of her Empire is preserved without the intervention of a foreign Power. Are they unreasonable conditions? Let us see. The surrender of Venetia has

already taken place, and its passing by a fiction into the hands of France, instead of into those of Italy, makes no difference at all in the situation of Austria. France had no right to accept Venetia for herself, because it was no longer Austria's to give away. Austria only pretended to give it, because she knew she could not hold it. It seems to have been mistaken policy on the part of France to accept it, seeing the irritation her acceptance has caused among the Italians. At any rate, we must assume France only holds Venetia in trust for Italy, and that it is entirely lost to Austria. Then as to Austria remaining a member of the Germanic Confederation, that is purely a German question, and we cannot see in what way either France or England has a right to interfere in it. The war has been waged for supremacy in Germany. The long rivalry between the two chief Powers had wasted and weakened Germany, and their incessant intrigues for leadership had harassed and demoralized the smaller States. The experience of one terrible week has destroyed the prestige of Austria and given to Prussia a predominance which she is determined to maintain. Since 1815, no Power in Europe has made such solid progress as Prussia, and none has receded so rapidly and hopelessly as Austria; and the war has only developed the contrast between a fresh, hopeful, and progressive Power, and one that is decrepid and decayed. It is idle to tell us that Prussia owes her success to the needle-gun. Was it the needle-gun that enabled her to overrun Saxony and penetrate the passes of Bohemia without meeting a foe? Was it the needle-gun that enabled her commanders, with a smaller army, to concentrate a larger force on the critical field that decided the war? Prussia has been victorious because she has abler Ministers as well as better generals. The headship of Germany has passed to Prussia because she was enabled to give to the German people assurance of a Power capable of securing the unity and the headship they had long desired; and the King of Prussia, now at the head of 30,000,000 Germans, has a right to warn off foreign Powers from interfering in German affairs, and to say that the map of Germany shall not be recast in Paris, and the Italians have a right to say that the boundaries of Italy shall not be dictated by France. Whether it was prudent in them to say so is another thing; whether it was wise in them—whether it was safe in them to

brave France by so unflinching and uncompromising an attitude is a question they had, no doubt, well considered. But it is evident these two Powers are both in earnest. Prussia has been chafing under the insecurity of her frontier from an encroaching neighbour, and Italy has been smouldering under a hard taskmaster, so they have both determined to cut the knot. Prussia will not discuss with France her position in Germany, and Italy will not barter Venetia at the price of Italian territory, and there is no doubt that they have both reason and justice on their side. The Emperor of the French is too wise a monarch not to admit it; he knows he has no right whatever to interfere either in Italy or Germany. He is the man above all others who will be quick to appreciate the change. He has no longer to deal with Sovereigns and their Ministers, but with enthusiastic populations fighting for nationality and determined to achieve it. Whether Austria is to remain a member of the German Confederation, as I have already said, is entirely a German question, to be settled without reference to France or any other Power. The Emperor of the French, at an earlier stage and in a very different state of things, did express a very strong opinion that Austria should remain a great German Power; but events have been too rapid and too strong for him. Austria has ceased to be a great German Power. When she was routed and driven from Germany by a Power with less than half her population, and had to call in a stranger to protect her, then her fall from the station of a great German Power was an accomplished fact, which neither diplomatic phrases nor fiction could disguise, and which no human authority could revoke. It is evident that Prussia will not consent to restore Austria to her place in Germany, and the German people will not permit it. What is France to do? Does Austria really think that France will attempt to restore Austria to her place in Germany by force? Does she think that France could do it if she attempted? I will not say that the Emperor of the French is too wise to attempt it, but I believe he is far too wise to wish it. I said at the outset that I did not sympathize at the beginning of this war with Prussia as represented by Count Bismarck. I felt it to be, as I believe almost every man felt it to be, a very bad war, waged, as it appeared to me, by an absolute and unscrupulous Minister, with an oppressed

and discontented population and reluctant army. But now, as events have gone on to develop more completely his real character and policy, it is impossible to deny that Count Bismarck is showing himself a man of rare powers, and of a high purpose, and that he is achieving a great work, in which I, for one, wish him God speed. He is regenerating Germany, he is crowning the edifice in Italy, he is driving Austria to seek real power in the contraction and consolidation of the Empire. The Emperor of the French sees this, and he knows England sees it; and he knows, as we all know, that when 30,000,000 of Germans are determined to unite themselves under one head all the Emperors in the world are powerless to prevent it. I hope and believe that the Emperor of the French, more than any other ruler in Europe, is interested in the maintenance of peace, who is prepared to accept accomplished facts; I hope his addressing himself to the Government of England is evidence of that. I rejoice, therefore, that he has addressed, or is about to address, to England an invitation to co-operate with him. I trust he will be met cordially by the British Government, and that the good offices of the two Governments will be joined to press upon Austria, in the most earnest and friendly spirit, the wisdom of her also accepting accomplished facts, and terminating a war which she can have no interest to prolong. I have heard one objection made—that the aggrandizement of Prussia will destroy that to which my hon. Friend referred, the European equilibrium. I might attach importance to this objection if I knew where the European equilibrium was to be found. I have made the attempt, but I have never been able to discover it. I see Russia, a colossal Power, overshadowing her neighbours on one side; I see France, the overruling Continental Power, disquieting her neighbours on the other; but I do not see where the balance is to be found. Austria and Prussia, since 1815, have figured as second-rate precarious despotisms; the petty Sovereigns of Germany have been so many tolerated nonentities; Italy has been treated as a vassal of France. Now we are about to see all these elements of weakness—this anomalous aggregation of palsied protectorates moulded into force under three strong Powers—Italy, shaking off her dependence on France, and walking in her own strength; Austria, driven to abandon her obsolete policy, and seek her

safety and her strength in the good government of her dominions and the prosperity and love of her people; and Prussia at the head of Germany, an intellectual and aspiring nation, awaking from a long lethargy, and working out its political freedom with new national life, a new great Power in Europe, and a new guarantee for the peace of Europe. This is the consummation to be desired by the English Ministry. It is worth the highest ambition of the greatest Minister; it is one which I trust the noble Lord (Lord Stanley) will use his utmost efforts, in co-operation with the Emperor of the French, to promote; it is a consummation which will redound to the lasting honour of the noble Lord if he contributes to accomplish it. I conclude by asking the noble Lord whether the Government of England has received an invitation from that of France to address any joint communication to the belligerents; and, if so, whether the English Government has expressed its readiness to concur with that of France in recommending Austria to accept the two conditions proposed by Prussia and Italy as to the surrender of Venetia, and Austria ceasing to be a member of the Germanic Confederation?

SIR GEORGE BOWYER had listened with admiration to the able speech of the right hon. Gentleman who had just sat down, although he had heard much of what he had said with great regret. The right hon. Gentleman had stigmatized the war as unjust and aggressive, and had said that he should like to see the Austrian army at Berlin. He agreed with the right hon. Gentleman in that respect. The right hon. Gentleman was, nevertheless, so much influenced by the power of success—by that power which so often made the difference between a hero and a scoundrel, that he actually concluded his speech with a panegyric upon Prussia and a bitter invective against Austria, not the less bitter because accompanied by friendly observations which only served to make the bitterness more disagreeable. Now, he would venture to say that whatever might be the political opinions of the people of this country, he believed that there was no Englishman who did not regard with reverence and admiration the heroic conduct of Austria. ["Oh, oh!"] An hon. Member had cried "Oh, oh!" Well, for his own part, all he would say was that he was ashamed of him. He maintained that a person who could not

respect valour, military prowess, and the endurance of misfortune and defeat with undoubted pluck and undiminished resistance, and who could receive an expression of respect for those qualities with a cry of "Oh, oh!" did not deserve any observation which he could address to him. At this moment, Austria presented what in ancient times was said to be a spectacle worthy of God—namely, the spectacle of a just man suffering under undeserved misfortune. However, he would dwell no longer upon that subject, because he thought it was one on which there could not possibly be two opinions; but he must make a few remarks upon the extraordinary position in which France was placed at the present moment. For some time past, the Emperor of the French had held himself out to be the arbiter of the destinies of Europe. He had held, or at least had professed to hold, with regard to the condition of Europe, the position of a political Jupiter, who, by his mere will, could influence human affairs. Now, what had happened with regard to the present war? Look at the famous speech at Auxerre and the other oracular utterances which had amazed and astonished politicians, and upon which no one, even at the present day, could put an intelligible construction. All those utterances had been addressed to the world for the purpose of impressing it with the belief that the Emperor of the French had the whole situation in his hands. And what had occurred? Austria suffered a great, and, he feared, to a great extent, a decisive, defeat. What happened next? There appeared in the *Moniteur* a statement to the effect that the Emperor of Austria, having satisfied his military honour in Italy, and concurring in the opinions expressed by the Emperor Napoleon's letter of the 11th of June to his Minister of Foreign Affairs, had ceded Venetia to France and referred all the matters in dispute to the mediation of the Emperor Napoleon. Well, Venetia having been ceded to the Emperor of the French, became, in fact, French territory, and the Emperor of the French accepted the office of mediator. But the Prussians told him to mind his own business, and in reality treated him with contempt. The Italians, too, continued their operations—which, by the way, had been singularly unsuccessful—and continued to invade Venetia, which, by the cession, had become French territory, so that the Emperor of the French was completely re-

jected and snubbed by both parties. All Europe waited to see what would happen. Everybody supposed that the Emperor of the French would have intimated to the authorities at Florence that they were not to advance on Venetia, and that he would have done something with the view of stopping Prussia. But nothing of the sort happened, for the Emperor accepted the rebuff in the face of all Europe, and the whole thing came to a standstill. In fact the Emperor of the French had been completely defeated, and there was no doubt that he had succeeded in taking the famous step from the sublime to the ridiculous. Some persons said there was a conspiracy between the Emperor Napoleon, Prussia, and Italy, but for his part he could scarcely believe it, nor indeed would it be proper in the British House of Commons to utter such an opinion with regard to a great neighbouring Power. Such an opinion, however, had been uttered elsewhere, and there could be no doubt whatever that there was a conspiracy between Prussia and Italy. Well, about a week ago a speech was delivered by Prince Napoleon, who was the nearest relation of the Emperor, there being but one line between him and the Imperial Throne. The policy proclaimed by the Prince was this. He remarked that—

“The French Empire was, in point of fact, the triumph of modern democracy; the triumph of the Revolution, which had been retarded for fifteen years by the Restoration, and by Parliamentary Liberalism, but which now moves on, in spite of impediments to arrest its course. People have been too hesitating and too prudent hitherto. They should have allied themselves with Prussia and Italy a year ago. The time is, however, now come when the banner of the Revolution, or, which is the same thing, the banner of the Empire, must be unfurled. The programme of this revolution is the struggle against Catholicism, which must be carried on; the constitution of the great national unities on the ruins of factitious States and of the treaties which founded them; democracy triumphant, founded on universal suffrage, but which needs for at least a century to be directed by the strong hands of Cæsars — Imperial France on the summit of this European situation; war, a long war, as the condition and the instrument of this policy. The first obstacle to this policy is Austria; but this obstacle must be overcome. Austria is the most powerful support of Catholicism in the world. She represents the Federal form as opposed to the principle of united nationalities. She aims at the triumph at Vienna, Pesth, and Frankfort of Liberal and Parliamentary institutions as opposed to democracy. She is the last refuge of Catholicism and feudalism; she must, therefore, be beaten down and stamped out.”

It was a significant fact that immediately after that speech had been delivered Prince Napoleon had been sent to Italy as the ambassador and representative of the French. This, then, was in the first place a religious war — a war against one particular phase of Christianity — namely, Catholicism; and in the second place it was a war on the part of democracy against Parliamentary Government, or what the Prince termed Parliamentary Liberalism. Now, he believed that those hon. Gentlemen who were most opposed to Catholicism would not join in a religious war against any phase of Christianity, and that no Member of that House would wish to see democracy, based on universal suffrage, triumphing over Parliamentary Liberalism. This led him to the doctrine of non-intervention, which had been so eloquently advocated by the hon. Gentleman who commenced this debate. He did not want to see England plunge into any war on the Continent in which neither her interests nor her honour were involved; but he could not shut his eyes to the fact that the time might come when this country might be included in that denunciation of “Parliamentary Liberalism,” and when she might be called upon by two great foreign nations to subscribe to the principle of “democracy founded on universal suffrage,” and to conform herself to the rule which appeared to be laid down by the French Emperor, and to which Austria was made to succumb. He understood the right hon. Gentleman who spoke last to concur in the exclusion of Austria from the Germanic Confederation, for that was one of the principles contended for by Prussia. It was all very well for the right hon. Gentleman to talk of nationalities and the other principles he had enunciated, but the real grounds on which Austria was attacked, and one which it was sought to blot her out of the map, or, at least, to shut her out of the Germanic Confederation, were those which he was describing. That was avowed by Prussia herself, and he said it was a thing which England ought to discountenance. Whatever diplomatic action she took, he trusted that she would set her face against principles which were inconsistent with the peace of nations and with her own Constitution, that Her Majesty’s Government would have their eyes open to that union—perhaps he might call it that conspiracy between France and Prus-

sia and the Government of Florence — undoubtedly he might call it that conspiracy between Prussia and the Government of Florence; and that they would not sanction the oppression of Austria, but would hold the scales even and maintain the rights of our ancient ally, Austria, and recognize the wonderful valour and heroism displayed by her. The outrageous and unprincipled conduct of Bismarck had been truly stigmatized. It had been justly laid down by the greatest writers on International Law that in carrying on a war it was necessary to consider all through it the purpose and cause of that war, and that when a belligerent had obtained the object of the struggle and an indemnification for the loss which had been inflicted upon him by his enemy, he ought to desist from the contest and rest satisfied. How did that apply to the case of Prussia? The object of the war in which she engaged was the vindication of her right to the Elbe Duchies. Whether it was a just cause of war or not, it was a fair cause of war; but Prussia, having been successful by means of the needle-gun, not so much by her military skill or valour, as by the ingenuity of the gunmaker—had pushed her advantage and practised a system of utter buccaneering. Talk of Germany and Fatherland! Prussia had been devastating and overturning Fatherland, imprisoning princes and forcing their troops into capitulations. She had acted on a system of complete and lawless buccaneering. And here he must say a great deal of blame attached to the late Government and the Government of Lord Palmerston. It was they who overthrew those principles of public law on which the peace of civilized nations rested. It was they who first established the principle that a country was to get whatever it could, by fair means or foul—that what it got even by perfidy and violence it was to keep, and that it was to be applauded for getting it. Those principles they first encouraged in the person of Count Cavour, and now M. Bismarck was following in the footsteps of Count Cavour, and because he was more powerful, was prosecuting his designs more effectually. The result was the unexampled state of things now witnessed on the Continent—countries being attacked without any cause of war at all, and wholesale devastation, butchery, and violence being rampant in Central Europe. The Governments of Lord

Russell and Lord Palmerston looked only to success, and they had really demoralized European politics. They had done all they could to subvert those principles on which statesmen used, at least, if only for decency's sake, to pretend to act. They had openly flung aside those principles—they had told nations and Governments that they need not mind right and wrong—that as long as they were successful, that was all that was required; and that in that career of buccaneering, while they were successful they should have the support of the British Government. It was non-intervention, it was true, because our Government never actually used violence in carrying out their policy, although they sent a fleet to support the landing of Garibaldi in Sicily, and they employed underhand arts of every sort. He said that for whatever confusion and bloodshed had occurred in Europe within the last month the Governments of Lord Palmerston and Lord Russell were responsible. The late Government must, he maintained, be held to a great extent responsible for the misery and misfortune which had attended the recent wars on the Continent. He understood that an appeal had been made in another place to Lord Derby with respect to the present state of affairs on the Continent, and that the noble Earl very justly replied that he had only very recently come into office, and that events which everybody regretted had been caused by the policy of his predecessors, for which he was not responsible, adding that it was too late to call upon the present Government now to take any action in the matter. He trusted, however, that the noble Earl and his Colleagues would be actuated by more generous sentiments than those whom they succeeded, and that they would not be led away by that enthusiasm for success by which the right hon. Gentleman who had just spoken seemed to be influenced. He hoped they would do everything in their power to bring about an honourable peace, taking into their consideration the interests and rights of our ancient ally, Austria, and not giving their sanction to any proposal for excluding her from the German Confederation, while they resisted the outrageous pretensions of Prussia and declined to fall in with the views of France, which appeared to be founded on some agreement between that country, Prussia, and Italy, for the purpose of making a profit out of the misfortunes and troubles of Europe. He trusted also that the Government would take care not to forget what was done to

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Italy. The Italians, as they were called—[*A laugh*]^h—he did not admit that the Government at Florence constituted the Italian people—had not earned the cession of Venetia by any successes of their own. If they acquired that province it would be only by means of corrupt bargain and conspiracy with Prussia, at the head of whose affairs was a Minister who had violated public right, and who had completely snubbed the Parliament of his own country. The Government would not, he hoped, lose sight of the claims of the South of Italy to have its own autonomy and independence. The South had not because of the lawless aggression of the North forfeited its ancient right to be governed by its own princes. He did not mean to contend that the Government should interfere to effect those objects by force of arms; but the moral influence of England ought, he maintained, to be exercised for the righteous purposes which he had indicated, and not to promote revolution.

MR. GLADSTONE: It appears to me that my hon. Friend who has just spoken has been somewhat severe and unsparing in his denunciations. He has been so liberal in pouring them forth against those with whom I have had the honour to act in particular, that I hope the House will not deem me otherwise if I make some comments upon his speech. My hon. Friend has delivered a tirade against the Emperor of the French of such a nature and character that I cannot help thinking intelligent Frenchmen, when they read the report of what has fallen from him in the columns of the English newspapers, will regard his remarks with somewhat of the same feeling with which we peruse the speeches of the Marquis de Boissy. It is, Sir, with no resentment and with no sentiment of displeasure, but still with considerable amazement, that I find a Member of the legislative body go so far as my hon. Friend has just done in the exercise of his deliberative faculties. The hon. Baronet has denounced the Emperor of the French, Count Bismarck, Count Cavour—but it seems there are men who are even worse than those distinguished personages in his estimation. They are, according to him, but secondary representatives of the true principle of evil, which, in his opinion, has resided all the time with the late Government. [SIR GEORGE BOWYER: Hear, hear!] My hon. Friend, I may observe in passing, has one faculty which is truly admirable, and that is

the power of giving utterance to accusations in themselves the most violent and invective the most severe with a degree of good humour which is absolutely surprising. I only wish my hon. Friend had exhibited that unbounded good humour on the present occasion more fully towards us and towards that country of which he never speaks but to malign her—I mean Italy. When my hon. Friend came to that part of his speech in which, addressing Her Majesty's Government, he appealed to them not to forget what was due to Italy, I thought to myself—recollecting all that has happened—that I was about to witness the strangest of metamorphoses, the hon. Member for Dundalk raising up his voice on behalf of that country. I almost expected for a moment that he was about to advocate her claims, struck with admiration of the endurance under defeat, and the great fortitude displayed by the Italians in their early struggles. The hon. Gentleman has not, however, one grain of admiration, or pity, or sympathy to spare for Italy. When he came to explain what was, in his opinion, due to her, he at once destroyed all ground upon which a charge of inconsistency against him could be founded. That which, according to him, we owe her is that the influence of the English Government should be used to tear her to pieces; to undo, as far as it lies in our power to accomplish that end—I thank God it is neither within our power nor will—one of the noblest works of recent times—the gathering together the fragments of an ancient and distinguished Empire, and the making a country which was formerly the battle-field of contending States in Europe, assume a form of solid unity, and give promise that it would ere long become itself one of the great pillars of European order. I, for one, am satisfied that Her Majesty's Government will not forget what is due to Italy, but then I feel assured they will remember it in a sense the very opposite of that which my hon. Friend has indicated. The hon. Gentleman undertook at the commencement of his speech to declare what the sentiments were of the people of England on this subject, and all through his remarks he urged as an argument against the adoption of a particular course that the English people would be sure not to support it. It is something quite new to find my hon. Friend constituting himself the representative of the people of England on questions of foreign policy, and I am bound to

say that I should have thought his inspiration would have been drawn from some more distant quarter. The hon. Gentleman accuses my right hon. Friend the Member for Stroud of being a sharer in that capital sin, which he also lays to the charge of the late Lord Palmerston, admiration of success. Now, it is due to the memory of Lord Palmerston, who was certainly the animating spirit of the late Government in its Italian policy, to remember that his attachment to the cause of Italy did not begin on the occasion of Italian success. It began in times when Italy was trodden under foot, not merely by the iron despotism of the petty Governments which were scattered here and there over her surface, but by the force of that great Power which stood behind every one of them, and had entered with them into a secret network of treaties. My hon. Friend has spoken of conspiracies, but there indeed was a conspiracy binding these States not to give liberty to their subjects, and it was when that state of things of which the hon. Gentleman is so warm and enthusiastic an admirer and which he so severely denounces us for having contributed to overturn, prevailed—it was in the very spring tide of that condition of her affairs that Lord Palmerston attached himself to the cause of Italy. I think, too, the hon. Baronet was scarcely fair in charging the right hon. Gentleman the Member for Stroud (Mr. Horsman) with having made a speech to-night which was prompted by no other sentiment than that of mere admiration of success. My right hon. Friend was himself the man who drew attention to the remarkable change which has occurred not only in the condition of Europe, but also in the condition of English public opinion since the time when the discussion on the Motion of my hon. Friend the Member for Bridgewater took place. There has been a great change in public opinion on this subject, but I cannot think that it is to be attributed to the mere operation of success. I cannot imagine that we are so blind or so base, that the favours of fortune have the power to shake the settled judgment of the country, or to make us libel to-day that of which we yesterday approved. It appears to me, on the contrary, that the great events which have taken place, independent of those of a military character, have not only changed much which before existed, but disclosed much which was not observed before. My hon. Friend who has just sat

down said that the object which Prussia had in view in the war with respect to the Elbe Duchies, was, if not a just, at any rate, a fair object—a distinction which I do not understand. But he said that she had a fair object in view, and that the war only became abominable and execrable in his eyes when it assumed the double character, first that it became associated with the liberation of Venetia, and secondly, it came to be a war for the unity of Germany. [Sir GEORGE BOWYER: I did not say—] That, at any rate was the construction I put on the words. If the hon. Baronet wishes to explain them, I shall be happy to hear the explanation.

SIR GEORGE BOWYER explained that what he said with respect to the Elbe Duchies was that whether the object of the war in that quarter was legitimate, if not just, was a fair subject of dispute; but that after Prussia met with great success she went on with what he called a system of buccaneering, overthrowing Sovereigns and making wanton conquests in a manner which were utterly inconsistent with International Law and the objects of the war itself.

MR. GLADSTONE: I am glad the hon. Gentleman has stated distinctly what he meant, but it does not alter the case, because we do not know that up to this hour Prussia has overthrown a single Sovereign. I know it not. [Sir GEORGE BOWYER: Saxony and Hanover.] I know it not. It may be that she has coerced those States for the purposes of the war, and there is no doubt at all about that; but the future political condition of the Sovereigns of those States remains a matter yet undetermined, and no person could say whether in respect to the States in question Prussia deserved the charge of buccaneering until we know what is to be their ultimate condition. But what I wish to point out is this. About two months ago it appeared that Prussia intended to make war on Austria in order to obtain possession of the Elbe Duchies. As my hon. Friend says, upon that issue there were not two opinions in this country. We had unanimously condemned the joint conduct of Austria and Prussia at a former period in reference to the Duchies; and when Austria adopted the course of public right with regard to the Elbe Duchies, opinion in this country was unequivocally declared in opposition to it. But when the war began the case of the Elbe Duchies was completely absorbed and swallowed up

in a far greater question; and we must now look at the cause of the war, not merely or mainly with reference to mere condemnation, as if we were to set ourselves up to be judges of nations and of Governments—a position, I think, we have no right to arrogate to ourselves; but we must look at the great issue involved with reference to the well-being and happiness of Europe; and in the share which it gives to this country in promoting that well-being and happiness, and to the mode in which we should exercise that influence. I, for one, entirely disclaim any title to condemn or to sympathize with anybody except in the sense of giving a private opinion, which all men are entitled to give in passing their judgment upon the conduct of others. But let us now consider the question in that point of view. There was one sentence in the speech of the right hon. Member for Stroud which I heard with some jealousy, though, perhaps, I did not distinctly gather its meaning, but he used an expression, much and long in favour in this country, in stating that it was the duty of the British Government to endeavour to maintain the influence of England at the highest point in every Cabinet in Europe. Now, I venture to say that the influence of England is best maintained by refraining from continued interference. The influence of England, so far as it is genuine and useful, does not depend on elaborate schemes for magnifying our old reputation and our old performances. It does depend, first, on the strength of the country, and secondly, upon the credit that may be given to the country for the honesty of its purpose, and for the disinterestedness that is so favoured by our insular position. I dare say the difference of opinion between my right hon. Friend and myself is on this point, and it is a verbal difference more than anything else. I wish to express an opinion that I strongly entertain, that just as between man and man you do not make your friend attached to you and admire you by any elaborate effort to draw forth his attachment or his admiration, so I think in regard to our influence, it is more likely to be the spontaneous growth of the greatness of the country, and of the confidence which by our good conduct we shall lead others to have in us, than by incessantly setting before us questions of policy which do often tend to involve us, if not in intrigues, in petty rivalries and struggles for local objects, and for the attainment of weight in the Councils of this or that Sove-

reign, and which lead often to our own disadvantage. Speaking of British influence in its proper sense, of course, it will follow that in the case of any great European complication British influence will at one or other time come to be employed. It is difficult to define accurately that principle of non-intervention which the hon. Member for Wick (Mr. Laing) invites us to adopt. Non-intervention, no doubt, if we are satisfied with anything less than metaphysical strictness of definition, and if we take it as indicating that spirit and temper, I heartily subscribe to it; but the experience of us all shows that the instances in which we have interfered by diplomatic correspondence in the transactions of Europe have been eminently fruitful of good to many nations. If we go back so far as the constitution of the Belgium kingdom we shall find an evident instance of this. Take another case, to which I should appeal with more confidence if the hon. Member for Dundalk were not in the House. With respect to Italy, the share taken by England in 1859 and 1860 in the diplomatic transactions of Europe, and between the preliminaries of Villafranca and the peace of Zurich, was alike beneficial and important. The noble Lord, no doubt, will be called on to exercise influence in some shape or other, and as I have said, we should endeavour to put out of our minds, so far as we can, the perplexities involved; exercising moral influence in matters beyond our control, and in which we have not necessary information and no title to act. Let us take a practical and perspective view, and ask ourselves what are the objects and desires which we should propose to ourselves in exercising, whether as Ministers or Members of this House, and in whatever capacity that share of influence in our country may have in bringing about any European settlement. And here, I must say, that the hon. Member entirely failed in his impeachment of the description, not less just than brilliant, given by the right hon. Member for Stroud of the position of the three parties to this struggle as they are likely to emerge from the conflict. I look first to Italy, and I trust the noble Lord will never forget that the cause of Italy is dear to the people of England. If I may for one moment constitute myself, like the hon. Member for Dundalk, their organ, I will say with confidence that they will never forget or forgive any deviation on the part of the Government from the straight path

on this great question—from that path in which the influence of England, such as it may be, shall be uniformly and steadily exercised for the promotion of the unity and independence of Italy on grounds the most strictly germane to every definition, however rigid of the objects and the limits within which our share in foreign politics ought to be confined, because we hold, the British Government and the British people hold, that a united and strong Italy is an element of immense power added to the guarantees of European order. It is not necessary that we should take a narrow or selfish view adverse to the greatness of this or that European Power; but the more the countries of Europe are solidly constituted under Governments, I will not say all great—because the small States are matters of fact, and ought to be respected as eminently beneficial—but under Governments that are associated in heart and will with the sentiments of their people; Europe so constituted is a guarantee for peace, for order, for civilization, and for the happiness of mankind. And I place confidence in the noble Lord in this respect, and in the Government as constituted. I think it unnecessary to refer to expressions that have been used by Members of that Government in former years, and from which adverse inferences on some points bearing on Italy might be drawn. Well then, Sir, as to Germany. Let my right hon. Friend descend fairly into the arena of argument and consider what has been the condition of Germany. In my judgment, so far as I can form an opinion on the events of the last century, it has been a deplorable condition. Germany instead of being a strength has been a weakness to Europe. Germany has been a perpetual cause of difficulty and apprehension. The time has been when millions have been added to the Military Estimates of this country, chiefly on account of what might take place in Germany. But that is not a position in which such a Power as Germany ought ever to be placed. Germany contains the most numerous race in Europe; one of the most intelligent, and, perhaps, the most highly intellectual—a race united by its juxtaposition, famous in history, having traditions inferior to those of no other people. Surely Germany, with all those great advantages, ought to defend herself. And why has Germany been weak? Because she has been subjected to the constant struggles and rivalries of two Powers to neither of

which has the position of Germany been beneficial; while on account of those difficulties and struggles Germany has not been able to attain to her proper position in Europe, and has been prevented from giving to Europe those solid advantages which Europe ought to have derived from her. It is not for us, I think, to presume to determine in what way the great German problem ought to be solved. So weakened has she been by internal disunion and by the struggles and rivalries of Prussia and Austria that it would be impossible for any Englishman to determine in what way that problem should be solved; but other influences are determining that question. It is not for us to say a word as to the manner in which those influences have been brought to bear; but looking at what is going forward as a matter of fact—judging drily, as we ought, as to its probable effects on the European system—I believe that if, instead of Prussia and Austria contending for power in Germany, one Power only shall be in a position to wield an influence there, that influence will be beneficial to Germany at large. It will be beneficial, no doubt, to the Power that wields it; but I believe it will be also beneficial to the Power which has been worsted in the struggle, and which has been obliged to yield. When my hon. Friend calls upon us and calls upon the Government to use our influence to maintain the power of Austria in the Germanic Confederation, I could understand him perfectly well if he could convince me that the old state of things had been beneficial to any one. Now, has it been beneficial to any one? What has been the position of Austria for many years? A most unhappy one. In her own immediate dominions, inhabited by races which it is difficult to combine under one political and Executive constitution—I hope she will combine them—I am satisfied, as my right hon. Friend said, that her chances of combining them will be greater when once she is relieved from her false position in Germany and her other false position in Italy. But the politics of Austria of late years have been chiefly external to herself. Her struggles for supremacy in the German Bund and her attempts up to 1859 to maintain all her influence in Italy have prevented the accomplishment of the main purpose for which Austria has existed; while, at the same time, no progress has been made in settling those questions which must be settled, and to bind together in one harmonious union

the people of Hungary and the peoples of the other different countries which compose the Austrian Empire. And has not her position in Italy been a false one? Has her position in Venetia been of good to any one? The Austrians never have been able to pretend that they are one people with the people of Venetia. The people of Venetia have to pay taxes; they have to serve in the army and they have to discharge other duties, the fulfilment of which a strong Government can enforce; but in point of feeling there never has been the smallest proximity of feeling between the Austrians and the Venetians. Has my hon. Friend read the address of the Archduke, who is general of the Austrian army, on his retiring from the army of the South to join that of the North? In that you read clearly undeniable evidence of the hopeless state of things existing as between Austria and Venetia. Whom does he address to defend the Austrian possessions in Italy? He addresses the people of the Tyrol and the garrisons of Venetia; but he makes no address to the Venetian people. He knows that if he did so he would find no echo. Has my hon. Friend seen the monument to Marshal Radetzky? Has he seen those painful words—I admit they were deserved—which record that soldier's victory over his fellow-countrymen? If unhappily there were an insurrection in this land, and any commander won a victory at the sacrifice of the lives of thousands of his fellow-countrymen, would a monument be raised in Westminster Abbey or in any of our public places to record such a triumph? Fellow-subjects of Marshal Radetzky's those Italians might have been by accident and for a time; but fellow-subjects of his in heart and will they could not have been; fellow-subjects of his in tongue, fellow-subjects of his in tradition, fellow-subjects of his in hope and feeling they could not have been. They were foreigners in spite of mere conventions and written documents. Something deeper than written documents is required to make men fellow-subjects; and as foreigners the Venetians feel towards Austria as strongly as she feels that she is a foreigner towards them. My hon. Friend appeals to us strongly when he asks us to look at the present position of Austria. The loss of dominion is not pleasant to any State. We ourselves have gone through the operation. None of us are old enough to know the feeling which prevailed here at the time of the

separation of the American Continent; but we are able to look back and see that painful as that separation was—though it pierced the heart of England through and through—yet it was not less beneficial to England than it was to the inhabitants of what are now the United States. To be relieved from a false position may be a most painful process to the country which obtains the relief; but that is no reason why there should be an interference such as my hon. Friend asks for. The long account between Austria and Italy it is unnecessary to open. It is time that account should be closed. And deeply do I regret the great error which, in my judgment, has been committed by Austria in introducing a political element into the present contest by making a cession of Venetia to France. I believe it to be a transaction without example, parallel, or precedent of any kind that in a state of war one of the belligerents should hand over a territory, which is a part of the matter in question, to an indifferent party, not engaged in the war, for the purpose of raising some artificial barrier against the enemy. I regret that, but not because I think it will have the effect of keeping Venetia in the hands of Austria. The cession I look upon as definite and settled; but whether it now exists in any shape, perhaps the noble Lord the Secretary for Foreign Affairs will be able to tell us. As far as I am able to judge of the cession to France, I believe that the shadow has melted away. I cannot suppose that General Cialdini is engaged in an invasion of the French dominions. I believe that the cession of which we have heard was the thought of a moment and the fiction of an hour; but though I believe that thought of a moment has passed away, and that fiction of an hour has ceased, and though I believe Venetia is still Austrian territory, yet I also believe Austria must feel that her dominion over the Venetians is at an end. And what I regret is this—that Austria has lost the opportunity which a direct cession of Venetia would have given her to lay the foundation of a most solid friendship with Italy. I know that my hon. Friend cannot go with me in this sentiment; for he cannot speak of Italy with even the courtesy which is due from a British subject. The Queen has been pleased to recognize the kingdom of Italy; but my hon. Friend, like the Austrian Government, is unaware that there is a kingdom of Italy in existence. I repeat

that I am sorry there has not been a direct cession, which might have laid the foundation of that solid friendship which I hope to see one day existing between Austria and Italy; because I think the finger of Providence has written that between the Austrian and Italian kingdoms there ought to be no rivalry, but that they ought to be in perpetual harmony and alliance. Well, Sir, I cannot but hope that out of this tremendous carnage good is to result. I assume, and I ought to assume, that Prussia will not render herself obnoxious to the charges made by my hon. Friend when she comes to the adjustment of the difficult question of what should be the Constitution of Germany. If Prussia does proceed in that buccaneering spirit which she proceeded in with respect to the Elbe Duchies, two years ago, hand in hand with Austria, the censures of my hon. Friend will be deserved. But let us hope for better things. It may be possible when the rivalry in Germany is at end there may be established between Prussia, the leading Power in the Confederation, and the Minor States such relations as will do justice to these States, and give Germany her proper position in Europe. That, I think, is the problem to be settled in Germany; and we should not by act, or even by word, offer any obstacle to the solution of that problem. Now, Sir, suppose Austria ceases to be a German Power—that is, in the sense of being a member of the German Confederation—I confess that does appear to me to be a following up of the transition which resulted from the policy which Austria adopted 100 years ago, and of the transition which took place when the Emperor of Austria gave up the ancient and venerable title of Emperor of Germany. That was an enormous change. It appeared to some to consist only in name; but it involved the fame and the power of ancient and venerable tradition. Since that she has had nothing to sustain her against Prussia excepting her own policy and strength, and undoubtedly there has been a tendency on the part of Prussia to aggression, and she has appeared constantly to gain ground upon her. But supposing that Austria loses altogether Venetia—that Venetia ceases to be an Austrian province—what will be the position of Austria? Will the position of Austria be deplorable? She will still have a population of 33,000,000. She will still have countries of enormous fertility. She is not so favoured as other countries with regard to the command of sea coast, but I

take it for granted that she will retain her great seaports in the Adriatic, which may perhaps include Trieste. I do not say what would be reasonable after a long protracted war; but if these things are to be settled by equity or any other principle but the sword, it appears only fair that no nationality or historical geography would justify them in including Trieste in Italy. She will have vast spaces of undeveloped territory—vast amounts of undeveloped resources. She will have all these millions of her subjects to bring together and bind together under the influence of good institutions. She has shown—and I give her the greatest honour for it—she has, under the influence of an enlightened Ministry within the last twelve months, shown herself superior to one of the most dangerous prejudices that still fetter the human spirit in regard to freedom of commercial intercourse. It is impossible too highly to commend her statesmen for the spirit which they indicated at the time when they assented to a Treaty of Commerce with this country. Has she not a hopeful and noble task? Is there anything to prevent her continuing to be—what she so long has been, and which I hope she will always remain—one of the great Powers of Europe? Is it not even possible that she may find that this curtailment of her territory—this cession of certain parts and characters which she was unable adequately to fulfil, though apparently a loss, proved to be a real gain? I know not whether this is too hopeful a picture in times of wholesale bloodshed—perhaps it may be an unnatural deduction of the mind to anticipate favourable results to be wrought out through the miserable process of a bloody war. But when these favourable results do appear to rise up before us it is not too much to hope that the three parties to the war—namely, Germany on the North, Austria, and Italy, will be both stronger and happier and in better harmony together after the war than they were before it. That blessed consummation we all desire, and whether much or little be in our power we should do nothing to impede or prevent it.

LORD STANLEY: Sir, this debate has lasted for some time, and, as was to be expected, many and various opinions have been expressed by those hon. Gentlemen who have taken part in it. I hope it will not be supposed that on the one hand I necessarily agree or acquiesce in those opinions which I do not expressly mention for the purpose of saying I differ from

them, or, on the other hand, that I differ from those opinions in which I do not go out of my way to express agreement. I think that in the actual state of Europe the House will hold me justified if I do not think it expedient to go into a general detailed discussion of the political situation, and the more so as that situation is changing not merely from week to week, but from day to day, and I may say, from the telegrams received, almost from hour to hour. I shall confine myself, therefore, as closely as I can to the questions which have been put to me in the course of this discussion. First of all comes the question of the hon. Member for Wick (Mr. Laing). He wants some guarantee that no intervention is contemplated on our part. He wants some assurance that this country will not be dragged into a war as it was in the Crimean case. He admits the policy of the Government is intended to be that of non-intervention; but he fears that it may be possible to drift into a quarrel without intending it. But I suppose when the hon. Member speaks of intervention he means either armed intervention or intervention of such a nature as, though not immediately, yet in ultimate result might lead to an appeal to physical force. If that is what he refers to, all I can say is that if the speech which Lord Derby about a week ago delivered in another place—if the opinions which I myself have invariably expressed on that subject, not merely when occupying the position I now hold, but for many years past when these questions were under discussion—if, what is infinitely more important, the unanimous feeling (for I believe it to amount to unanimity both of Parliament and the people out of doors)—the feeling that we ought not to be dragged into these Continental wars—if all these things, taken together, do not constitute a guarantee that ours will be a pacific policy, a policy of observation rather than of action—then I am unable to understand in what language a stronger guarantee can be given. But if what is meant is intervention of a different character—intervention in the shape of friendly advice tendered by a neutral Power, then I think the question whether intervention of that kind is under particular circumstances desirable or not is a question which must necessarily be left to the discretion of the executive Government. I am not personally very fond of the system of giving advice to foreign countries. I entirely agree with what

has been said by the right hon. Gentleman opposite upon the subject, when he said that you are never more likely to lessen the influence of England than when you are constantly endeavouring to increase it by giving advice. I think that the right of giving advice has of late years been largely used; and that it has sometimes been not only used, but abused. Still, there is truth in the proverb which says that lookers-on see more of the game than the players; and cases do occur when warning given by a friendly and neutral Power—by a Power which is well-known to have no interest of its own to serve—by a Power desiring nothing more than the restoration of peace, and that that peace shall be permanent, may do something to shorten the duration and limit the extent of a war that might otherwise spread over the greater part of Europe. As to the state of affairs at the present moment—for that, I apprehend, is the practical question on which the House wishes an answer from me, I wish distinctly to assure hon. Gentlemen and the country that the British Government stand, as regards the European controversy, free, unpledged, and uncommitted to any policy whatever. The sole diplomatic act which the present Government have taken—and it was almost the first act of any kind they had to perform—was that of supporting in general terms at Florence and Berlin the proposition made by the French Government for a temporary cessation of hostilities. It seemed to us that to support that proposition was on our part simply an act of humanity and common sense. The House will recollect what were the circumstances of the case. Venice had been ceded, not indeed to Italy, but ceded by Austria. A great battle had been fought—a decisive victory had been gained—Austria had invoked the mediation of France. France had accepted the post of mediator. She asked us to support, not the terms of peace—that would have been premature—but merely the general proposition for an armistice in order that the belligerent parties might have time to consider whether, under the totally altered state of circumstances, it would not be possible to substitute negotiations for further bloodshed, and to obtain the results of the war without continuing the war itself. We did not feel it in our power to refuse our assent to that principle. But, while in general terms we have supported the proposition of an armistice, we have pledged ourselves to no terms or conditions

of peace whatever. We have pledged ourselves to nothing beyond the general advice that an armistice should take place. The circumstances under which that advice was given have passed. Our mediation and our advice have not been officially asked by the combatants, and we have abstained from giving it. That is the present state of the matter. The right hon. Gentleman the Member for Stroud (Mr. Horsman) has asked me whether there is any expectation of an armed mediation on the part of the French Government. Well, it is not my duty, nor is it in my power, to answer for other Governments, but only for our own. All I can say is, I have not the slightest reason to believe that any step of that kind is in contemplation, and I have strong reasons to believe that no such step is contemplated. [Mr. HORSMAN: I did not ask that question. It was another hon. Member.] Then the question was asked by the hon. Member for Wick (Mr. Laing). Then these two questions were put to me—first, whether the British Government has been invited by that of France to address joint communications to all or any of the belligerent Powers? The French Government have taken up the matter and it now rests with that Government. The French Government may or may not ask us to join in that work of mediation; but, should they do so, I do not think it would be the duty of the British Government to join in any such mediation, unless we have a distinct understanding as to the terms the French Government will propose. The second question of the right hon. Gentleman is, whether the British Government has expressed its readiness to concur with the Government of France in recommending Austria to terminate the war, by accepting the two conditions proposed by Prussia and Italy as to her surrender of Venetia, and ceasing to be a member of the German Confederation. Now, Sir, as to that, Venetia has been, I understand, ceded by Austria, and whether or not any questions will arise as to that settlement being absolute or conditional, I do not know, still I apprehend that none of us can entertain a doubt that the final result will be that Venetia must pass from Austria. Venetia has been, in effect, conquered not by Italy but for Italy; Venetia has been conquered in Germany. Whatever the manner of the transfer may be—whatever may be the precise nature of the measures adopted by France—I do not

Lord Stanley

think any reasonable man can entertain a doubt that Venetia, at no distant period, will belong to Italy. Then, with regard to the question as to whether we have recommended Austria to terminate the war by assenting to the proposal of ceasing to be a member of the German Confederation, I must remind the right hon. Gentleman that that proposal has never been made, so far as I am aware as the sole condition of peace, that Austria should cease to be a member of the German Confederation. No doubt various preliminaries have been discussed between the two Governments. If the question were narrowed to the issue whether Austria would conclude peace by ceding Venetia and by consenting to quit the Confederation, that, no doubt, would be a question upon which we should be in a position to give an opinion; but since we have no reason to think that the acceding to those two conditions by Austria would terminate the war, and since we do not know accurately and precisely what are the terms which would be likely to be accepted by one or other of the belligerent parties, it would be clearly premature on our part to express an opinion on the abstract question as to what conditions might or might not be accepted. With regard to the general policy of the Government I have only one remark to make. I think there never was a great European war in which the direct national interests of England were less concerned. We all, I suppose, have our individual sympathies in the matter. The Italian question I look upon as not being very distant from a fair settlement; and with regard to the other possible results of the war, and especially as to the establishment of a strong North German Power—of a strong, compact Empire, extending over North Germany—I cannot see that, if the war ends, as it very possibly may, in the establishment of such an Empire—I cannot see that the existence of such a Power would be to us any injury, any menace, or any detriment. It might be conceivable enough that the growth of such a Power might indeed awaken the jealousy of other Continental States, who may fear a rival in such a Power. That is a natural feeling in their position. That position, however, is not ours, and if North Germany is to become a single great Power, I do not see that any English interest is in the least degree affected. I think, Sir, I have now answered as explicitly as I can the various

questions which have been put to me. I think, in the first place, I may assure the hon. Member for Wick that there is no danger, as far as human foresight can go, of Continental complications involving this country in war. I think, in the next place, that if we do not intend to take an active part in the quarrel, we ought to be exceedingly cautious how we use menacing language or hold out illusory hopes. If our advice is solicited, and if there is any likelihood that that advice will be of practical use, I do not think we ought to hesitate to give the best advice in our power; but while giving it under a deep sense of moral responsibility, as being in our judgment the best, we ought carefully to avoid involving ourselves or the country in any responsibility for the results of following that advice in a matter where no English interest is concerned. I do not think we ought to put ourselves in such a position that any Power could say to us, "We have acted upon your advice, and we have suffered for it. You have brought us into this difficulty, and therefore you are bound to get us out of it." We ought not, I say, to place ourselves in a position of that kind. And now, Sir, I have stated all, I think, that it is possible for me to state at this time, and it remains for me only to assure the House—knowing, as I do, how utterly impossible it is for any Member of the Executive to carry on his work effectively without the support of public opinion—it only remains for me to say that, as far as the nature of the case allows, I shall always be anxious that the House shall be conversant with everything that is done.

Mr. BAILLIE COCHRANE said, he had regretted to hear some of the opinions expressed by hon. Gentlemen opposite in discussing the question. They were all of them talking of non-intervention, and yet, in point of fact, they all seemed to be in opposition to that principle. He sincerely hoped and believed that the policy of the present Minister for Foreign Affairs, and Her Majesty's Government generally, would be opposite to that of the late Government, for it was impossible to deny that the present state of the Continent—the sanguinary war that was now being carried on there—was mainly owing to our intervention in the affairs of the Continent during the last ten or fifteen years. There were only two occasions on which a country was justified in inter-

fering; one was where a Power from its geographical position, or from natural causes, became a menace, as in the case of the first Napoleon; and the other was where opinions were propagated that might lead to sedition in another country. The noble Lord enunciated a policy that would maintain the honour of the country and be beneficial to Europe.

THE PRESSURE IN THE MONEY MARKET.

MOTION FOR A ROYAL COMMISSION.

Mr. WATKIN rose to postpone the following Motion, of which he had given notice:—

"That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to issue a Royal Commission directed to the investigation of the causes which have led to the late severe and protracted pressure in the money market, and to the continuance, for a long period, of a minimum rate of discount of 10 per cent at the Bank of England; and also to investigate the Laws at present affecting Currency and Banking in the United Kingdom, and to report further what (if any) alterations have become expedient therein; and, further, that it be an Instruction to the Commissioners to present their Report and the Evidence taken by them on or before the 1st February, 1867."

He said he was placed in rather an awkward position. He had promised to give way for his right hon. Friend the Member for Stroud, who had a notice relative to Austria on the Paper, and at that late hour (quarter past twelve o'clock), he (Mr. Watkin) did not feel himself justified in bringing on his Motion. He had appealed to the Government to assist him, but they had told him he could put it down on the Motion for Supply on Monday. He then asked for a morning sitting on Monday, but he had been refused.

Mr. WALPOLE said, there were already two morning sittings appointed—namely, Tuesday and Friday. He thought the hon. Gentleman would have no difficulty in bringing forward his Motion on Monday.

LORD CLARENCE PAGET AND THE HOLY FATHER.—QUESTION.

Mr. WHALLEY put the following Question to the First Lord of the Admiralty:—Whether he is prepared to contradict certain unfounded statements which had appeared in the Continental newspapers, and thence copied into English papers, as to the proceedings of the Commander of the Fleet in

the Mediterranean, and particularly the following :—

“ That Lord Clarence Paget, the Commander of the Fleet in the Mediterranean, in passing through Rome, requested an audience of the Holy Father, which was granted, and lasted above an hour; and, afterwards, that he directed his way to the Farnese Palace, where His Majesty Francis II. granted him an audience, as desired.”

He was himself in a position to state there was not a word of truth in it, but it was desirable that it should receive official contradiction.

LORD HENRY LENNOX said, it appeared to him to be quite unnecessary to give any answer to the hon. Gentleman; for not only had he answered his own question, but he was fully answered before he put the question on the Paper. It was not, however, a question which the Admiralty could answer, because if Lord Clarence Paget visited Rome in his private character there would necessarily be no record of it at the Admiralty. If Lord Clarence Paget had gone to Rome no doubt he would have done what other distinguished visitors did when there, pay his respects to the Head of the country in which he found himself. Knowing how sensitive the hon. Member was on all matters connected with Rome, he was happy to be able to inform him that his (Lord Henry Lennox's) noble relative had not been near that city. By a curious coincidence, Rome was the only Court he had not visited. He went from Marseilles to visit the King of the Greeks, and he was now on a visit on which, it was to be hoped, the hon. Gentleman would feel no alarm, to the Sultan at Constantinople.

Motion, by leave, *withdrawn*.

Committee *deferred till Monday next*.

HARES AND RABBITS (SCOTLAND) BILL.

(*Sir William Stirling-Maxwell,*

Lord Henry Scott.)

[BILL 210.] SECOND READING.

Order for Second Reading read.

SIR WILLIAM STIRLING-MAXWELL said, in rising to move the second reading of the Hares and Rabbits (Scotland) Bill, I will only trouble the House with a few words of explanation. For some years past there have been considerable complaints of the depredations committed in Scotland by game, and of the damage done to the property of the tenantry. I have carefully inquired into these complaints, and have endeavoured in the

Mr. Whalley

present Bill to apply a remedy. The object of the Bill is to give to the tenants, with the permission and by co-operation with the landlords, the same facilities with regard to killing hares which they have now with regard to killing rabbits. The present law affords a remedy in the case of those tenants who are themselves fond of shooting; but in other cases, where the pursuits of the tenant do not allow him to use a gun, the remedy is entirely nugatory, because he is not permitted to employ another person to kill the hares on his farm, without having a gamekeeper's license, or incurring an expense which he does not choose to incur. The object of this Bill is to enable tenants to kill hares on their farms by registering the names of the persons whom they depute for that purpose. I am perfectly aware that in touching the question of game at all, considerable differences of opinion may arise. Many may say that it is not desirable to meddle with the question at all; while others, for whom I have a great respect, will say that considerably more than the provisions contained in this Bill ought to be done. Considering the grievance to be a real one, I took counsel with many proprietors and tenants in Scotland, and having enjoyed the benefit of their advice, I beg to submit the Bill which I hold in my hand as a contribution to the settlement of the question. I believe the limited object this Bill proposes to gain will be obtained by the clauses which I venture to propose; but I am not entirely wedded to the particular provisions of the Bill, and I shall hear the observations of hon. Friends upon the subject with great interest and deference. I am quite sure they will agree with me that it is most desirable to endeavour, if possible, to take some course which may remove any unpleasantness of feeling which may possibly arise upon the subject between the landlords and tenants in Scotland.

Motion made, and Question proposed, “ That the Bill be now read the second time.”—(*Sir William Stirling-Maxwell.*)

MR. KINNAIRD: I am very glad to have heard the statement of my hon. Friend the Member for Perthshire, admitting as it does the existence of this grievance. My only regret is, that the Bill will be inoperative in carrying out the wishes of my hon. Friend, because it is practically really of no advantage to the tenant, it being a Bill to enable him to kill

game with the consent of the landlord. It is all very well for us who have the enjoyment of the game to desire its preservation; but I would ask anybody whose living depends on the culture of the land, whether there is not the most inordinate preservation of game carried on, by means of which, in the damage done to crops and otherwise, very great injury is done to the tenant. The preservation of game in Scotland, where the agriculture is improving generally, has long been a great annoyance to the tenant, as well as a loss to him in the damage done to his crops, incurring as he does great expense in adopting the most improved methods of agriculture. It is a great hardship that he should have a considerable portion of his energies destroyed, and I am very glad indeed that this Bill has been brought forward. This Bill will, in my opinion, do great service in Scotland. At the same time, I do consider that it will require very considerable amendment, and I hope that my hon. Friend will help us in rendering this Bill perfect.

MR. CARNEGIE: It is not my intention to oppose the second reading of this Bill. If I did so, it would give rise to considerable misapprehension. So far as I understand it, the principle of the Bill is this—that it is highly desirable that some change should be made in the present law of Scotland with regard to the preservation of hares and rabbits. My hon. Friend the Member for Perth (Mr. Kinnaird) has not exaggerated the evil which is suffered by the tenants from the present system; and I think the thanks of the House are due to the hon. Baronet opposite for having attempted to grapple with the subject. I believe the Bill originated in the fertile brain of an hon. Baronet who was defeated at the last election for Aberdeenshire. The hon. Baronet had declared that any attempt to alter the game laws was humbug; but after his defeat he altered his mind and suggested this Bill. I do not wonder, therefore, that there are many hon. Gentlemen who look upon the Bill with suspicion. But to have opposed the second reading of this Bill would have been likely to create some misapprehension with regard to many Gentlemen on this side of the House. I therefore consider it to be only right that the Bill should be read a second time. At the same time, I must be allowed to say that it is capable of very great amendment, and I hope that Amendments will be placed upon the paper, so that we shall be

able to go to our constituencies and explain the nature of those Amendments, asking their opinions as to what they think ought to be done in the matter, then in a future Session it will be in our power to introduce a good Bill. In the present Session I do not think we are able to do much upon the subject.

SIR EDWARD COLEBROOKE: I quite agree with the last words of my hon. Friend who has just spoken, that the difficulties of dealing with the question are so great that it will be impossible to dispose of it in the present Session. I agree also with the opinion which has been expressed that some considerable change in the present condition of things is required, and I do not think we ought to stand in the way of the very moderate measure introduced by my hon. Friend opposite. With this view, I do not think we should overload the Bill with Amendments, such as to render it impossible to pass this small measure this Session, leaving the larger question to be dealt with subsequently. In the high state of our present cultivation in Scotland, some legislation is required in the interest of those who are engaged in the actual cultivation of the land, and I think there is no means we can adopt short of taking this class of game out of the special protection enjoyed by the others. I trust that we may be able to deal with the whole question in a future Session, and therefore I will not enter now into the reasons why a broad distinction may be drawn between this and other kinds of game. I shall be glad to join with other hon. Members in doing all in my power to put a stop to this great nuisance, and to place hares and rabbits beyond the pale of the protection of the law.

MR. FORDYCE: Representing as I do one of the largest agricultural districts in Scotland, I feel bound to say that this Bill gives great satisfaction to the tenant farmers. For some years the onus of keeping the hares and rabbits from the tenantry has been thrown upon the proprietors, because, although the law has given them to the tenants, the leases have taken them away again. At the same time, I must say that this Bill does not provide a remedy for all the grievances complained of. It does not, for instance, deal with deer, which occasion, I believe, quite as great an amount of destruction as hares and rabbits. In point of fact, it only nibbles at a very small portion of the great question of game preserving. Upon these grounds I

for one object that the measure does not go far enough, but I think that its deficiencies may be made up in Committee. The state of the law of Scotland at present is quite sufficient to enable any complaints of the tenant farmers to be met; and if the landlords would only avail themselves of it, and grant their tenants permission to kill game, we should hear no more of grievances, and the proprietors would receive ample remuneration for any sacrifice they might make in the increased good feeling which would spring up between landlord and tenant.

SIR JAMES FERGUSSON: As there is a real and substantial grievance concerned in this question, I think the House will not be indisposed to afford an opportunity of redress. This Bill has an honest origin, whatever may be thought of it by any hon. Members. It is an attempt to settle a question which has given rise to a great deal of bad feeling between classes which ought always to be cordially allied. It crops up every day, and I really do not wonder at it. A man takes a long lease of a farm, and he finds large quantities of game feeding on the crops which he regards as his own. In England the matter is made a matter of covenant between the landlord and tenant; and, in the absence of a covenant, provided that the tenant takes out a licence to shoot game, all the game is as much his property as his beasts and ordinary stock. In Scotland that is not so; the game is the property of the landlord unless he gives liberty to his tenant to shoot it. It is in the presence of an anomaly like this that my hon. Friend the Member for Perthshire (Sir William Stirling-Maxwell) has introduced this simple measure, the object of which is merely to remedy a substantial grievance. If this Bill passes in the absence of any provision to the contrary, the tenant will be able to destroy the game to which he objects. There are some hon. Gentlemen who say that this Bill does not go far enough; but are they prepared to say that no agreement should be made between the landlord and tenant? Are they prepared to keep up a bad feeling between landlord and tenant; and, for the sake of others who have objects which are merely chimerical, to refuse to accept a measure which in itself has all the elements of a fair settlement?

MR. M'LAGAN: I could have wished that if ever legislation had been attempted on the game laws, a much larger measure would have been introduced than the Bill

now before the House. It falls far short of the exigencies of the case, far short of what will be necessary to satisfy those who complain, and complain justly, of the evils arising from the game laws. It deals only with one part of those laws, and leaves untouched other parts as important, and as much the cause of offence as the part treated on. I feel convinced that, if the legislation of the hon. Member for Perthshire had been as liberal as I know his practice is on his estates as regards game, his Bill would have given much more satisfaction than this is likely to do. But, notwithstanding the shortcomings of this Bill, I do not agree with those who think that no benefit would be derived from it if passed into law. It is a step in the right direction; and the very introduction of it is evidence that the proprietors of Scotland are now alive to the necessity of amending the game laws. Now, before we can suggest any remedy, we must know the evils complained of. It is well known that where game is kept in moderation, and where a good understanding exists between landlord and tenant—and I am happy to say that such is the case in many parts of Scotland—there is no complaint or dissatisfaction; but where there is an excessive preservation of game, or where large quantities of game are sold off an estate, there invariably are great dissatisfaction and agitation. Hence I am led to believe that the dissatisfaction is not so much with the game laws as with the excessive preservation of game, though no doubt this is encouraged by the game laws. And I am not surprised at the dissatisfaction of the farmers where there is this excessive preservation of game. I am not surprised that a farmer who has devoted his whole time, energy, skill, and capital to the proper cultivation of the farm, and who pays a high rent for it, should be irritated that his crops, the fruits of his careful labour, are destroyed by the hares and rabbits at every stage of their growth, from the expansion of the first leaf to the maturing of the seed. I am not surprised that he should still more be irritated when he learns that his landlord, in addition to the rent received by him, is paid another rent for the same land by a game tenant, or, what is the same thing, receives a handsome income by the sale of game which had been reared and fed on the crops of the agricultural tenant. It is still more aggravating for a tenant to know that while his landlord and he are on the best of terms, his crops situated contiguous to the preserves of

another proprietor are destroyed by the game of that proprietor, who receives an income for animals fed on another man's property, and on another man's crops. The best remedy for this evil is to allow hares and rabbits to be dropped from the game list. I am aware that it will be said that it is a mere matter of agreement between the landlord and tenant; and that the tenant has no right to complain, as he took his farm on the distinct understanding that the landlord reserved to himself the game and the right to preserve it. No doubt this is in most cases true; but such an agreement entered into in the beginning of a lease is generally found to be most unsatisfactory afterwards, as one of the contracting parties enters into a contract for subjects the value of which he knows nothing about; for no tenant, a stranger in the district, when he takes a farm, can estimate aright the number of game kept on the farm, and the damage likely to be done by it throughout the lease. I am therefore not surprised that generally dissatisfaction is felt by the tenants of those farms in the vicinity of preserves, and often disputes arise, even though arrangements had been entered into by the parties in the beginning of the lease in perfect good faith. There are other parts of the law which I should like to see introduced into any Bill professing to amend the present Game Laws, such as cumulative punishments, the jurisdiction before which game cases should be tried, and the mode of procedure for assessing damages for the injury done to tenants' crops. However incredible it may appear, it is no less true that a man may be punished five times in Scotland for the same offence. I shall not, however, enter upon these parts of the law at present, as I expect to have an opportunity of doing so early next Session, when I shall move for leave to bring in a Bill to amend the laws relating to game in Scotland. On consulting with some Members we have thought it advisable not to oppose the second reading of this Bill, but rather to move Amendments to the Bill in Committee, of which Amendment I shall avail myself in my Bill next Session. As this Bill is an assimilation to the English laws as regards hares and rabbits, it would have been much better if, in any attempt at legislation at all, the tenants of the two countries had been put in the same position—namely, that the same privileges as regards game generally had been extended to the Scottish tenants as are

enjoyed by their English brethren. I do believe that the best way to preserve game, and that which will be most satisfactory to the landlord in the long run, is to give the same privilege to the tenants as is enjoyed by the landlord; and if a preferable right were to be given to one party more than to another, he surely on whose crops the game feeds is clearly entitled to the right. There can be no doubt that the English law as regards game is founded more on justice than the Scotch. I hope that all the Scotch Members, regarding this law more in the light of justice than of territorial right, and throwing aside all party and political differences, will next Session endeavour to make such amendments in the law as to remove what at present is the plague spot of our agricultural social system.

Mr. DYCE NICOL said, while giving every credit to the promoters of this Bill for an anxious desire to allay the agitation which had recently arisen among the tenant farmers in Scotland from the excessive preservation of game, and although unwilling to oppose the second reading of the Bill, he begged to say that its provisions did nothing to meet the substantial grievance now felt in Scotland. The opinions of, he believed, a large majority of the tenant farmers in Scotland was embodied in a petition from the Scottish Chamber of Agriculture presented to the House; nothing less would be satisfactory, and he thought that the concessions there asked should be made in a liberal spirit. He was glad to hear from the hon. Member for Linlithgowshire (Mr. M'Lagan) that he intended bringing in next Session a comprehensive measure; and at this hour of the morning he would only add that it would be of such a character as would put a stop to the ill-feeling on the subject of game, which at present unfortunately existed in so many parts of Scotland between landlord and tenant.

Bill read a second time and *committed for Thursday next*.

TRAFFIC REGULATION (METROPOLIS) BILL.

On Motion of Mr. Secretary WALPOLE, Bill for regulating the Traffic in the Metropolis, and for making provision for the greater security of persons passing through the streets; and for other purposes, *ordered* to be brought in by Mr. Secretary WALPOLE and Mr. HUNT.

Bill *presented*, and read the first time. [Bill 227.]

TURNPIKE TRUSTS ARRANGEMENTS BILL.

On Motion of Mr. Secretary WALPOLE, Bill to confirm certain Provisional Orders made under

an Act of the fifteenth year of Her present Majesty, to facilitate arrangements for the relief of Turnpike Trusts, *ordered* to be brought in by Mr. Secretary WALPOLE and Mr. HUNT.

Bill presented, and read the first time. [Bill 228.]

TURNPIKE ACTS CONTINUANCE BILL.

On Motion of Mr. Secretary WALPOLE, Bill to continue certain Turnpike Acts in Great Britain, and to make further provision concerning Turnpike Trusts, *ordered* to be brought in by Mr. Secretary WALPOLE and Mr. HUNT.

Bill presented, and read the first time. [Bill 229.]

NAVAL DISCIPLINE BILL.

On Motion of Sir JOHN PAKINGTON, Bill to make provision for the Discipline of the Navy, *ordered* to be brought in by Sir JOHN PAKINGTON and Lord HENRY LENNOX.

Bill presented, and read the first time. [Bill 231.]

House adjourned at half after One o'clock, till Monday next.

HOUSE OF LORDS,

Monday, July 23, 1866.

MINUTES.]—*Sat First in Parliament*—The Earl of Gainsborough after the Death of his Father: The Earl of Harrington after the Death of his Uncle.

PUBLIC BILLS.—*First Reading*—Hundred Bridges* (210); Straits Settlements* (211); Oyster and Mussel Fisheries* (212); British Columbia* (213); Thames Navigation* (214).

Second Reading—Oyster Bed Licences (Ireland)* (205).

Committee — National Gallery Enlargement* (171); Dean Forest (Walmore and the Bearce Commons)* (178); Postmaster General* (75); Pier and Harbour Orders Confirmation (No. 2)* (187); Extradition Treaties Act Amendment* (200).

Report—Postmaster General* (75); Pier and Harbour Orders Confirmation (No. 2)* (187); Extradition Treaties Act Amendment* (200).

Third Reading—Sheriff Court Houses (Scotland) Act (1860) Amendment* (57); New South Wales and Van Diemen's Land Government* (195); Revising Barristers' Qualifications* (196); Pier and Harbour Orders Confirmation* (185), and *passed*.

Royal Assent—Prosecution Expenses [28 & 29 Vict. c. 52].

John Baron Wodehouse having been created Earl of Kimberley in the County of Norfolk — Was in the usual Manner introduced.

John Baron Henniker, in that Part of the United Kingdom of Great Britain and Ireland called Ireland, having been created

Baron Hartismere of Hartismere in the County of Suffolk — Was in the usual Manner introduced.

INDIA—GRIEVANCES OF INDIAN OFFICERS.—QUESTION.

LORD LYVEDEN said, he wished to ask the noble Earl the Lord Privy Seal a Question upon a matter which had been frequently the subject of Petitions to that House, both in this and in previous Sessions, and which related to the wrongs suffered by Indian officers on the amalgamation of the Indian with the Queen's army. His question was, Whether the noble Lord the Secretary of State for India (Viscount Cranbourne) had found, on taking office, any scheme which he was prepared to adopt with regard to the claims of those Indian officers who alleged that they had suffered by an amalgamation of the Company's and the Queen's services; or whether he had yet had an opportunity of considering those claims? The case of these officers had already been inquired into by a Royal Commission of officers, whose conclusions upon the several points brought under their consideration he now held in his hand. Upon points 1 and 2—the retention on the *cadres* of Native regiments of the names of officers transferred to new line regiments, and arrangements for promotion to the rank of General Officer—the Commissioners reported that the measures taken by the Government were effectual and sufficient. Point 3 was “the filling up of one-half the vacancies occasioned by the retirement of lieutenant-colonels and retention of their names upon the regimental gradation lists;” and upon this point the Commissioners considered that a few promotions were required in completion of the reduced establishment from the 1st of January, 1862. On point 4—“the rule fixing twelve years' service in the rank of regimental lieutenant-colonel for promotion to colonels, with colonel's allowance”—the Commissioners stated the period of twelve years to be, upon the whole, about two years in excess of a fair period for lieutenant-colonels promoted prior to the 1st of January, 1862. On point 5—“the supersession of regimental officers by officers of the Staff Corps”—they considered that the measure adopted by the Government had not been effectual and sufficient, because of—first, the non-removal from the *cadres* of regiments of the officers transferred to the Staff Corps

and the new line regiments, as indicated by the committee assembled by the Secretary of State, of which Lord Hotham was President; secondly, the consequent withholding of promotion; thirdly, the disturbing effect of the brevet. Whether rightly or wrongly, these Indian officers were under the impression that they had cause to complain of great grievances. His own opinion was that their claims were not to be judged merely on legal or technical grounds, but should be dealt with in the generous spirit in which a great country like this ought to treat the claims of its old servants. Their Lordships ought not to separate without having some assurance upon this subject.

THE EARL OF MALMESBURY said, that he had been instructed to say that the attention of the noble Lord at the head of the Indian Office had been directed to this subject, but that he had not yet had time to consider any scheme. His noble Friend was perfectly aware of the pressing nature of the subject, and in a few days hoped to be able to inform the House of his intentions respecting it.

DOVER HARBOUR BOARD.—QUESTION.

EARL GRANVILLE asked, Whether there was any truth in the rumour that two gentlemen who were members of the Dover Harbour Board—one of whom was nominated by the Admiralty and the other by the Board of Trade—were to be removed from their office and two others to be appointed in their stead? One of the present members was a large importer, and the other the agent of Lloyd's; both rendered great assistance to the Board by their knowledge and experience, and as Chairman of the Board he should regret greatly to lose their services.

THE EARL OF DERBY said, he had communicated with his right hon. Friend at the head of the Admiralty (Sir John Pakington), and found that the rumour to which the noble Earl referred had no foundation whatever. In fact, the first intimation which his right hon. Friend had of the existence of the rumour was the inquiry which he (the Earl of Derby) addressed to him.

FOREIGN POLICY—THE WAR IN GERMANY.—QUESTION.

THE MARQUESS OF CLANRICARDE said, he wished to ask a question of his

noble Friend at the head of the Government on a subject on which it was necessary that Parliament and the country should be accurately informed—he wished to ask his noble Friend, What steps the Government had taken in reference to any negotiations with or any propositions made to any of the belligerent Powers, either as to a cessation of hostilities, or as to preliminaries of terms of peace. He gathered from the speech of the noble Earl on Friday night last, that the Government had acted in entire conformity with the announcement they had made of their policy not to interfere so as in any way to compromise this country, or to pledge themselves to any propositions whatever, unless they had reason to think that the propositions would be acceptable to the belligerent Powers, and would lead to the establishment of peace. Upon reading the speech made by the noble Lord the Secretary for Foreign Affairs on Friday night, he understood that speech also to indicate the line of policy which had been announced by the noble Earl. The noble Lord (Lord Stanley) said—

“The sole diplomatic act they have taken—and it was almost the first they had to perform—was that of supporting at Florence and Berlin the proposition for a temporary cessation of hostilities. It seemed to us that to support that was on our part simply an act of humanity and common sense.”

He did not gather from the reading of those words nor from anything said by the noble Earl that the British Government had given any opinion as to the terms upon which peace was to be concluded. He understood that that question was left entirely open. But it appeared that the noble Earl the late Foreign Secretary (Earl Russell), speaking on Saturday night at the dinner by which the Cobden Club was inaugurated, expressed regret that the British Government should have been a party to terms which he considered were offensive to the Italian people. Without going into any other question, he thought it was right that they should understand as a matter of fact how the case stood. Had the British Government proposed or supported any terms for an armistice or for a peace, and how far were we committed by the expression of any opinion upon the conditions or provisions which it would be desirable to adopt in the present position of affairs? He would be glad if the noble Earl at the head of the Government would give them some explanation.

THE EARL OF DERBY: I should have thought that the noble Marquess ought to have addressed himself, in the first instance, to the noble Earl opposite (Earl Russell) by putting a question founded on the speech said to have been made by the noble Earl on a recent occasion, and as to which I shall be glad to ask the noble Earl whether he is correctly reported to have made use of these words—

“No doubt the Emperor of the French, anxious for peace—desirous to restore peace to Europe—acted, I have no doubt, with the best motives when he proposed an armistice on that occasion to Italy and to Prussia. But the terms did not look promising; they could not but be distasteful to Italy, and, for my part, I regret that, however commendable on the part of the Emperor of the French that offer might be, an English Secretary of State for Foreign Affairs should have gone shares in that proposition, and should thus have done that which must be offensive to the Italian people.”

Perhaps the noble Earl will have the goodness to say whether that is a correct report of what he said.

EARL RUSSELL: Yes, that is a correct report of what I said. I may as well state, in explanation, that I did not understand at all that the noble Lord at the head of the Foreign Department had said the Government were parties to any proposed terms of peace, but only to proposals for an armistice. The words used by Lord Stanley clearly expressed the meaning that the Government, while assenting to the proposal that they should join in asking for an armistice, did not pledge themselves with regard to any terms of peace.

THE EARL OF DERBY: I confess I can hardly reconcile the interpretation given by the noble Earl with his statement that what has been read is a correct report of his speech. He therein expresses his regret that a British Secretary of State should have given his sanction to terms which he knew must be offensive to the Italian people. Under the circumstances in which this speech was made, I should not have taken notice of it, notwithstanding the high authority from which it comes, if it had not been for the question put by the noble Marquess. That speech was made at a species of political picnic, which was held on Saturday last, for the purpose, in the first instance, of doing honour to the memory of the late Mr. Cobden, and, in the next place, of inaugurating a club to be called the Cobden Club. From the names of those who were present, and more especially from the names of those who were to form the committee, it appeared to

me that the Club consisted, in conjunction with Mr. Gladstone and the noble Earl, chiefly of the most advanced section of Liberal politicians. By that audience the noble Earl's health was drunk; and in returning thanks he thought it necessary to deal with the matter with regard to which the noble Marquess has put his question. The circumstances of the case are briefly these:—On the first day upon which we accepted office—even before we had returned from Windsor from accepting office—the French Ambassador called at the Foreign Office, and had communicated to the Under Secretary of State an arrangement which had been made between France and Austria and gave him copies of the letter which the Emperor of the French had addressed to the Kings of Prussia and Italy, communicating to them the fact of the cession of Venetia to France. That was accompanied by no observations at all. Later in the day Count de Latour d'Auvergne called at the Foreign Office and stated that he had received a telegraphic communication from the Emperor, in which he requested that we would unite our good offices to his through our Ministers at Berlin and at Florence, for the purpose of obtaining an armistice and stopping the effusion of blood. That telegram was communicated to us immediately after our return from Windsor on the first day we took office. In conformity with the determination we had come to not to interfere in any manner with regard to any terms, we simply complied—as we thought it was our duty—with the application made on the part of the French Government, and instructed our Ministers at Berlin and Florence to co-operate with the French Government to obtain, if possible, an armistice, and endeavour to ascertain whether any terms of ultimate peace could be agreed upon. I need not say that, in dealing with the proposal of an armistice, we expressed no opinion whatever with regard to any political questions; but, having received the simple intelligence that the cession of Venetia to France was a *fait accompli*, we did not think it was consistent with our duty to make any representation to Austria or France that Venetia ought to have been ceded to Italy or that France ought not to have accepted it from Austria; nor did we consider whether the mode adopted by Austria of ceding Venetia was or was not likely to be agreeable to the Italian people. I do not hesitate to say I can easily imagine that the mode which was adopted of ceding Venetia by

giving it to France and not to Italy, was not likely to conciliate the people of Italy, and that they may feel their *amour-propre* considerably wounded at finding that they have obtained that which they desired to obtain by their own arms rather by the aid of the arms of Prussia and the diplomacy of France. But that was a question into which, as it seemed to us, we had no right to enter. Our object was simply and solely, if possible, to stop the effusion of blood and to prepare the way for a peaceable agreement between the belligerents. It is perfectly well known that that endeavour on the part of France and ourselves failed in its object—an armistice was not agreed to; and from that time to the present the whole attempt at mediation has been solely and entirely in the hands of the Emperor of the French. We have taken no part whatever in the proposition of any terms nor in the giving of any advice. We have not been asked for advice, and we have not offered any. We have taken no part whatever in the negotiations which have taken place between the Emperor of the French and the various belligerents. We have simply stood aloof, waiting for any opportunity which might occur to interpose our good offices, if they should be required, towards the restoration of peace; but we have had nothing whatever to do with any terms which may have been offered or accepted between any of the belligerents. That is the state of the case at present. The Emperor of the French has taken upon himself to mediate between the contending parties; at one time his mediation did not seem likely to be successful; but it affords me the greatest satisfaction to be able to say that we received a telegram last night which said that, since the five days' armistice had been agreed upon, preliminaries of peace had been accepted both by Prussia and Austria. The telegram, however, did not state precisely what were the terms of those preliminaries of peace. This morning we have a fresh communication which states that Baron Ricasoli had returned perfectly satisfied and ready to accept the conditions offered to Italy. I, therefore, think we may venture to entertain the sanguine expectation that the horrors of the war are now over. I can only hope and trust that diplomacy may effect, upon whatever terms, at all events a peaceable if not an altogether satisfactory solution of a question which at one time threatened to involve Europe in a very long and a very sanguinary war.

EARL RUSSELL: I must repeat that what I said on Saturday night had reference to the statement made by Lord Stanley respecting an armistice, and had no reference whatever to the terms of peace. Venetia had been ceded to France, and an armistice was proposed; but it seems to me it is illusory to propose an armistice without preliminaries of peace, and it is not likely that the King of Prussia would stop in his victorious career upon a mere request for an armistice without any agreement as to the preliminaries of peace. If I have understood the noble Earl correctly, that the preliminaries of peace have been so far accepted as to give hopes for the restoration of peace, no one can rejoice more than I shall at the event.

THE EARL OF DERBY: The authority upon which I state that preliminaries of peace have been accepted is a telegram received from Lord Cowley after direct communication with the Emperor of the French. With regard to the observations of the noble Earl, I confess I do not see their force. I do not understand how, if it were commendable for the Emperor of the French to offer these propositions it can be a matter for regret that the English Secretary of State should have endeavoured to give effect to the views of the Emperor.

EARL RUSSELL: The noble Earl will perhaps permit me to explain somewhat further. I think that the Emperor of the French having made a proposition for an armistice it was very natural and proper for the King of Prussia to reply, "I cannot accept this armistice, which is merely to give time to my enemy to recruit his forces and recover strength; but if the proposal for an armistice were coupled with other proposals, to serve as satisfactory preliminaries of peace, I could then agree to an armistice." I have just read, before coming down to the House, an account of the proceedings of the Emperor Napoleon the First, after the battle of Austerlitz. It states that the Emperor of Austria and Napoleon met, and, after conversing for two hours, they agreed at once to an armistice, and the result was that peace was concluded in a few days. It is perfectly conceivable that, preliminaries of peace having been agreed to, an armistice was possible, in the hope that peace would be concluded in a few days; but it is not conceivable that two belligerents, one being victorious over the other, should have agreed to an armistice without preliminaries of peace having been arranged.

ECCLESIASTICAL COMMISSION BILL.

QUESTION.

THE EARL OF CHICHESTER asked the noble Earl (the Earl of Derby), Whether it is the intention of the Government to proceed with the Ecclesiastical Commission Bill at present before the House?

THE EARL OF DERBY said, that the Bill had not been brought forward by the present Government, and they were not in any way responsible for it. He believed that it contained provisions which were likely to lead to considerable controversy; but if the noble Earl would consent to strike out those clauses which gave compulsory power to deal with the lands of Deans and Chapters, and would confine the measure to its less disputable provisions, the Government would give all the assistance in their power with the view to insure its passing in the course of the present Session.

THE EARL OF CHICHESTER said, he had no objection to limit the Bill to its working clauses, and he should be glad to see those clauses passed during the present Session.

SALE OF ESTATES BY AUCTION.

OBSERVATIONS.

LORD ST. LEONARDS, according to Notice, rose to draw the Attention of the House to the present State of the Law upon Sales by Auction of Estates; and to give Notice that he shall once more introduce the Bill amending the Law on that Subject. The noble and learned Lord said, he had introduced and passed through the House this Session a Bill on this subject; a Bill which, according to his best judgment and consideration, was calculated to place the law upon a proper footing. The measure would have protected the interests both of owners and of purchasers of estates. It gave to owners every opportunity of preventing the sale of their land at too low an amount, and it protected the purchaser against being compelled to pay an excessive sum in consequence of biddings unfairly made by auctioneers. The Bill was sent down to the House of Commons on the 1st of May; but no notice was taken of it until the 17th of the present month, when it was sacrificed with a number of other "innocents," and the order for the second reading was discharged. At present there was a conflict between law and equity upon the point. The rule

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in equity was, that if a bidder were employed for the purpose of taking advantage of the ignorance of a purchaser and running up the value of property, the sale was void; but if a bidder were employed to prevent an estate being sold under its value where the price was limited, that which in law was illegal was perfectly legal in equity. This conflict in the law was a disgrace to the country, and the great object of his Bill was to put an end to it. He wished to give a warning to solicitors and auctioneers as to the course which they might pursue in conducting sales during the recess. If, acting as they had hitherto done, they gave biddings without the knowledge of purchasers, and without any security to protect them against biddings simply to run up the price, every one of those sales would be void. The duty of an auctioneer was to take biddings, not to make biddings, and nothing but mischief could ensue from their adopting the opposite course. Two cases had been decided in Courts of Justice, one of them by his noble and learned Friend opposite (Lord Cranworth), showing that Courts either of law or equity would not hesitate to interfere where the auctioneer had acted as a puffer to the disadvantage of the purchaser. It was with the utmost surprise he had learnt that the system existed even in the Court of Chancery, where, if anywhere, a perfectly fair and open sale might have been looked for. From the interest he took in the matter, from his long experience of sales and means of information, he had been as likely as anyone to know what the practice was in such transactions, but till he introduced this Bill he had not the slightest conception that any auctioneer was in the habit of bidding at a sale where, by order of the court, there was a reserved price. If he had been aware of the practice whilst in office he should at once have put a stop to it. As long as attention was not called to the matter a purchaser was ignorant of his right to relief; but now, after the discussions which had taken place, a purchaser wishing to get rid of his bargain would feel no hesitation in repudiating the contract where this had been vitiated by the conduct of the auctioneer. This would throw upon the owner the necessity of bringing an action or filing a Bill, either of which courses must fail when the fact transpired that the auctioneer had made bids without the knowledge of the purchaser. The Bill as it stood at present was mere

waste paper ; but he should take the earliest opportunity in his power of again bringing it forward, and, meanwhile, he advised the attorneys and auctioneers to work its provisions fairly, and next year they would be able to tell practically whether these provisions ought not to be adopted.

THE EARL OF MALMESBURY said, his noble and learned Friend did good service in warning solicitors and auctioneers of the actual state of the law ; but he had no scruple in telling his noble and learned Friend and the House that since the Bill had passed through their Lordships' House the public feeling in its favour had not increased. Many professional men had warned their clients that this was a buyer's, not a seller's Bill. He did not dispute the great experience of his noble and learned Friend ; but he was unable to see the great evils of which his noble and learned Friend had spoken in the circumstance that the auctioneer became also the agent of the seller, bidding up to a certain reserved point and thereby preventing the estate from being accidentally and suddenly sacrificed.

REGISTRY OF NORFOLK ISLAND.

QUESTION.

THE EARL OF LIMERICK asked the Secretary of State for the Colonies under what Conditions the Diocesan Registrar of Sydney holds the Registry of Norfolk Island ? He had been informed that this officer treated the registry as his private property, and was unwilling to allow extracts to be made except by personal friends, or on payment of a heavy fee. From this cause great inconvenience was felt, and he himself had suffered from the conduct of the registrar. He believed that this officer held mistaken views as to this matter, and he was, therefore, desirous of information upon it.

THE EARL OF CARNARVON stated that the Question had been very properly asked, although he was not in a position to give all the information his noble Friend desired. When the convict establishment on Norfolk Island was broken up, the island was transferred to the Government of Tasmania, although it still appertained as aforetime to the diocese of Sydney. According to a local Act passed by the Legislature of Sydney, in the sixth year of the reign of *Geo. IV.*, it was enacted that every clergyman should keep registers of the births, deaths, and marriages, and make

them available for public use. These registrations were to be forwarded to the registrar of the Archdeacon's Court at Sydney, who was to show them to any one for a shilling, or make an extract for half-a-crown. This court had been subsequently abolished, and the diocese subdivided. He apprehended, however, that the Act 6 *Geo. IV.* was binding upon the present registrar of the Bishop of Sydney. He would make a communication to the colony, and call the attention of the Colonial Government to the Act in question.

House adjourned at a quarter past
Six o'clock, till To-morrow,
half past Ten o'clock.

HOUSE OF COMMONS,

Monday, July 23, 1866.

MINUTES.]—NEW WRITS ISSUED—*For the College of the Holy Trinity, Dublin, v. The Right hon. James Whiteside, Chief Justice of the Court of Queen's Bench in Ireland.*

NEW MEMBER SWORN—Henry Whitmore, esquire, for Bridgnorth.

SELECT COMMITTEE—*Report*—Mines Committee (No. 431).

SUPPLY—*considered in Committee*—MANUFACTURING DEPARTMENTS.—WARLIKE STORES.—PUBLIC EDUCATION.

PUBLIC BILLS—*Resolutions in Committee*—Common Law Courts (Fees and Salaries).

Ordered—Aberdeen Provisional Order Confirmation * ; Inclosure (No. 2) * ; Local Government Supplemental (No. 4) * ; Bills of Sale Act (1854) Amendment * ; Parishes (Scotland) Act (1848) Amendment.*

First Reading—Bills of Sale Act (1854) Amendment * [235] ; Local Government Supplemental (No. 4) * [236] ; Aberdeen Provisional Order Confirmation * [237] ; Inclosure (No. 2) * [238] ; Parishes (Scotland) Act (1848) Amendment * [232].

Second Reading—Railways (Ireland) Temporary Advances [220] ; Colonial Branch Mints [215] ; Fees (Public Departments) * [223] ; Turnpike Trusts Arrangements * [228] ; Turnpike Acts Continuance * [229] ; Naval Discipline * [231].

Committee—Inland Revenue * [209] ; Court of Session (Scotland) * [204] ; Land Drainage Supplemental (No. 2) * [192] ; Landed Estates Court, &c. (Ireland) * [174] ; Overseer of the Poor (Small Parishes) * [214] ; Parochial Buildings (Scotland) Act Amendment * [222].

Report—Railway Companies' Securities * [233] ; Inland Revenue * [209] ; Court of Session (Scotland) * [204] ; Land Drainage Supplemental (No. 2) * [192] ; Landed Estates Court, &c. (Ireland) * [234] ; Overseer of the Poor (Small Parishes) * [214] ; Parochial Buildings (Scotland) Act Amendment * [222].

Third Reading—Militia Pay* ; Drainage and Improvement of Lands Act (Ireland) Provisional Order* [117] ; Courts of Justice* [217] ; Public Works, Harbours, &c.* ; Public Works Loans (Ireland)* [219] ; County Assessments* [179] ; Commons (Metropolis)* [84], and *passed* ; Paupers (Scotland)* [197], and *passed*.

Withdrawn—Railway Debentures, &c. Registry* [109] ; Vaccination (*re-comm.*) [173] ; Writs Registration (Scotland) (*re-comm.*)* [203] ; Salmon Fisheries (Scotland)* [156] ; Admiralty Court (Ireland)* [133] ; Court of Chancery Ireland)* [19] ; Common Law Courts (Ireland)* [18] ; Rateable Property (Ireland)* [135] ; Terminable Annuities* [144] ; Church Temporalities Acts (Ireland)* [134].

NAVY—COLLISION BETWEEN THE “AMAZON” AND THE “OSPREY.”

QUESTION.

MR. SAMUDA said, he would beg to ask the First Lord of the Admiralty, in reference to the collision of Her Majesty's sloop *Amazon* and the screw steamer *Osprey*, and the foundering of both vessels, to explain how it has happened that the *Amazon* war steamer, apparently built with the view to be used as a ram, should have caused her own destruction by striking a vessel in a smooth sea, that vessel being smaller than herself, and not built with any powers of resistance beyond those ordinarily adopted in merchant vessels ; and if the *Amazon* was not intended to be used as a ram, to explain why the cutwater was constructed in a form only to be justified if it were intended to be so used ?

SIR JOHN PAKINGTON, in reply, said, with regard to how it happened that both the steamers after their unfortunate collision sank, the hon. Gentleman was as well informed as he (Sir John Pakington) was. Probably the hon. Gentleman was aware that a court martial had been held on the officers of the *Amazon*, the result of which had been that the officer of the watch had been dismissed the service for a breach of well-known regulations ; but the commander and all the other officers had been honourably acquitted. With regard to that part of the question which referred to the construction of the bow of the *Amazon*, he was informed by the Comptroller of the Navy that she never was intended to be used as a ram ; and with respect to the remaining portion of the question as to why, if she was not intended to be used as a ram, the bow of the *Amazon* was built of the shape referred to by the hon. Gen-

tleman, the explanation he had to make was that that shape was adopted with the view of giving her, in the first place, finer lines than she would otherwise have had ; and, in the second place, with the view of giving her greater buoyancy in order that she might bear the weight of her bow gun.

UNITED STATES—OUR RELATIONS WITH.—QUESTION.

MR. WHITE said, he would beg to ask the Secretary of State for Foreign Affairs, Whether looking to the conspicuous good faith and friendly feeling of the Government of the United States towards this country in its recent conduct to the Fenians, Her Majesty's Government is now prepared to submit all claims and matters in dispute between the two Powers to an arbitration mutually acceptable ?

LORD STANLEY : I agree, Sir, in the opinion which the hon. Member has expressed as to the friendly and honourable feeling that has been shown by the Government of the United States with regard to this Fenian affair. I am very anxious personally—and I can speak for my Colleagues as well as myself—to do anything that is reasonably possible to remove any feeling of irritation or of soreness which may remain in consequence of circumstances connected with the late war. But, with respect to those claims, I am afraid I cannot give him so precise and so positive an answer as he may desire. With regard to the most important of those claims, a full discussion has taken place between the Government of the United States and those who preceded us in office. That discussion was terminated six or seven months ago, and during the very short time I have been in office those claims have not been revived. They involved questions of considerable perplexity and difficulty, and, I need not add, that I have had very little leisure to consider them. In any case it would be premature on the part of the Government to say immediately what answer we should be prepared to give to claims of that kind when they are revived until and unless they are brought before us. Perhaps I may say that, with a view to lessen the probability of such differences arising in future, it is the intention of the Government to advise Her Majesty to issue a Royal Commission to inquire into the working of the Neutrality Laws, and, if necessary, to revise those laws.

INDIA—STATE OF OUDE.

QUESTION.

CAPTAIN STACPOOLE said, he would beg to ask the Secretary of State for India, Whether, with reference to the pledge which had been given to this House—that all the public and *bonâ fide* claims against the late State of Oude would be paid out of the Revenues of the country—it is the intention of Her Majesty's Government to place the Report of the Commission appointed to inquire into those claims, and the decision of the local government thereon, upon the footing of all other Reports and decisions affecting the rights of individuals in India, and to allow the same to be reviewed by the Judicial Committee of the Privy Council?

VISCOUNT CRANBOURNE: Sir, these are claims that arose out of transactions that took place about eighteen years ago. They are claims of a moral, and not of a legal character, and they depend, as I am informed, upon proof that falls very far short of legal proof. There is no doubt by the statute a power enabling Her Majesty to refer to the Committee of Privy Council any matters which she pleases, but I imagine there would be a very great difficulty in referring matters of this kind to a judicial tribunal, and certainly I cannot pledge myself generally to do so. If references are made, it must be on each individual case, on cause shown, and on a full review of all the circumstances.

CATTLE PLAGUE—COMPENSATION.

QUESTION.

COLONEL GILPIN said, he wished to ask the right hon. Member for Morpeth, Whether any intention ever existed at the Home Office during his Secretaryship to grant compensation for cattle slaughtered by the order of the Government Inspector previous to the passing of the Act of this Session; and, if so, what steps were taken to obtain information on the subject?

SIR GEORGE GREY said, in reply, that there was a clause in a Bill of the present Session providing for compensation in the case of cattle slaughtered previous to the passing of the Act, but it was withdrawn. There was a general concurrence of opinion that the matter required further consideration, and that these cases stood on a very different footing from those in which cattle were slaughtered under the Act of Parliament. The Privy

Council called for Returns from the local authorities as to the number of cattle slaughtered and various particulars including the amount, if any, of compensation already received. When he left office those Returns had not been completed.

MR. CUBITT said, he would beg to ask the Secretary of State for the Home Department, whether the Returns ordered from the Government Inspectors of Cattle slaughtered last Autumn under their authority are now complete; and whether the Government have come to any decision upon the question of compensation to the owners of cattle so slaughtered?

MR. WALPOLE: Sir, the Returns alluded to by the right hon. Gentleman (Sir George Grey) are still incomplete, both as to counties and boroughs. I hope these Returns will be more complete before the Session comes to a close, but until they are complete the Government forbear to form any decided opinion as to what is to be done, although the subject requires the early consideration of Her Majesty's Government.

IRELAND—WASTE LANDS.

QUESTION.

MR. REARDEN said, he wished to ask the Chief Secretary for Ireland, Whether it is the intention of Her Majesty's Government to introduce a Bill for advances out of the Consolidated Fund for the purchase and rental of the reclaimable portion of 4,000,000 statute acres of waste land in Ireland, upon security of debentures of £5 and upwards upon the lands so reclaimed, and let or sold in farms of thirty acres each, with three cottages and farm buildings suited to the holdings, with a view to the employment of the labouring population, the diminution of emigration and poor's rates, and to the profitable employment of the capital and time of tenant farmers in Ireland?

LORD NAAS said, in reply, that any project for giving profitable employment to the labouring population and the capital of Ireland would receive the careful consideration not only of the Government but of that House. He was afraid, however, that the proposal in question, involving the purchase and reclamation of 4,000,000 acres of waste land, was one which he should have some difficulty in persuading his right hon. Friend the Chancellor of the Exchequer and the House to undertake.

METROPOLIS—PUBLIC PARKS.

QUESTION.

MR. DYCE NICOL said, he wished to ask the First Commissioner of Works, Whether his attention has been directed to the present state of the roads in the Public Parks; and whether the repairs cannot be made in a less inconvenient manner?

LORD JOHN MANNERS: My attention, Sir, has been called to the state of the roads in the Public Parks, and I find that they are being repaired in the same manner they always have been repaired before. I am, however, now making inquiries into the system in force in Paris, of levelling the granite by means of a steam roller, with the view of seeing whether it can be adopted in the Royal Parks.

CATTLE DISEASE IN THE NORTH.

QUESTION.

MR. TREVELYAN said, he would beg to ask the Secretary of State for the Home Department, Whether it is true that the privilege of importing live cattle from the Newcastle Market, which has been granted to Sunderland, has been refused to Tynemouth; and, if so, what are the circumstances under which that boon has been conceded to the one borough and withheld from the other?

MR. WALPOLE said, in reply, that the privilege of importing live cattle from Newcastle had been granted to Sunderland. It was also true that applications had been made not only from Tynemouth but from other places that the same privilege should be conceded to them. It was not, however, thought advisable at present, except under special circumstances, to remove the restrictions that existed.

WRITS REGISTRATION (SCOTLAND)
BILL.—QUESTION.

MR. CRAUFURD said, he would beg to ask the Secretary of State for the Home Department, Whether, considering the late period of the Session, he does not consider it advisable to postpone the further consideration of the Writs Registration (Scotland) Bill to another year?

MR. WALPOLE replied that if the late Lord Advocate did not undertake to proceed with the Bill he (Mr. Walpole) should consider it his duty next Session to introduce a Bill of a similar character.

CURRENCY AND BANKING.—QUESTION.

MR. BAZLEY said, he would beg to ask the hon. Member for Stockport (Mr. Watkin), Whether he intends to proceed that night with his Motion for an Address to the Crown praying for the appointment of a Royal Commission to inquire into the subject of Currency and Banking?

THE CHANCELLOR OF THE EXCHEQUER said, that perhaps the hon. Gentleman would allow him to interpose for a moment between that question and his reply. It was very important that they should get into Committee of Supply as soon as possible, and there were on the Paper many Notices of Motion before going into Supply, that given by the hon. Member for Stockport being among them. As far as he could form an opinion, it was not probable that the hon. Member could bring forward his Motion that evening, except at an hour of the night when it could not be fully or satisfactorily discussed. He, therefore, hoped that the hon. Gentleman would consent to allow the Committee of Supply that evening to close, and then the Government would endeavour to afford him an early opportunity of bringing forward his Motion at a morning sitting.

MR. WATKIN said, he was only anxious that there should be a fair discussion on such an important subject. He felt himself to a great extent in the hands of the right hon. Gentleman, and would postpone his Motion with the intention of taking advantage of the offer just made to him.

CHURCH RATES ABOLITION BILL.

QUESTION.

MR. NEATE said, he would beg to ask, Whether the right hon. Gentleman (Mr. Gladstone) would proceed with his Church Rates Bill to-morrow?

MR. GLADSTONE said, in reply, that he had intended to proceed with the Bill to-morrow evening, but if it should not be convenient that he should do so he would take care to make his decision known before the closing of the House.

INDIA—MADRAS IRRIGATION COMPANY.

QUESTION.

MR. SMOLLETT said, he would beg to ask the Secretary of State for India, Whether any decision has been come to upon the application of the Madras Irrigation Company for an advance of £600,000

to enable them to complete their works; and, if so, under what conditions, and with what security for repayment, the loan is to be made?

VISCOUNT CRANBOURNE: Sir, Lord De Grey agreed to advance the above sum in case the whole of that sum should be required for the completion of a certain portion of the canal. The Company will draw on the Government of Madras and the Indian Office Treasury for sums to that amount, which will be a loan bearing interest at 5 per cent, such interest being a first charge on all profits from the canal. The conditions of the loan are—1st. That if within three years from the first of July the canal shall not be thoroughly completed the Company shall convey the whole of their works to the Secretary of State in exchange for Indian Government Five per Cent Stock equivalent at the price of the day to the actual amount of the guaranteed capital invested in those works. 2nd. That before any advance the Company shall obtain powers from Parliament to enable them to carry out the arrangement.

IRELAND—SIR ROBERT PEEL AND
PROFESSOR SULLIVAN.

OBSERVATIONS.

MR. MONSELL said, he would venture to ask the kind indulgence of the House while he referred for a single moment to a statement affecting the character of Professor Sullivan, of the Queen's University, Dublin, made on Monday last in that House by the right hon. Baronet (Sir Robert Peel). He had intended on Friday last to refer to that statement, but he had not then the opportunity of giving previous notice to the right hon. Baronet, who was not in his place. The statement made by the right hon. Baronet was to the effect that the very first thing done by Professor Sullivan on being appointed to the Senate of the Queen's University was to write to the newspapers under a feigned name as to what had been said in the Senate; and when the right hon. Baronet was challenged by "a laugh," he said that he had seen the letter in the newspapers, and that he believed it could not have emanated from any one but him. Now, to that statement of the right hon. Baronet he begged to give the most unqualified contradiction. Professor Sullivan neither wrote the letter in question nor got it written, nor did he give any information, or knew who wrote it.

SUPPLY.

SUPPLEMENTARY ESTIMATES.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

THE CHANCELLOR OF THE EXCHEQUER: Sir, the Supplementary Estimates which we have laid on the table have changed the state of the public accounts since the Financial Statement of the right hon. Gentleman (Mr. Gladstone), and I think it convenient that I should place our position exactly before the House, and state the course which, on the whole, we deem it expedient that the House should pursue in consequence. It will be recollected that when the right hon. Gentleman opposite brought forward his Financial Statement, he estimated the revenue at £67,013,000, including £500,000 which were to be obtained by New Zealand bonds; and the right hon. Gentleman estimated his expenditure at £66,727,000, including £502,500 for the creation of Terminable instead of Permanent Annuities. The result of that Estimate of revenue and expenditure left a surplus of £286,000. Now, the amount of the Supplementary Estimates which we have laid on the table is £495,000, and the House will see in a moment that the result of that has been that the surplus of £286,000 has been changed into a deficiency of £209,000. The question, therefore, is, what is the best course which, under these circumstances, Her Majesty's Government should adopt. We might in the first place, of course, propose a new tax to supply the deficiency; but I should think there would be an almost unanimous opinion in this House that that is a process to which it is not expedient to have recourse. Sir, the obvious course under ordinary circumstances would be to ask permission from the House to grant a supply to complete the service of the year, which would be raised by Exchequer bonds or Exchequer bills. But there are objections to that proceeding. In the first place, I need not remind the House that, under the circumstances which at present prevail in the monetary world, it is not very easy to place securities of that description. Secondly, it must be remembered that with these difficulties we have not yet

floated our £500,000 of New Zealand bonds. And thirdly, I must remind the House that by the existing law Exchequer bills are payable for taxes, and the holders of Exchequer bills may always require payment for such securities at the termination of the current year. Of course, in times of extreme financial pressure like those which we have experienced, and which I am sorry to say we are still experiencing, it is not wonderful that the holders of Exchequer bills should have availed themselves of this privilege. At the present moment an amount of £860,000 of Exchequer bills has been discharged by balances in the Exchequer. It is very true that we have powers granted by Parliament to issue bills to a similar amount, but the difficulty to which I have alluded is an obstacle in our way; and, considering that we have not yet placed our New Zealand bonds, and that in order to square our account, we have yet to issue £860,000 Exchequer bills, the House would hardly be of opinion that it would be an expedient mode of meeting the difficulty in which we find ourselves to have recourse to new powers to be granted by Parliament for the issue of Exchequer bills or bonds. There is a third mode by which we might meet this inconvenience and bring our account into the state in which, I am sure, the House wishes that it should be brought; and that is by considering the propriety of relinquishing further progress with the Bill for the conversion of Permanent into Terminable Annuities, which has been read a second time. By that Bill there is an increased charge on our resources of something exceeding £1,000,000 a year. I think the exact sum is £1,005,000 a year, but only a moiety of that amount will come into charge in the present year—that is to say, £502,500. Now, if we did not, at least for the present year, proceed with that Bill, that sum of £502,500 would be added to the revenue, and deducting the present deficiency of £209,000, there would remain a surplus of £293,500, being almost the identical surplus contemplated by the right hon. Gentleman opposite in his Financial Statement. Under these circumstances, we are of opinion that, on the whole, it would be the wisest course not to proceed with the Bill for the conversion of Permanent into Terminable Annuities. In that way our finances will be placed in almost the iden-

tical position contemplated by the right hon. Gentleman when he brought forward the Financial Statement. If this suggestion meets with the general concurrence of the House, I will, with the permission of the right hon. Gentleman, when we come to the Order of the Day for the Committee on the Terminable Annuities Bill, move that the Order be read for the purpose of being discharged.

There is one observation which I cannot refrain from making on the present occasion. I confess that it is with unaffected concern that I find that my first act as Minister of Finance should be to impose any addition to the public expenditure of the country. If, indeed, *Supplementary Estimates* to a much greater amount than those we have laid on the table were required by the necessities of the State, I trust that I would not, and I trust that no one occupying the position I at present fill, would shrink from the responsibility of proposing them. But, at the same time, I feel it my duty to state, in order that there may be no mistake on the subject, what are the principles, so far as public expenditure is concerned, upon which the present administration is founded. Sir, four years ago, when we were on the Benches opposite, at a time when the expenditure of this country had reached its culminating point, I felt it my duty, after as complete an investigation of the subject as could be made by any one not assisted by the advantage of official information, to call the attention of the House on repeated occasions to the necessity of a reduction, and of a considerable reduction, in our expenditure. It appeared to me that the scale it had then attained was not consistent or compatible with the conditions of national prosperity. I took that course with the entire concurrence and approbation of Lord Derby, and with the advice and assistance of many eminent persons whom I now count among my most influential Colleagues. The views which I thus on repeated occasions brought before the House having found favour with the House, the Conservative party assembled and came to the conclusion that the opinion of Parliament should be asked on the question, and that they as a party would support that reduction in our expenditure, which they felt to be necessary for the welfare of the country. In consequence of that determination a Resolution was drawn up and placed in the hands of a right hon. Friend of mine, who I am happy to say

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is one of my Colleagues, the Secretary of State for the Home Department. But in consequence of the declaration of Lord Palmerston that he should consider the adoption of such a Resolution as a Vote of Want of Confidence in his Administration, the Resolution was not pressed to a division; but it was met by the Government by an amended Resolution, which, so far as I interpreted it, contained a specific, and, under the circumstances, as I considered, a solemn declaration that the reduction we favoured and advised should be made in the expenditure of this country. Sir, there were some hon. Members who at the time distrusted the sincerity of Lord Palmerston on that occasion, but I am bound to say that in my opinion the pledge then given by the Government, perhaps greatly due to the wise determination of my predecessor, was sincerely and completely carried into effect to an amount which on more than one occasion I had suggested, and in the gradual and not precipitate manner in which the House wished that those reductions should be effected, and which I, for one, deemed necessary for the welfare of the country. I wish to state that, in sitting on these Benches, it is our intention in spirit and in truth to carry into effect that policy in respect to the expenditure of the country which we recommended to the late Government, when sitting on the Benches opposite. We are still of the opinion which we expressed on the Benches opposite. Though we acknowledge that the first duty of Government is to arm our soldiers with the most efficient weapon, and to make such provision for Her Majesty's seamen, that the ships in which they serve should be equal, for speed and for strength, to any vessels they might have to encounter, it is still our opinion that these results are consistent and compatible with a prudent and economical management of our finances. Sitting on these Benches we are still of the opinion we expressed on the Benches opposite that in an epoch like the present—which is an epoch of speculative armament; of discoveries, of experiments and of rapid vicissitudes of practice—foresight, scrutiny, and vigilance are qualities as valuable in a Minister as that precipitate zeal which, squandering the resources of a country, fails often in accomplishing the public end proposed. Sitting on these Benches we are still of the opinion we expressed on the Benches opposite four years

ago, that one of England's principal sources of strength is her financial condition; that her financial reserve is far more important than those military reserves of which we often hear such boastful accounts; and if it be true, as has been said by the highest authority on such subjects, that there are few Powers in Europe, however fond they may be of war, who can enter upon a third campaign, it may be some consolation to England, when she is taunted for not engaging in quarrels in which she has no interest, to know that, if ever her honour is assailed or her interest attacked, her financial condition is such that if she enters into a contest she can pursue her inexorable purpose, whatever may be the number and duration of her campaigns, until her honour and her rights are vindicated. Under these circumstances, I need not assure the House that in the administration of the finances of the country we shall be guided by the principle of economy; but by that word I do not mean negligence, inefficiency, imperfection, but I mean, as I have presumed to state before from the opposite Benches, that prudence in the application of our resources, which engages in nothing but what is necessary for the public welfare, but takes care to accomplish its purpose in the most complete manner. Sir, I thought it better before we entered into Committee of Supply, when we are about to propose an increase of expenditure—a not very graceful act for a new administration—to make this statement, and I trust that the House will pardon me for making these few observations.

MR. GLADSTONE: The observations which the right hon. Gentleman the Chancellor of the Exchequer has made contain a direct appeal to myself on the subject of a Bill for the introduction of which I am responsible. Finding himself, owing to the introduction of Supplemental Estimates, in a small deficiency of £250,000, he proposes to make good that deficiency, and to restore the balance of income and expenditure to the point at which we had left it—namely, a surplus of about £300,000, by abandoning the measure we had proposed for the reduction of the National Debt by the creation of Terminable Annuities. Were I entirely satisfied as to the nature of the Supplemental Estimates proposed by the right hon. Gentleman and his Colleagues, I do not know that I should object to his mode of meeting the case. I shall certainly offer no opposition

to the discharge of the Order on that Bill. The right hon. Gentleman is therefore free, as far as I am concerned, to follow the course he has indicated; but I say this on the ground that, while I reserve my judgment in regard to a portion of these Supplemental Estimates, I feel that, in the present state of political affairs, any advantage to be gained by seriously questioning any part of them would be less than the disadvantage which might result from disturbing the proceedings of the responsible Ministers of the Crown on questions which are not, after all, of very great account, and that at a moment immediately after they have assumed the conduct of public affairs. The right hon. Gentleman, however, will, I am sure, understand me not to recede from the assertion of the policy of which that Bill was an indication; and, indeed, I am bound to say that I do not understand the speech of the right hon. Gentleman as having been intended to convey any expression of hostility to that policy. In a future Session we shall have an opportunity of considering whether what I may call the regular and stated provision which has, I think, been wisely made, but which has certainly been made with, I will say, the unanimous consent of Parliament for a long period down to 1861, for maintaining upon a certain scale a machinery for the liquidation of the debt—whether that scale of liquidation ought or ought not to be reduced. It is important that it should be recollected that, until the year 1860-1, we had for a great length of time been paying in the shape of Terminable Annuities—a very large portion of which went not to satisfy the claim of interest, but for the liquidation of the capital debt—a sum about, and sometimes above, £4,000,000 annually. In 1860-1 that amount was reduced to little more than £2,000,000. Since that period we have been endeavouring, by various measures which have received the assent of Parliament, gradually to raise it again, but by no measure so important as to the scope of its operation as that which the right hon. Gentleman now proposes to relinquish. Next year we have to contemplate the lapse of a further very considerable amount of Terminable Annuities—in round numbers about £600,000. I have heard, during the course of the present year, several Members of this House question altogether the policy of liquidating the debt by Terminable Annuities. But I must confess, I think, without at all entering on the argument on which that policy is

founded, that the question is one of very great importance indeed, and one which I trust the Government will, in the course of the next Session of Parliament, bring under the full consideration of the House. If they should so submit it to the House, I shall probably consider it my duty myself to raise it; because on this depends whether there is to be any certain and unfailing machinery always in operation for the gradual liquidation of the debt over and above the application of the annual surplus from year to year, or whether we are to trust to the annual surplus alone. The right hon. Gentleman has referred to the additional charge proposed by the Government for the year, and has entered upon a discussion, slight in outline indeed, but yet full of interest and importance with regard to the principle on which his financial administration is to be conducted. With respect to the Supplemental Estimate, for about £200,000, or perhaps something more, Her Majesty's late Government are substantially responsible. It is always a matter of very great regret to me when any Supplementary Estimate has to be proposed. I am quite certain there is nothing by which it is so easy to break down everything effected by a system of Parliamentary control as a needless or great extension of Supplementary Estimates. The control of Parliament for practical purposes rests, I will venture to say, wholly on this—that our wise usage is to bring forward once a year and as a general rule, in the absence of disturbing circumstances, once for all, an entire statement of the financial condition of the country. But as regards the charge for the Irish Constabulary, a large item in the Civil Service Supplementary Estimates—it was impossible to prepare the Estimate at so early a date as to enable my hon. Friend (Mr. Childers) to lay it before the House in the Miscellaneous Estimates of the year. Again, with regard to the expenditure arising out of the Cattle Plague, undoubtedly he might, if he had pleased, have included in the Estimate at that period so much of the expenditure as had been incurred up to the month of January; but that would have been a very small portion of the whole charge, and it would not have been satisfactory to Parliament to deal with it. But the principal item of the Supplementary Estimate is that presented to us by the War Department, with reference to the adaptation of our small arms. I do not intend to take any objection to that charge;

but I must confess that I lean to the opinion that my right hon. Friend the Secretary of State for War is acting somewhat in haste in making so large an extension of the proceeding contemplated by my right hon. Friend (the Marquess of Hartington). I am now about to state the construction of which his speech is susceptible, in order that he may, as I hope, disavow it. His plan was to spend £250,000 for the present year and £250,000 for each of the two succeeding years in the conversion of small arms, and at the end of these three years, after spending £750,000, he hoped he should be in a condition to say finally what should be the small arm to be adopted by the country. I hope that this may not be the right hon. Gentleman's meaning, because I should consider it to be a very improvident expenditure of money. It would be in a measure practising on the susceptibilities of the English people with respect to a matter which touches their safety and honour, to spend so large a sum in the process of conversion in the expectation merely at the close of that process of substituting an arm altogether new for the arm converted at such a cost. I must confess I have heard much that has just fallen from the right hon. Gentleman the Chancellor of the Exchequer with great satisfaction, particularly because I did not listen with equal satisfaction to the discussion that took place in this House on Friday night. I did recollect what we heard in 1859 with respect to the reconstruction of the navy. I did recollect the enormous and useless charge to which this country was put by the conversion of wooden line-of-battle ships. Let us be fair. I remember that the suggestion came from this side of the House, although I do not think it was participated in by many on this side; but the doctrine was laid down by the hon. Member for Tavistock, which I confess is new to me, and new, I think, to the people of this country, that it was our duty to maintain a navy equal to all the navies of all the States of Europe, and the speech of the right hon. Gentleman (Sir John Pakington), although I grant he did not in terms approve the doctrine, was yet so full of thanks to my hon. Friend the Member for Tavistock for bringing the subject forward, and the return of compliments was so great, that I did entertain some apprehension as to what might happen after the recess, which the right hon. Gentleman most judiciously announced his deter-

mination to take for considering the whole matter, instead of at once acceding to the proposal which was made behind us. I did entertain some fear of the rumination of the First Lord during the recess. I was very glad, therefore, I repeat, to hear the statement this evening of the right hon. Gentleman; but I am compelled to notice the historical portion of that statement. Though I call it the historical portion of his statement, it can never become history, for it is not, I am afraid, sufficiently founded on fact. While the right hon. Gentleman was speaking I was enabled to test the accuracy of my own recollection. I will refer to a portion of the statement, and I will likewise mention to the House how the facts really stand. The right hon. Gentleman states that in the year 1862, when the expenditure of the country, although not so high as that of 1860-1, was still very high, he was struck by its alarming state, and he has not now scrupled to adopt—I must say in the most manly manner—the proposition that it is equally our duty to practise economy as much as possible when the country is prosperous as when it is poor. The right hon. Gentleman goes on to state that at a meeting of the Conservative party it was agreed that there was a necessity for a reduction of public expenditure, and that, in consequence of that agreement, a Motion was proposed by a distinguished Friend and Colleague of his for the purpose of binding the Government and the House in a voluntary pledge to effect a reduction in the public expenditure whenever it became practicable to do so. In consequence of that Motion, as I understand the right hon. Gentleman, the Government themselves took up the matter, and invoked the House to support them in a voluntary pledge, which the right hon. Gentleman states his party subsequently fulfilled. Now, I do not so read the occurrences of that year. I do not know what meetings of the Conservative party took place, but this I do know, that independent Members of this House—one, the hon. Member for Montrose; another, the hon. Member for Halifax; and a third, the hon. Member for Bradford—did state to the Government their intention to propose a Motion in favour of the reduction of the public expenditure. Those hon. Gentlemen placed a Motion to that effect upon the paper at a time when no other Motion to the same purport stood there. It was then, I presume, that the meeting of

the Conservative party was held. But into that I do not inquire. I am not now claiming credit for the late Government, but I am claiming credit for the three independent Members of this House—economists upon principle and by practice—credit which the records of the House award to them—for having been the pioneers of that movement. There was, however, a meeting of the Government upon that Resolution, and the Government determined, although they were unable to accede to it in its then form, to make a Motion upon the subject, and they accordingly proposed an Amendment on the Motion of the hon. Gentleman the Member for Halifax to this effect—

“That this House, deeply impressed with the necessity for economy in every Department of the State, is at the same time mindful of its obligations to provide for the security of the country at home and for the protection of her interests abroad, and it observes with satisfaction the reduction already effected in the national expenditure, and trusts that such further diminution may be made therein as a future state of things may warrant.”

Notice of that Amendment was given by my noble Friend, who was at that time at the head of the Government, and then it was, I think for the first time, that a voice proceeded from the Opposition of that day. The right hon. Gentleman the Secretary of State for the Home Department proposed an Amendment upon Lord Palmerston's Amendment, in the event of that Amendment becoming a substantive Motion, in these words—

“That this House trusts that the attention of Government will be earnestly directed to the accomplishment of such future reduction—due regard being had to the condition of the defences of the country—as may not only equalize the revenue and expenditure, but will also afford the means of lessening the burden of those taxes which are confessedly of a temporary and exceptional character.”

When the debate took place my noble Friend at the head of the late Government said he should regard the carrying of the Amendment of the right hon. Gentleman as tantamount to a Vote of Want of Confidence, and the Amendment of the right hon. Gentleman, after it had been made the subject of discussion, was withdrawn. The right hon. Gentleman the Chancellor of the Exchequer delivered a speech on that occasion which is still fresh in my recollection, and of which I must say now, as I thought at the moment, that I never heard a more courageous speech delivered in this House under more disadvantageous circum-

stances. I most sincerely and cordially pay that compliment to the fortitude of the right hon. Gentleman under difficulties. I, however, entirely differ from the historical portion of his statement to-night. If I am correct—and I have endeavoured to support my statement by documents—I think I have shown to the House that the memory of the right hon. Gentleman has entirely deceived him. The proposal made for the reduction of the public expenditure was a proposal made by independent Members, supporters of the Government. The Government themselves considered and adopted that proposal in a modified form, and the proposal of the right hon. Gentleman the Home Secretary was posterior, if not, as I think, to the second, certainly to the first of these two proposals, and was, therefore, the result and not the source of these propositions. If the time has now arrived when hon. Gentlemen on the Benches on this and on the other side of the House are disposed to enter into an honourable rivalry in the work of reducing the public expenditure, treating the matter prospectively, the first and main observation I have to make is this—that I congratulate the country upon that state of things. I know of no monopoly which the Liberal party possesses with respect to reductions of public expenditure. I may indeed say that justice would claim in their behalf that they have been the principal instruments in giving effect to those reductions, but I record this fact with pleasure—that when the history of retrenching Administrations and of the commencement of true retrenchment in this country comes to be written, the just historian must, in my opinion, give to the Government of the Duke of Wellington from 1828 to 1830 the honour of having first taken the matter in hand with earnestness of purpose. Therefore, Sir, this field is open enough, and there is enough in it for us all to do. I heartily rejoice that the right hon. Gentleman has delivered the opinion which has now proceeded from him. If I understand him, he means this—not that he considers that this proposed operation of the Conservative party in 1862 does them great honour, and was intended to accomplish the purpose which now having been fulfilled, we need think no more about—that, I trust, is not his meaning; but I construe his declaration to be this, that he thinks the expenditure of the country to be still susceptible of further reduction. I also entertain that opinion. I

am not very proud of what we—the late Government—have been able to effect, but I may say that the expenditure of the country for the last five or six years has moved downward in each succeeding year, and I hope it will still continue so to do. The expression of the right hon. Gentleman, however, seems to me to be a little indeterminate, and I am anxious at least to take this opportunity of saying that, knowing myself the difficulties he has to encounter, and that there are many demands on the public service which are of real and of legitimate growth, and which must, I fear increase from year to year, I form no exaggerated expectations of what can be done with regard to retrenchment, and I trust that no portion of the House will call upon the right hon. Gentleman to work wonders in that respect. But I cannot help believing that I am speaking according to his own true convictions and inclinations, and those of many of his Colleagues when I say that it is the opinion of the country that there is yet room for progressive reduction in its expenditure, and that a diminution and not an increase of Estimates from year to year is that to which under favourable circumstances it will be disposed to look. I have nothing more to say with which I need trouble the House. The statement I have made with regard to the circumstances of former years I have endeavoured to found on a reference to documents made much more hastily than it otherwise would have been had I been aware that the right hon. Gentleman was about to introduce the subject in a retrospective sense. If I am incorrect, I shall no doubt be corrected by the more prepared knowledge of hon. Gentlemen around me. The really important question, however, is the prospect which the right hon. Gentleman the Chancellor of the Exchequer has held out of progress in the reduction of the public expenditure under the present favourable circumstances of the country. That statement of his I am anxious, on the first moment that offers, to hail joyfully and truly, and I can say that none of those who sit on the Opposition side of the House will for one moment grudge him the well deserved honour he will obtain by proving himself a vigilant and a frugal steward of the resources of the country.

SIR STAFFORD NORTHCOTE: I was not aware that my right hon. Friend the Chancellor of the Exchequer was about to refer to what took place during the year 1862, and therefore what I am going now

to state is not the result of special preparation. I am satisfied that the intention of my right hon. Friend has been misunderstood by the right hon. Gentleman who has just sat down. It was not the intention of the Chancellor of the Exchequer to throw any reproach upon the Government which preceded the present Administration, nor to claim for ourselves any exclusive title to the name of economical Reformers, and most assuredly my right hon. Friend had no intention of ignoring the part which the hon. Gentleman the Member for Halifax and others took in the debate referred to. My right hon. Friend the Member for South Lancashire has not quite understood, or, at all events, he has not quite correctly represented, what took place in 1862. The Motion of the hon. Member for Halifax, although it preceded the Amendment of my right hon. Friend the Secretary of State for the Home Department, was not the beginning of the discussion that took place upon this subject. The origin of the discussion with regard to the necessity for some retrenchment in the public expenditure may be traced to the debate that took place upon the second reading of the Customs and Inland Revenue Bill on the 8th of May, 1862. I may mention that I took part in that debate advisedly and with the concurrence of the right hon. Gentleman the Chancellor of the Exchequer, and at his request, I called attention to the large amount of the expenditure of the country, and urged upon the then Government the necessity for some considerable reduction in the amount of the Estimates. The right hon. Gentleman opposite followed me, and the present Chancellor of the Exchequer then made a speech which attracted considerable attention at the time, in which he urged the importance of some reduction in the expenditure, and especially in that part of it incurred for the support of the army and the navy. Lord Palmerston replied to that speech of my right hon. Friend, and I recollect very well that it was remarked in the House, at first privately and afterwards publicly, that the hon. Member for Halifax had stated subsequently that he would bring forward a Motion on the subject in order to test the sincerity of the expressions of which my right hon. Friend had made use. I am not sure that the hon. Member for Brighton (Mr. White) was not one of those who said publicly that he would be glad to test the sincerity of my right hon. Friend's expressions. All I will say now is that I am quite sure that the mo-

tive of my right hon. Friend in what he has said this evening was this: he wished simply to state that the policy which we had adopted and announced in Opposition we were now anxious to pursue as a Government. That was the point of his observations, and he would be very sorry that what he said should be taken to mean that he claimed any exclusive credit for himself or us on [this point]. We sympathize with many hon. Gentlemen opposite on the subject of retrenchment, and we wish to state that our own opinions have not been taken up recently, nor since we have sat on this side of the House, but are those which we stated four years ago that we had deliberately formed, and which we have ever since acted upon.

SIR JOHN PAKINGTON: I desire to say a few words in consequence of the unexpected reference—of which I think I have reason to complain—which has been made by the right hon. Gentleman the Member for South Lancashire to the Navy Estimates of 1859. I think his words were “the enormous waste of money in the conversion of wooden ships in 1859.” I did not take the exact words of the right hon. Gentleman, but, at all events, he spoke of the waste of money in 1859 in the conversion and creation of wooden ships. The right hon. Gentleman complained of want of memory on the part of my right hon. Friend the Chancellor of the Exchequer; but I think I may retort that charge, and accuse him of shortness of memory with regard to the circumstances of 1859, otherwise I do not think he would have brought forward the charge which he has done against me. The right hon. Gentleman talked of the great amount of the Navy Estimates in 1859; but a reference to the papers will show that the Navy Estimates when the right hon. Gentleman was Chancellor of the Exchequer were for several years after 1859 as high, or nearly so, as those which I had the honour to propose in that year. I make no complaint and no charge on that account, because it is well known to the House and the country that during those years the Admiralty were engaged in creating that iron-clad navy which we now possess. But what, let me remind the right hon. Gentleman and the House, was the state of circumstances in 1859? In 1859, neither England nor any other Power possessed a sea-going iron-clad ship. In that year there was no man, whether ship-builder or naval officer, who could have

ventured to predict with certainty the success of an iron-clad sea-going man-of-war. It was in that year that the first commencement was made, and I had the honour of making it, of an iron-clad fleet. But I say up to that moment we had no certainty that that naval experiment would have been successful. It is very easy, as we all know, according to the old proverb, of which I would remind the right hon. Gentleman, to be wise after the event, and it is all very well now in 1866, when the experiment has been successfully made, and every State is in possession of an iron-clad navy, to talk of the improvidence of building wooden ships. But in 1859 no country had any ships but wooden ships. After the attack which the right hon. Gentleman has made upon me I must be allowed to tell him that, foreseeing the possibility of the success of iron-clad ships, and knowing that an experiment was about to be commenced, the Board of Admiralty, of which I had the honour to be at the head, did abstain from beginning any wooden men-of-war. We did so for reasons then approved of, and of which the right hon. Gentleman could then make no complaint. The only way in which we could providently and economically provide a navy for this country at that time was by converting wooden sailing vessels into steamships. It was in this way we were enabled, at a comparatively small cost, to give England a powerful navy of steamships—the only steam navy then known. The right hon. Gentleman may recollect the political circumstances of 1859—that it then became the duty of Lord Derby's Government to fit out a powerful fleet and send it to the Mediterranean. We could not have fitted out that fleet if we had not taken the precaution of converting sailing into steam ships. Sir, I think it hardly fair of the right hon. Gentleman to make these charges. If he had only borne in mind the facts to which I have recalled his recollection, he would have abstained from making accusations altogether unfounded, for I entirely deny, on the part of Lord Derby's Government in 1859, that there was any wasteful expenditure as described by the right hon. Gentleman.

MR. GLADSTONE: I never said a syllable in complaint of what the right hon. Gentleman did or did not do with respect to iron-clad ships. I quite agree with what he has said, and I think he deserves great credit for what he did with respect to the *Warrior*.

Sir Stafford Northcote

MR. SAMUDA wished to say one word with reference to the observations of the right hon. Member for South Lancashire on what fell from him the other night as to the comparative force which the fleet of this country ought to bear to those of the other nations of Europe. He would have expected from the great knowledge which his right hon. Friend possessed, that he would have followed up his objections with some reasons for holding that what had been then stated was so unreasonable. But as the right hon. Gentleman had failed to take that course, he begged leave to observe that for a number of years before the conversion of the navy the fleet of this country was considerably greater than that of all the nations of Europe, and when the reconstruction with steam did take place in its early days, the number of our vessels were equal, if not superior, to that of all the rest of Europe. Such being the case, why were the relative strengths to be changed now—our necessity for additional increase was much greater than any other country in Europe could show, for he held that as there was no country in the world which had so increased its Colonial Empire, or was so much under the necessity of having efficient vessels on foreign service, at least the same proportion should be maintained in the strength of our fleet, when compared with theirs, as had prevailed in former periods.

MR. WHITE said, he well remembered expressing the satisfaction which he felt at the announcement which was made by the right hon. Gentleman now Chancellor of the Exchequer four years ago on the necessity for a great reduction in what he then characterized as the excessive expenditure of the country. The House would recollect that upon the occasion to which he referred the right hon. Gentleman denounced the enormous expenditure that was taking place, the apprehension that was felt of a powerful neighbour, and the rivalry in armaments which was carried on, and which he designated as "swollen and bloated armaments." He recollected well that he appreciated so highly what had been said by the right hon. Gentleman that he rose from his seat and complimented him on having appeared in the character of an economical reformer, and tendered the right hon. Gentleman on his own behalf and on behalf of some hon. Friends below the gangway their cordial support if he would only press on the Go-

vernment the necessity for a reduction of expenditure. He regretted, however, to have to observe that while the right hon. Gentleman expressed his opinions so strongly, the announcement which he made was received very coldly from his own side of the House, and the ominous silence which was preserved by the party of which he was the distinguished leader convinced many hon. Members that the right hon. Gentleman and his followers were not thoroughly in accord upon that question. It would have been well for the Gentlemen of the Conservative party if they had then appreciated the sagacity of their leader and had supported him in urging on the Government a reduction of the public expenditure. If they had done so, he believed that what had recently happened might have taken place some years ago, and the right hon. Gentleman would before now have been in his present place. He wished to express his hearty thanks to the Chancellor of the Exchequer for the declaration of economical policy he had made that day. He could assure the right hon. Gentleman that many Gentlemen now sitting on the Opposition side below the gangway would be only too happy to co-operate with him in his attempts to reduce expenditure, and he would earn a title to the gratitude of the country if he would only carry into effect what no doubt were his own sincere opinions.

SIR ROBERT PEEL AND PROFESSOR SULLIVAN.—EXPLANATION.

SIR ROBERT PEEL: I think, Sir, with your permission, I shall be in order in referring to a Question put in the early part of the evening, when I was not able to be in the House, and when I was not even in town. It is only since I entered the House that I received notice from an hon. Friend of the Question that has been put. I believe the right hon. Gentleman the Member for Limerick put a question as to a matter of fact, and I am glad that he has done so, because it gives me an opportunity of correcting any statement which did not strictly conform to truth. I hold in my hand a copy of *The Times* newspaper containing a report of the discussion the other night on the Queen's University, and it appears by it that I then stated, as I certainly did, that I had seen a certain letter which emanated from Mr. Sullivan. In the next sentence, however, I corrected myself by saying that I believed it emanated from him, and when some dissent was expressed

by an hon. Member, I said I believed it because no one else was present on the occasion alluded to in that letter but the members of the Senate, the Secretary, and myself. I am told the right hon. Gentleman has stated that he is authorized by Professor Sullivan to say that he did not write the letter to which I referred, and I am, therefore, very sorry that I should have imputed the letter to him. I am bound to say, however, that the letter, which I did not read at the time, would lead any one to infer that it had emanated from a person who was present at the meeting. I will not read the letter now, because I do not want to justify myself, but it appeared in the *Freeman's Journal* of the 14th of July. It enters into the conversation between Dr. Corrigan and myself, and others besides myself thought that the letter emanated from a member of the Senate. However, I accept the denial of the hon. Member for Limerick, and I assure Professor Sullivan that I am extremely sorry for having imputed to him statements that in no way emanated from him.

THE NATIONAL GALLERY AND BURLINGTON HOUSE.—RESOLUTION.

MR. BERESFORD HOPE, in rising to move, pursuant to notice, that a new National Gallery be erected on the site of Burlington House, said, that although this was a stale topic, he hoped to make it as little of a bore as an art question could be made. In moving that the new National Gallery be erected on the site of Burlington House, he was only inviting the House to re-affirm that which was the opinion of Parliament until about two years ago. When, one evening in June 1864, in Committee of Supply, the then First Commissioner of Public Works obtained a vote which affirmed a contrary decision, and laid down the principle that a building in Trafalgar Square with the Carlton House pillars in front and barracks and a workhouse behind should be manipulated and converted into a new National Gallery, he ventured to say that the only argument which could now be adduced in favour of maintaining that position would be the argument of consistency. But considering how often that House had been called upon to discuss all sorts of artistic questions in connection with the National Gallery and the Royal Academy, and considering the totally different conclusions to which it had at different times arrived, he

must say that the necessity of consistency in art questions was about as impudent an assertion as could be imagined. He would appeal to his noble Friend at the head of the Board of Works whether he did not remember the old adage which they had both learned at school, *Sera nunquam est ad bonos mores via*, which he would venture to translate, "It is never too late for Manners to reform." The proposition he recommended to the House was that there was a certain area, at present not built upon, of the size, shape, and dimensions required, larger in extent than any of the great existing public galleries of Europe, already the property of the public, and on which a national gallery could be economically and speedily constructed. On the other hand, there was another area cut up by streets, covered by a workhouse, which could not be procured without an enormous outlay of money, covered also by barracks which could not be obtained in less than two years, nor be removed without great inconvenience to the State, and covered besides by schools and private houses. He called upon the House to say which of these two areas it was most desirable to occupy for the National Gallery. One was Burlington House Gardens, and the other the Gallery in Trafalgar Square and the buildings behind it, a Bill for the purchase of which had slipped through the House during the small hours of the morning, the last stage having been taken immediately after the successful Motion of the noble Lord the Member for Galway (Lord Dunkellin). The area which he called upon the House to sanction was the large oblong space behind Burlington House and occupied as its garden upon which a National Gallery might be built 280 feet long and 215 feet broad, leaving two ample roads east and west, so as to admit the passage of carriages, carts, &c., and to isolate it from neighbouring buildings, and avoid the risk of fire. It contained an area of 60,000 superficial feet for the whole building, equivalent to one of 42,000 feet for the gallery floors, after deducting partitions and lobbies. What was the great advantage of this site? It was necessary in a National Gallery to have a series of larger galleries and in connection with these of smaller chambers for the pictures exhibited, in which set of apartments there were two competing and contesting requirements to be provided for—ample space for circulation and sufficient wall-space for exhi-

Sir Robert Peel

bition. He contended that this site would enable both those requirements to be met, on the evidence of a plan which had been prepared at the order of the Board of Works by architects of eminence (Messrs. Banks and Barry), and had been set aside in consequence of the vote of 1864. He was not there to be the advocate of any man, and so if he referred to this plan it was not by way of forcing it on the House, but only to use it in proof of what might be done by competent persons. Burlington House itself had architectural merits. The screen to Piccadilly he would lighten and open, but he would preserve the curved colonnades. Then there were now at the sides of this court and beyond that colonnade two long and heavy buildings occupied by the Royal Society and the University of London, which he would by all means have improved. Burlington House itself would not need extensive alteration in its exterior, the inside being re-cast as a vestibule to the gallery behind, while on the gardens at present belonging to the house the architect would be able to give full play to his ingenious fancy. This consideration would, he believed, go far to meet the arguments of those who contended that in order to build a National Gallery on the site of the Burlington Gardens Burlington House would have to come down. Without entering into the controversy as to whether the windows of picture galleries should be sloping or perpendicular, tinted or plain, he was, he believed, expressing the general conviction when he stated that our galleries should be lighted from the top, with what the unlearned called skylights. A building of that description would require a sort of masking ornamental frontage, and for such a purpose Burlington House would suit admirably; while on the plan to which he had referred, it would be found that the main galleries took the shape of two large naves crossing at a central dome, with the angles filled up by smaller rooms, so as not to lose an inch of space. Of course, with skylights as the system of illumination, internal courts and well holes were not wanted, and the expense of external decorative elevations would be legitimately minimised in a structure possessing so little frontage. Indeed, this gallery would only need one new ornamental façade, that to the north, facing Cork Street and Saville Row. But the House would be surprised to hear the result of a few calculations which he had obtained. The

first set of figures related to the linear feet—namely, the measurement of the walls all round—in certain galleries. The linear feet in the Louvre numbered 1,300; in the gallery at Berlin, 1,116; in the gallery at Dresden, 2,220; in the gallery at Vienna, 1,700; and in the old Pinacotek at Munich, 1,600—while our own, with that at South Kensington in addition, only reach 1,850. But at Burlington House 3,950 feet could easily be obtained. The surface flooring, too, of the present National Gallery, including the Royal Academy part of it, measured 9,550 feet, while at Burlington House it would reach no less an area than 42,000 feet. The figures which he gave to the House were from the plan of Messrs. Banks and Barry which he had previously mentioned, and showed to what advantage Burlington House might be turned. The wall surface of the present National Gallery gave only 16,200 square feet against 67,600 which might be obtained at Burlington House. So much for elbow-room, now as to cost. The adaptation of the Trafalgar Square site with the additional buildings which it would be necessary to purchase would involve an enormous expenditure of money, while everything that was requisite might be done on the Burlington House site for £200,000. The architects to whose figures he had been referring had estimated the cost at only £168,750, but £200,000 would give an ample margin even on that estimate, while the Gallery if fixed at Burlington House would receive additional importance from the historical recollections with which the place was connected, built as it was by so eminent a man, and immortalized by Pope and Gay. On the other hand, to get possession of the Trafalgar Square site it would be needful first to get, he believed at a price of £78,000, St. Martin's Workhouse, of which possession could not be obtained till October 1868. Then five houses and Archbishop Tenison's school would have to be bought, and finally the barracks would have to be appropriated and the soldiers sent elsewhere. He doubted whether any adaptation of the present National Gallery to the requirements of the nation, even after the purchase of the buildings in the neighbourhood, so as not to interfere seriously with an important portion of the London traffic, could be made in any manner which would not puzzle a whole board of architects and Chancellors of the Exchequer. It

might be urged that the site of the present National Gallery was the one recommended by the Committee of 1853 and the Commission of 1857; but it should be remembered that at both these dates Burlington House had not become the property of the nation, and could not therefore be fairly brought into question as a possible site. The decision on those occasions was in reality given in favour of the site of the present National Gallery in its aspect of a west-end position within London itself, as against the suburban claims of Kensington House and Gardens or Kensington Gore. On the other hand, the site of Burlington House was recommended by the Commission of four years ago, which sat upon the Royal Academy, after Burlington House had become public property, as possessing equal advantages, on account of its central situation, with the present National Gallery. It was certain that no National Gallery ought to be placed in such a position relative to the centre of the capital as to call upon people to make a solemn resolve before going to see the pictures. We had heard a great deal of the ease with which South Kensington would be reached when the network of Metropolitan Railways was completed. But this was not enough, the National Gallery should not be planted where it was easy to reach, it should stand where it was difficult not to pass by it. But the objection of distance from the haunts of traffic could not be urged against Burlington House any more than against the present National Gallery; while, at the same time, it would be just so much more retired as to avoid the umbrella and nursery-maid element, of which those who go to Trafalgar Square to study the pictures so frequently complain. Correlatively the rather less secluded and dignified associations of Trafalgar Square would contrast with the more popular and bustling character of a continually changing exhibition of contemporary pictures. The only objection which could be raised in reason against the Burlington House site must, he should think, be based upon a certain vote which his right hon. Friend the Member for Hertford (Mr. Cowper) had ingeniously taken in the earlier portion of the Session. He believed, however, that his right hon. Friend would now record his vote in his favour when he reminded him of what was said by an eminent Member of the

Mr. Beresford Hope

House two years ago in the debate which followed the proposal made at the time by the noble Lord the present Chief Commissioner of Works (Lord John Manners.) Two years ago that Member, who was none other than his right hon. Friend himself, said that fixing the National Gallery in Trafalgar Square instead of at Burlington House was a retrograde step from which they never could recover. He thought it was a retrograde step; but, more sanguine than his right hon. Friend, he believed it was one from which they could recover. He hoped they would do so that night; but after such a statement, his right hon. Friend could not hesitate to lend a helping hand to settle this struggling and floundering question of the National Gallery. In the early part of this Session the minds of hon. Members were a good deal occupied with another matter, and votes were sometimes taken at the very ticklish time of between seven and eight o'clock, when hon. Gentlemen thought more of dining than they did of legislation. On one of those occasions a Vote of £10,000 was taken to put the London University on the site of Burlington House Garden. Some hon. Members who were present at the time, mastered sufficient presence of mind to protest against the Vote; but he did not suppose that if Demosthenes himself had come down his eloquence would have prevailed at that particular hour against the Motion. He had, however, some hope that the proposal to bring the London University to Burlington House would not be persevered in. In 1864 his right hon. Friend (Mr. Cowper), in replying to a question, said there was not much chance of finding accommodation for the London University at Burlington House without interfering with other objects. Now, if the buildings intended for the London University were placed in the north area of Burlington House Garden, there would be put there a building inadequate to cover the space, but at the same time sufficient to spoil that spot for a National Gallery, a purpose for which the site was otherwise eminently adapted. A picture gallery must be lighted from the top; and, therefore, it must be a building of one story, or of one story and a basement; but a building for the London University would require to be a series of examination halls, with offices for the transaction of business by officials, and it could therefore be any number of stories high, so that

it was much easier to find a place for that structure than for a picture gallery, while it admitted of being more closely packed upon the ground which it covered. But if the erection of such a building would spoil Burlington House for a National Gallery, then to put the London University in Burlington House Garden would be to fix the right building in the wrong place, as there were plenty of spots both central and convenient which might be found for it—why not the Thames Embankment, or one of the new streets leading to it? As he understood certain observations which were made when the £10,000 was asked for, that was a Vote on Account, and there was a sort of pledge that nothing would be done towards erecting the building till the House saw the plan, which Mr. Pennethorne was preparing. Under these circumstances, he hoped his noble Friend the First Commissioner of Works would acknowledge the pledge, not to carry out the project until the House had had the opportunity of seeing Mr. Pennethorne's design. Indeed, he thought the London University would do well gracefully to withdraw their claim on Burlington House. He did not indeed see why they should not put in a claim for the National Gallery or for the ground in the rear of Trafalgar Square if St. Martin's Workhouse was to be purchased. To remove the national collection to Burlington House would in no way prejudice the question as to the future location of the Royal Academy. Every one knew that the building in Trafalgar Square was hideous beyond comparison. At the same time they knew it was a long thin building, and that any additional beauty would have to be applied to the front. Going back as far as Leicester Square would not benefit the façade. Whether Trafalgar Square was the finest site in Europe or was not, it ought to be better occupied. Would it not, then, be better to improve the building that stood there out of some one else's money rather than out of our own? The Royal Academy were rich. Might not the building be leased to them on condition that they should improve it as much as possible out of their own funds? Any want of popularity of which the Royal Academy might have to complain arose, not from the fact of its being an Academy, but from the supposition that the Academicians did not do as much as they ought in proportion to their great advantages. He would not touch on that tangled question.

It was one respecting which much might be said on every side; but if that House wanted the Royal Academy to do more, and thus rightfully win popularity, would it not be well that it should have some hold over that body such as lodging them in Trafalgar Square would tend to create? One argument put forward against handing the Gallery in Trafalgar Square over to the Royal Academy was that as they would have it open for only three months in the year, it was making an uneconomical use of the property; but there was nothing in that argument, because there might be an understanding that the annual exhibitions should last for four or more months, or that there should be other exhibitions in the course of the year, of sculpture for instance, or architecture, or art-workmanship. Besides, those who fell back upon that pretext forgot the schools which were at work while the show was closed. To say that there could be no other arrangement with respect to exhibitions than that which now existed, would be to bar any change or improvement by the stupidest of all arguments, that which deals with things as they are as if what was existing was therefore immutable. Still, the question before the House was one regarding the National Gallery, and not the Royal Academy, and ought to be treated with exclusive reference to the former institution. In conclusion, he asked the House to reverse the hasty and unfortunate decision of a Committee of Supply two years ago, and begged to move the Resolution of which he had given notice.

Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "it is desirable that a new National Gallery be erected on the site of Burlington House Gardens,"—(*Mr. Beresford Hope*),—instead thereof.

MR. HENRY SEYMOUR said, he thought it was a most unusual course for the hon. Gentleman to move a Resolution of this character when a Bill for maintaining the National Gallery in Trafalgar Square had not only passed that House, but had gone through Committee in the other House. As the Bill had been introduced by one Government, and was being proceeded with by another, both were equally committed to keeping the National Gallery in Trafalgar Square. Certainly there was not a very great distance between

Burlington House and Trafalgar Square; but the latter was decidedly the most central position that could be found in all London. That site had been called by the late Sir Robert Peel the finest site in Europe, and the most eminent statesmen, as well as the Commissioners who had considered the subject, had sanctioned it as the best for the National Gallery. A great agitation had been got up for months past by the Royal Academy in order that it might not be turned out of the building in Trafalgar Square; and that body had most assiduously instigated the hon. Member for Southwark, the hon. Member for Galway, and other hon. Gentlemen, to bring the matter before that House. The Royal Academy, as a *quasi*-private institution of painters, were at first admitted as suppliants to a portion of the National Gallery building which there were not enough pictures to fill. They were in no respect a State institution; but having now become prosperous, they who formerly were humble petitioners for the use of the vacant room actually wanted to oust the National Gallery and the national pictures altogether, and to occupy the whole of the building themselves. That was the real state of the case. There was no good ground for allowing the Royal Academy to have such a fine site and such a large building, or for making them so valuable a present. In fact, the Royal Academy required far less room than the National Gallery. The site of Burlington House was not very extensive, and, moreover, half of it had been give away, while the hon. Member (Mr. Beresford Hope) himself did not want to interfere with the buildings on the other portion. The University of London had actually received, by the vote of that House, a part of that site, and had commenced the erection of buildings; and, therefore, the present proposal of the hon. Gentleman sought to disturb the whole of a settled arrangement. On the other hand, there was good reason to suppose that if the National Gallery had only had proper accommodation for them, the presents made to the nation of pictures and other works would be enormous. What would French people say to any proposal to remove the collection of the Louvre to the Bois de Boulogne? He had the authority of Mr. Barker, a gentleman well known for the interest he took in works of art, and for his knowledge of them, for saying that

Mr. Henry Seymour

he had been in communication with eminent architects on the subject, and that he had been assured that the expense of erecting a fine new building in Trafalgar Square, and converting the present structure into one that would do honour to the metropolis, would not exceed £200,000, which was the sum named by the hon. Member opposite as necessary for building at Burlington House. The hour could not be far distant when a communication would be made between Regent Street and the Strand, and then an opportunity would be afforded for placing at the back of the present National Gallery one of the finest buildings on one of the finest sites in the world. He therefore trusted that the Government would decide upon keeping to the site which had been chosen, and would not disturb the arrangements which had been made with the sanction of a Commission and also of that House.

Mr. LAYARD wished to say a few words on the subject, on behalf of himself and some of his colleagues who were trustees of the National Gallery. He was authorized to speak in the name of Mr. William Russell and Lord Overstone, as also in the name of Mr. Boxall, the Director of the National Gallery; and he must express his entire dissent from what had fallen from the hon. Member for Poole (Mr. Seymour) as to the Royal Academy. He could state that he did not take up that question in the interest of the Royal Academy, which might go to Trafalgar Square, or it might not. But the question was, whether Trafalgar Square was the best place for the National Gallery; and after that point had been decided, they might then deal with the question as to the Royal Academy. In his opinion, and in that of the director and the majority of the trustees, Trafalgar Square was not the best site for the National Gallery. [In support of his assertion, the hon. Member read a letter, dated the 14th of June, from Mr. W. Russell, and then proceeded.] He thought that any gentleman who went into the National Gallery on a summer day, when the season was favourable for the experiment, would be of opinion that the atmosphere was most injurious to the pictures, and detrimental to those who had to study there. Some people misunderstood the object of a National Gallery. It was most desirable that the working classes should have access to the Gallery, but neither the British Museum nor the Na-

tional Gallery was intended merely as a place to gratify curiosity, nor, as was the case until lately, as a place where the visitors could have luncheon. They were intended also for study. It was held by some that the Gallery should be open to the public every day. From that opinion he dissented. On the contrary, he thought that it would be sufficient to throw it open to the public three days, and to reserve the remaining three days for students. The site of Burlington Gardens was accessible, and, at the same time, sufficiently out of the line of the great thoroughfares of the metropolis to prevent it becoming a place of general rendezvous for persons who had nothing to do. A very handsome building for the reception of the pictures now in the National Gallery might be built on that site, and there was sufficient space also for a sculpture gallery, without the necessity of pulling down Burlington House, which he admitted was a fine structure, though not of so high a character as the hon. Member attributed to it. It was contrary to usual practice to reverse a decision of the House, but he believed that many who were formerly opposed to the selection of the site of Burlington Gardens, were now convinced that it was the best site that could be chosen. He regretted that a noble Friend of his (Lord Henry Lennox), who used, when those subjects were under discussion, to twit him for being silent because he was subject to the restraint of office, was not present to take part in the debate. The noble Lord was now under restraint himself; but he knew the opinion of his noble Friend to be in favour of the removal of the national collection to Burlington House. He was surprised that the hon. Member for the Tower Hamlets, or any friend of economy, should advocate the retention of the National Gallery in its present site; for in that case the existing structure must be pulled down, as it was not suited for the exhibition of pictures, and a new one must be built on an enlarged space, at a great expense for the purchase of the land; whereas the nation already possessed in Burlington Gardens a site which had been paid for. If the House decided upon rebuilding on the site of the present Gallery, no one, he believed, could venture to predict when they would have a suitable National Gallery.

MR. AYRTON said, that he supposed the discussion would end in the withdrawal of the Motion, which he thought would never

have been brought forward if the hon. Member for Stoke had been a Member of the last Parliament, and had heard the full discussion that was raised on this question, and the final decision which was then arrived at. The present proposal was that Burlington House should be turned into an edifice proper for the collection of our National pictures. He objected to the design on many grounds. The Government had offered to give to the Royal Academy a site at Burlington House, and the Royal Academy deliberately came to the conclusion to reject it, because it was inconvenient and unsuited for a building for the exhibition of pictures. That body ought certainly to be good judges of the fitness or unfitness of a site for a building intended for the exhibition of pictures, and yet it was now proposed that the National Gallery should be placed on the site which the Royal Academy had rejected, and that the present National Gallery should be given up to the Royal Academy. He believed that if the National collection was once turned out of the Gallery in Trafalgar Square it could not be located at Burlington House, but would be moved from place to place, and would ultimately find a resting-place at South Kensington. But the question of that site had been discussed over and over again, and the House had decided that the Collection should not be transferred there. In point of fact, for the last twenty-five years the House and the country had adhered to the one opinion that Trafalgar Square was the most suitable site for the National Gallery; and so settled was this conviction that Lord Palmerston, recognizing public opinion, as he usually did when it had once been definitely pronounced, asked the House to spend £17,000 in altering the National Gallery, so as to make it better adapted for the exhibition of the National pictures as soon as we could get rid of the Royal Academy as tenants. The money asked for was voted, but his hon. Friend, who was a master of art, said it had since been discovered that the National Gallery was so badly constructed and arranged that the only thing to be done was to pull it down. Now, somebody could be found to say the same thing of any building. But what guarantee was there that anything better would be obtained? Probably, if the course now suggested were taken, we should be just as badly off two or three years hence as we were now. Why not, then, rest content with what we had got? If ne-

cessary, the Gallery might be enlarged, turning to account the additional space which had been obtained; and it would be time enough to pull down the present building when another had been built behind which fulfilled our ideas of perfection in art, and with which it was desirable that the existing structure should harmonize. Trafalgar Square was the most convenient site in London. He would leave art in the hands of those gentlemen who professed to understand all its principles, and to expound them for the edification of the House. But Charing Cross was most convenient of access from all parts of London, and it was an enormous advantage to have your picture gallery in the centre of the metropolis, where anybody could visit it in passing, instead of having to lose a whole day in searching for it. On this ground alone, if on no other, he should vote against the proposition of the hon. Member for Stoke; and he thought that the House should adhere to its often expressed resolution on this subject and stand upon what had been done, instead of being led away by those who professed to have a fine taste for art.

MR. TITE said, he was glad that the question before the House had been raised before it was too late, and if a division took place he should certainly vote with the hon. Member for Stoke. As to the argument drawn from conveniences of site, there could be little difference between Piccadilly and Charing Cross, as the one site was almost as central as the other. There was, on the other hand, an obvious economy in selecting the site of Burlington House, behind which a suitable building could be erected for a moderate sum, and a National Gallery thus secured, which would afford ample accommodation, not only for the present collection, but likewise for all the additions which were likely to be made to it for many years to come. The site in Trafalgar Square could then be handed over to the Royal Academy, who would make such changes as they thought reasonable and desirable, subject, perhaps, to the condition that the old façade, which was allowed to be an entire failure, should be amended. It was said that if this course were taken all that had been done must be undone. If, however, a mistake had been committed, it would surely be unwise to go on perpetuating that mistake? No doubt it was undesirable to continue changing your plans from year to year; life was not long

Mr. Ayrton

enough for this. At the same time, a convenient opportunity seemed to have arisen for reconsidering the whole question; and, believing that it would be desirable so to reconsider the subject, he felt much obliged to the hon. Gentleman (Mr. Beresford Hope) for bringing it forward.

MR. T. BARING said, he believed that successive Governments had been of opinion that the National Gallery should not remain as it was. All parties agreed that greater space was needed, together with a superior building for exhibiting the pictures, and sufficient space for such a building could not be secured there without great expense. No one who visited the National Gallery could dissent from that opinion. There was not room to exhibit pictures which might be acquired by purchase, by donation, or bequest. He should vote for the Resolution of the hon. Member for Stoke, because he believed that in the Burlington House site we should get a more suitable and a more economical gallery for our National collection of pictures than we now had. It was a great object to obtain a suitable gallery without much delay, and there could be no doubt that if the Resolution which was proposed two years ago by the right hon. Gentleman opposite, and of which the trustees of the National Gallery unanimously approved, had been adopted, they would now be far advanced in obtaining a fitting place for the National pictures. The injury that arose from a vitiated atmosphere, and from a mixed concourse of visitors—some not of a very desirable class—might be comparatively slight in an exhibition that was open only for two or three months; but this was a more important consideration as affecting a permanent exhibition. On these and other grounds he maintained that the site of Burlington House was superior to that of Charing Cross. We had made one mistake, and it was too late to go back; but it was not too late to adopt the better and cheaper of the two alternatives that still remained.

MR. COWPER said, he was deeply sensible that the House made a mistake in 1864 in this matter; but, at the same time, he feared that the House would not correct that mistake, but would make another if it adopted the proposition of the hon. Member for Stoke, which would involve another year's delay. He himself was anxious to make all the progress he

could, and not to go back. The present state of the National Gallery was discreditable; there were pictures that could not be hung up for want of room; and if the Motion were adopted it would waste a year in addition to the interval since 1864. They had already passed a Vote of £128,000 for the purchase of the ground in the rear of the National Gallery, and they had made arrangements with the guardians of St. Martin's and the trustees of certain schools for the land they possessed, and further, they had given the London University a site at Burlington House, and voted a sum of money for building, and he thought it best to complete what had been begun. A comparison of the Charing Cross and the Burlington House sites gave no great advantage to either. Both were eligible, central, and afforded ample room for a National Gallery. When, however, in 1864, the Government gave a preference to Burlington House, they did so on the grounds of expedition and economy. The building might have been commenced immediately the Vote was passed; but no steps had then been taken to acquire the other site. It might be more economical to build on the Burlington House site as requiring only one ornamental façade, but the House was unwilling, for economy's sake, to place the National Gallery where it could hardly be seen. While it was an exaggeration to speak of Trafalgar Square as the finest site in Europe, it was the finest in London, and it was fitting that they should have a building there, of which the country would be proud. Two years would suffice for the Royal Academy to build on whatever site it might select, and the guardians of St. Martin's Workhouse had agreed to erect another building as soon as they could procure a site. We were now within two years of the possession of the whole building in Trafalgar Square, and of the land in the rear of it. He doubted whether the adoption of the Motion would enable them to build at Burlington House in less time. The Motion of the hon. Member for Stoke would defeat his darling object of preserving Burlington House; it must be pulled down if the site were selected for the National Gallery, and a larger and grander building must be substituted for that graceful dwelling-house. If the Royal Academy did not desire to make use of Burlington House it would be available for the London Uni-

versity and the learned societies, who would now be inconvenienced if they could not use it. The cost of the Trafalgar Square scheme had been exaggerated. The amount of land purchased was an acre and a half; the present building stood upon an acre; and if it should become necessary the barracks at the rear could be appropriated, which would give a total of five acres. The land purchased cost £128,000, and that occupied by the National Gallery might be valued at £100,000. The Burlington House site was worth £200,000. The Burlington scheme was the cheapest, but the increased expenditure on the Trafalgar site would produce an architectural effect and a metropolitan improvement that was worth the money. He preferred to continue the course they had begun to a retrograde movement, and he therefore felt justified in opposing the Motion.

Mr. GREGORY said, that with reference to the statement that members of the Royal Academy had been soliciting hon. Members to take part in the debate with a view to keeping the Royal Academy in Trafalgar Square, he did not believe that any such application had been made to the Mover of the Motion. A very large proportion of the members of the Academy were in favour of accepting the proffered site of three and a half acres in Kensington, where they could build *de novo*, have ample space for exhibition, and get their schools open, without losing any considerable number of shillings. The Royal Academy had nothing to do with this Motion. The question they had now to consider had reference solely to the National pictures. The reason why the Royal Academy had refused the site of Burlington House was, that the Government had only offered a portion of it, and they found it would be necessary to have a larger space. For a National Gallery he thought the site of Burlington House infinitely better than the present. He did not object to the pictures being kept where they were on the ground of expense, for a question of £200,000, more or less, was not much, but he contended that they would have to spend £500,000 in Trafalgar Square, while they could have a better place for £150,000. As to the late Sir Robert Peel's preference for the present site, he would state that in May, 1850, that right hon. Baronet wrote to Mr. Russell, one of the trustees of the National Gallery, to the effect that he had

misgivings whether it was the best site for their valuable pictures. A National Gallery was intended, no doubt, partly for the amusement of the people; but it was also intended for study; and, speaking as one who occasionally visited the National Gallery, he must say the sights one saw there were often by no means such as would conduce either to study or pleasure. They should be spared a great many of these inflictions if they went to Burlington House. Had they agreed to the proposal to remove to Kensington that place would now have been, or would soon be, as accessible as any other part of London, and a gallery might have been built there in a shorter time than anywhere else. No doubt it would be with regret if any interference took place with arrangements made at Burlington House for the London University; but he understood from his right hon. Friend that the London University had not yet approved the plan which had been submitted to them. It was not for him to point out any other site for the London University; but he had no doubt a place might be found for them which would entail no inconvenience. He could only say it would be found in the end that if Government acceded to this request we should in a comparatively short space of time have a gallery in which our fine collection of pictures might be exhibited in a proper manner; whereas if the pictures were retained where they are, several years must elapse before the exhibition could be properly carried out. The Royal Academy could not be in possession of their new structure before two years; and even after they had left their present apartments many alterations would require to be made with a view to the proper exhibition and security of the National pictures. It would be five or six years before the National pictures could be exhibited on their present site in a proper manner. If the present Motion were acceded to they could within a fixed and comparatively brief period carry out a plan which had already been investigated; if it was not acceded to the prospect was dim indeed.

MR. GOLDSMID said, that the result of several deliberations was that the late Government had granted a site to the London University, in the grounds of Burlington House, and it would be a deliberate breach of faith towards one of the most useful institutions in the kingdom if that site were now to be taken away.

Mr. Gregory

Besides this, it was a retrograde step which was proposed by the hon. Member for Stoke, the House having already voted a sum of £20,000 for an erection on a site which he now proposed to deal with in quite a different way. He should therefore oppose the Motion.

LORD JOHN MANNERS said, he had listened attentively to the statements of the different Members who had spoken on this occasion, but he should not think it necessary to make many observations in reply. There was nothing new to be said on the subject. The right hon. Gentleman his predecessor in office had placed the question in a very clear and succinct manner before the House. He had to regret, on public and private grounds, that the hon. Member for Stoke had not brought forward his Motion in the last Parliament. The question could not well be re-opened, as the House had passed a Bill, and the other House had already passed the same Bill, for the purchase of ground, in connection with which certain arrangements had been made in reference to this subject of the National Gallery. He must say, with all deference to his hon. Friend, that far stronger reasons than he had alleged must be urged to induce the House at the far end of the Session to reverse the decision which they had come to in former years no less than in the present Session. He had listened with great interest to the speech of his hon. Friend the Member for Huntingdon, who spoke with the authority due to a trustee of the National Gallery. But all he could gather from the speech of his hon. Friend was that the majority of the trustees would prefer a site that was less open to the public than the one now occupied at Trafalgar Square. They wished for a site that was more secluded—that was less open to the intrusion of people who were there not with the most artistic motives, and they thought that their object would be gained by removing the Gallery to the site of Burlington Gardens. He might say the same thing with respect to the remarks of his right hon. Friend who complained of the deleterious influence of the smoke of the metropolis. But so far as the injury caused by smoke was concerned, he might remind the House that in a few years if the present rate of building went on, the same objection would apply to Burlington Gardens that was applied to Trafalgar Square. They all

knew that the smoke nuisance was in the course of being greatly abated. He therefore could not attach much importance to that argument. If any weight were to be attached to that argument he must say that the conclusion to which he came was not that the site of the National Gallery should be removed to Burlington House, but to South Kensington, in accordance with the opinions of Sir Edwin Landseer, Lord Houghton, and other authorities on the question. With respect to other arguments used by hon. Gentlemen, they might be summed up under the head of economy and the necessity of maintaining faith with other public bodies. Now, as regarded the question of economy, his hon. Friend, pinched by the argument that the London University had an equitable claim to accommodation from the Government, actually proposed to meet that claim by purchasing the site which the Government proposed to purchase at the rear of the present National Gallery for the purposes of the London University. But he (Lord John Manners) thought that his hon. Friend would find on examination that there would be no economy in that purchase and the new buildings it involved. By taking £200,000 for the erection of the National Gallery in Burlington Gardens, £128,000 for the purchase of the ground in the rear of the existing National Gallery, and £60,000 or £70,000 as the cost of erecting a new London University, a very considerable sum total would be arrived at. The hon. Gentleman the Member for Galway, pinched by the same argument, had proposed that the London University should be called upon to emigrate to South Kensington. Well, but was the Senate of the London University to have any voice in the matter? [An hon. MEMBER: No.] No, but when it was proposed to move other bodies to different sites, it was found that they exercised a very considerable voice in the matter; and he would not undertake, after all the promises that had been made to the London University by the late Government, to treat them in the cavalier fashion that was proposed by the hon. Member for Galway. The speech of the hon. Member for Bath, he must say, was quite as much in favour of the proposition of the late and the present Government, as it was in favour of the hon. Member for Stoke. The hon. Member knew very well that there were various public bodies that had claims to accommodation from the Government. He wanted to know

what was to become of the Royal Society and other learned bodies which had been hitherto very comfortably provided for in Burlington House, if the Burlington Gardens' site were now to be selected for the National Gallery, if the proposition of the hon. Member for Stoke was agreed to. The hon. Member for Stoke seemed to argue as if Burlington House would still remain intact. But the House would be under a great delusion if they supposed that after the National Gallery was removed to Burlington Gardens, Burlington House could be preserved intact. If the Gallery was erected in the gardens, it would be necessary to make an immense passage through Burlington House as an approach to the National Gallery, and that would unhouse the various learned societies at present provided for there. To procure other accommodation for those learned societies would add some £60,000 or £70,000 to the expense; and the grand total would be by no means pleasing to those who studied economy. The other matters which had been referred to were so completely discussed in the course of the debates upon the subject in 1864, that he would not weary the House by again touching upon them. Her Majesty's Government had not changed their opinion from the time when his right hon. Friend the Chancellor of the Exchequer proposed to extend the accommodation for the National Gallery on the existing site, and he rejoiced to think that their predecessors in office had at last taken a similar view. He would only express a hope that the House would adhere to its original decision, again endorse the views of the Government and their predecessors in office, and finally settle the long pending question by declaring in favour of the present magnificent site for the National collection of pictures.

Question put, "That the words proposed to be left out stand part of the Question."

The House divided:—Ayes 94; Noes 17: Majority 77.

THE DANUBIAN PROVINCES.

QUESTION.

MR. DARBY GRIFFITH said, he rose to ask the Secretary of State for Foreign Affairs, Whether the Porte has consented to the recognition of Prince Charles of Hohenzollern as Hospodar of the Danubian Provinces. He remembered the Motion which was made by the hon. Member

for Halifax (Mr. Stansfeld) some years ago, and he thought that an unfair endeavour had been made to turn that Motion to the disadvantage of the Government of Lord Palmerston. He (Mr. Darby Griffith) looked upon the whole thing as a mere party manoeuvre, and as one totally unsuccessful. It was not from any want of confidence in the noble Lord the Secretary of Foreign Affairs that he put this question, for the declaration which the noble Lord made the other day must have given the greatest satisfaction to the House and the country. He was sure that whatever course the noble Lord followed he would be guided by feelings of the highest probity; and that whatever office he filled would be elevated by his high character. This country had altered its views as to the course we should take with regard to Turkey, and the old traditional policy of Lord Palmerston in reference to that country was no longer approved by this nation. He (Mr. Darby Griffith) was favourable to the general principle of the suzerainty of the Porte, especially when it was exercised in accordance with the wishes of the population immediately affected. The province of Servia, he believed, was disposed to be as favourable and friendly to the Porte as any part of the contiguous dominions. It was therefore a most absurd anomaly to encourage the maintenance of the fortress of Belgrade at an annual cost of several hundred thousand pounds. It was an easy thing to say that this country had no right to make such a recommendation; but the Porte was quite aware that in giving advice we were the only disinterested Power, and therefore any suggestions we might offer on this or other points, though at the moment it might be inexpedient to act upon them, ultimately would always be attended to. He did not expect that the noble Lord would be able to give him a categorical answer, for he was well aware of the difficulties attendant upon this question. The late Secretary for Foreign affairs and the hon. Member for Wick took a very sanguine view of Turkish affairs, and since the Crimean war that nation, partly under our auspices and partly under our advice, had borrowed at least £50,000,000. We had led them on till at last they had ended in bankruptcy; at least, they were unable to pay interest on their Consolidateds, the dividends on which had now been postponed to the 10th of October, mean-

Mr. Darby Griffith

ing, he supposed, the Greek Kalends. He could not help taking that opportunity of referring to the festive gathering in connection with a new Liberal club held at Richmond on Saturday last, on which occasion the noble Lord the head of the late Government—his health having been very appropriately given—made some remarks which attracted considerable attention. He said—

“It was, perhaps, natural that Austria, having by a very equivocal treaty in the year 1798 obtained the government of Venetia, should be determined not to yield it except to force. That, for my part, I can well make allowance for and forgive; but it does seem to me intolerable that, being engaged in war against Italy, the Emperor of Austria should have proposed to give up Venetia, not to Italy, but to the Emperor of the French. The Italians have felt that insult very deeply. No doubt the Emperor of the French, anxious for peace, actuated, I have no doubt, by the best motives, proposed an armistice to Italy and to Prussia; but the terms did not look promising. They could not but be distasteful to Italy; and for my part I regret that, however creditable on the part of the Emperor of the French that offer might be, the English Secretary of State for Foreign Affairs should have gone shares in that proposition, and thus done that which must be offensive to the Italian people.”

He confessed that when, from the *Moniteur*, the announcement was flashed over all Europe that Venetia had been ceded to France, he did feel apprehensive that the new Government, taking office in the midst of rapidly changing events, might have been entrapped into some honest but indiscreet expression of opinion. He did not, however, suppose that any such false step had been taken on the part of the English Government. Thinking it right that the noble Lord the Secretary of State for Foreign Affairs should have the opportunity of making such explanation as he thought fit upon the point, he begged to put the question of which he had given notice; and he hoped that the noble Lord would be able to state that he had not committed himself to any proceeding such as the late Prime Minister attributed to him.

LORD STANLEY: I think my hon. Friend can hardly desire that on this occasion I should go into any lengthened statement of Foreign Affairs. The first Question of which he has given notice I can answer very briefly. He asks whether the Porte has consented to the acknowledgment of Prince Charles of Hohenzollern as Hospodar of the Danubian Principalities. The Porte has not recognized the Prince in that position; but negotiations are at pre-

sent proceeding between the Government of the Sultan and that of the Principalities, and I have good hope—though one can never speak with certainty of a matter which is still undecided—that before long these negotiations will end, and end in a most satisfactory manner. With regard to the question relating to Servia, I can only speak as to what has occurred while I have been in office, and during that time no question whatever has come before me with respect to the relations of Servia with the Porte. Whenever such a question does arise I will give it my best consideration. With regard to the other and far more important matter to which my hon. Friend alluded, I explained as fully as it was in my power to do on Friday night what was the position in which the Government stood in regard to the recent negotiations. It is not the fact that we proposed or accepted any proposition for joint or separate mediation; it is not the fact that we agreed with the French Government as to any preliminaries or terms of peace; nor has such mediation been suggested by Austria. All we did was to support a simple proposition for an armistice in order that all parties to the Conference might have time and opportunity to consider the new position in which they stood, so as, if possible, to substitute negotiation for bloodshed. I do not think that was an unreasonable proposition; because, since the war began, in the course of a very few days, Austria had abandoned her claim to Venetia, and a great and decisive battle had been fought in Bohemia, which had completely altered the position relatively of the parties. Under these circumstances, it was only a matter of common sense that if any prospect existed of mediation being accepted, the neutral Powers should endeavour to give time and opportunity for such mediation to take place, each party recognizing the entirely new position in which it was placed by the events of the war. That proposal was not successful; but I am happy to say that an armistice for five days has been agreed to by Prussia and Austria, and I believe that the adhesion of Italy to it may be expected. It is not possible to say what the ultimate results will be; but, in my opinion, the circumstances are such as to give ground for the sanguine hope that this temporary armistice will be extended, and will lead to an early restoration of peace.

MR. WHALLEY thought that the statement would be satisfactory to the country,

because there was a fear that England, having intervened in conjunction with France in favour of an armistice, might be induced to go further along with the Emperor of the French. The noble Lord said on Friday night that there never was a European war in which the interests of England were less concerned than in this; but he (Mr. Whalley) ventured to think that there never was a war in which our interests were more concerned. The right of opinion, civil and religious liberty, and what was called the Protestant question, were involved, and it was singular that, however Protestants might happen to be divided in opinion, there was no doubt a remarkable unanimity of Roman Catholic opinion in favour of Austria.

IRELAND—ECCLESIASTICAL COMMISSIONERS.—QUESTION.

MR. MAGUIRE, in rising to call the attention of the House to a case of very great hardship which had lately come before the Roll's Court in Ireland, and which had excited considerable interest in that country, would remark that it was of the utmost importance that those who stood in the position of owners or agents of property in Ireland should administer that property in a just and equitable manner; for while good example on the part of individuals of influence and position would be always attended with beneficial results, the bad example of the same class would be attended with the worst possible consequences. Now, the parties who had given a flagrant example of injustice in the present instance were no less a body than the Irish Ecclesiastical Commissioners, who were the administrators of a considerable property, the annual income of which, after defraying necessary expenses, was devoted to the purpose of erecting and repairing churches. Amongst other property under their management and administration, were the estates belonging to the suppressed sees, of which that of Dromore, in the county Down, was one. From the case, as it came before the Master of the Rolls, in the form of a petition on the part of a Mr. M'Murray to compel the Ecclesiastical Commissioners to grant a renewal of his lease, the following facts were elicited:—In the year 1793 the then Bishop of Dromore made a lease of three acres of land to Moses Bodel, in pursuance of the provisions of an Irish statute, the main object of which was to promote the linen manufacture in Ireland. This lease con-

tained a covenant for perpetual renewal. In 1815 Bodel made a sub-lease to a person named Scott, and in 1827 the interest in this sub-lease became vested in the father of the petitioner, who expended a considerable sum in building and in machinery. On the death of Mr. M'Murray, the elder, the petitioner succeeded to the property. In 1853 he received a fee-farm grant from the original lessee, under the lease of 1793, a rent of £15 11s. being reserved; and this rent was bequeathed by Bodel to a person named Burrowes. Mr. M'Murray was the tenant in possession, the assignee of the lease, and in fact the only one who had any interest in the land. The reserved rent of £15 11s. was sold in the Court of Incumbered Estates during the last year, and was purchased by Mr. M'Murray for £510. The ordinary conveyance was made by the court to Mr. M'Murray, who then applied to the Ecclesiastical Commissioners to grant him the renewal, according to the conditions in the lease of 1793. But, to his astonishment, the reply he received from the Commissioners was that his property was forfeited, inasmuch as renewal had not been taken out in compliance with a notice served, not on him, Mr. M'Murray, the tenant in possession, but on another person who had no interest in the estate. The Commissioners affected to know nothing of Mr. M'Murray, although he and his father had been on the property for nearly forty years; and they allowed him to purchase the interest of the lease in a public court, situate in the same city in which they transacted their business—almost within the shadow of their board-room—without affording him the slightest notice of the risk he was incurring. If the Commissioners should persist in their determination not to grant Mr. M'Murray a renewal of the lease on the faith of which a considerable amount of property had been expended, they would commit an act of the grossest injustice, by robbing a respectable man of the fruits of his and his father's industry. The case came before the Master of the Rolls on the 18th of June, when that upright and fearless Judge animadverted on it in the strongest possible manner, and expressed his extreme astonishment that the Commissioners, among whom were many eminent men, could consent to adopt so dishonest a defence as that pleaded against the just claim of the petitioner. He expressed his opinion that this was the work of the "paid officials," and not such

Mr. Maguire

men as the Lord Chancellor, the Lord Chief Justice, the Archbishop of Dublin, Mr. Guinness, Member for the city, and others; and he adjourned the case in the hope that he should hear no more of it—that the Commissioners, on having it thus brought to their notice, would renew the lease for the petitioner, and thus put an end to the scandal. But the Master of the Rolls did hear more of the case; for on the 2nd of July it was brought on again, and the Commissioners were represented by a strong bar, to defeat the claim of the petitioner. The Commissioners insisted on their "pound of flesh"—not because of any default on the part of M'Murray—not because of non-payment of rent—not that any of the ordinary covenants had not been duly fulfilled; but because a certain formality had not been complied with by a person upon whom notice had been served two years before, but who had no interest whatever in the property. The Commissioners pleaded several things. They pleaded ignorance; they asserted that they had a right to do what they liked with their own; and they represented that they had a sacred trust to protect, for that all the money they had received was expended in the erection and repairs of churches. The Master of the Rolls refused to accept the plea of ignorance, and considered the alleged excuse as most disgraceful, inasmuch as it was their duty to ascertain all the particulars connected with the property which they administered. He denied that the property was theirs, or that they could do what they liked with it; and he begged to remind them of the aphorism of Mr. Drummond—that property had its duties as well as its rights. When they represented that it was their duty to manage the property in the best manner, with the end which they had in view—to erect and repair churches—the Master of the Rolls asked whether, because the money derived from the estates under their control was to be devoted to the erection of temples to God, they were, therefore, authorized to oppress and plunder the tenants? It was stated by counsel, and also in a document purporting to be a resolution of the body of Commissioners, but signed only by the Secretary, that if the petitioner failed in his application, and if the renewal of the lease were not enforced by an order of the Court, the Commissioners would take the case into their consideration, and deal with it on the principles which ought to regulate their

dealings as landlords with their tenants. But the reply of the Master of the Rolls was most scornful and emphatic. He said, "I would as soon place a lamb under the care of a wolf as to trust the petitioner in this case to the tender mercy of persons who could act so badly towards him as these men have done." The Master refused to believe that the Commissioners, as a body, had really anything to do with what he characterized as so "iniquitous," a case, and he asked to see the book in which the minutes were inserted, so that he might learn the names of the Commissioners who had been present, and who consented to have so unjust a defence pleaded in their behalf. But that book was not produced in court, some shuffling excuse having been given for its non-production. The Master has now postponed his judgment to November, perhaps in the hope that the Commissioners would have the good sense to withdraw from a disreputable position, and perform a simple act of justice at last. The case had excited intense interest in Ireland, the people of which country loved justice and fair play, possibly all the more keenly because so little of either was usually accorded them. The wrong inflicted, or sought to be inflicted on an industrious and honourable man, was the more disgraceful from the position of the wrong-doers—not some miserable village usurer, who, having clutched a fragment of property in the Court of Incumbent Estates, exaggerated in his dealing with his unhappy tenants the worst vices of Irish landlordism—but men of high rank and repute, whose only duty was to carry out a religious purpose—the erection of temples to the honour and glory of God. And now there was a matter of importance which he desired to ascertain—namely, whether the proceedings taken by the Commissioners had been taken under the advice or with the sanction of the Law Officers of the Crown in Ireland? It was customary for public bodies to consult the Law Advisers of the Crown whenever they were about to take any important step; and surely in this case the Commissioners were about to take an important step, inasmuch as they were about to brave and defy public opinion in the country, and peril the honour and reputation of their body. The Law Officers were generally men of eminence in their profession, as, undoubtedly, the late Law Officers in Ireland were; and the advantage of consulting them was not only on account

of their legal eminence, but because of their entire impartiality. They were not like the private counsel of a public body, who mutually saw with each other's eyes; but they were in a position to advise what was really for the honour and dignity of a public body to do. Had the Law Officers been consulted in the present instance, it is scarcely possible to believe that they would have rushed into court, and thus justly incurred the bitter and stinging rebuke of the Master of the Rolls, who, in this, as in all other cases of a similar kind, proved himself to be alike fearless and unsparing in his denunciations of wrong and oppression. For years that able and upright Judge had stood between the oppressor and the oppressed; and while he justly rebuked and punished the fraud of the humble wrong-doer, it was on the back of the great and the strong that he dealt with vigorous and evenomous lash. Some eight years since a case of aggravated injustice—that of "*O'Fay v. Burke*"—came before him in the Rolls; and his memorable remarks on that case were so forcible in their indignation, that he was mainly the cause of an attempt at legislation immediately after, with the view to bring about more equitable relations between landlord and tenant in Ireland. It was to be hoped that his indignant strictures in the case of "*M'Murray v. the Ecclesiastical Commissioners*" would be the means of bringing about a more wholesome relation between the classes on whose united energies mainly depended the progress and prosperity of Ireland. He (Mr. Maguire) had no personal knowledge whatever of the Master of the Rolls, nor had he ever had any communication with him; but he took that opportunity of expressing for him in his judicial capacity his respect, his gratitude, and his admiration. He would conclude by asking the noble Lord the Secretary for Ireland—which he did officially and formally, though that noble Lord had nothing to do with the proceedings of the Commissioners, and who was not in office at the time, Whether his attention has been called to the proceedings in question, and to the observations of the Master of the Rolls thereon; and as the late Attorney General for Ireland was in his place, he would ask the right hon. Gentleman whether he had been consulted in the case by the Commissioners; and if he had been consulted, would he have advised them to adopt the course which they had taken?

LORD NAAS said, he had never heard

of the case to which the hon. Member referred until he read the notice of the hon. Gentleman on the Notice Paper. The Ecclesiastical Commissioners, as the House probably were aware, were in no degree under the control of the Government, and therefore it was not his duty to defend them or to express an opinion on the merits of the case. It would be especially improper for him to do so then, as the case was *sub judice*, the Master of the Rolls having reserved his judgment, he believed, until next November. With regard to the question of the hon. Gentleman, as to whether the proceeding of the Ecclesiastical Commissioners were taken under the advice of the Law Officers of the Crown, he felt it his duty to read a letter which he had received from Dr. Gayer, the paid Ecclesiastical Commissioner, in reply to a communication from him (Lord Naas) in reference to this matter. Dr. Gayer stated that there was no law of custom binding the Ecclesiastical Commissioners to ask the advice of the Law Officers of the Crown in such matters. They had an experienced and able advising counsel. It was only in the event of a doubt arising in the mind of this learned counsel, that they consulted the Attorney or Solicitor General; but in this case no communication had been held with either of those Gentlemen. The suit against Mr. M'Murray was not yet decided.

MR. LAWSON: I am anxious to disclaim any connection with the proceedings to which the hon. Member for Cork has referred. They were never advised or sanctioned by me, and I first became acquainted with them through the reports in the newspapers. The case had attracted a good deal of attention in Ireland; and so far as I can judge, the proceedings savour very much of the character given to them by the hon. Member for Cork. Without adverting to the legal question upon which the Master of the Rolls has reserved his judgment, I entirely concur in what fell from the learned Judge as to the impropriety of a public body endeavouring to avail themselves of a technical objection in order to confiscate the estate of a tenant. I beg to say that I think the Master of the Rolls is entitled to the thanks of the public for the bold and fearless manner in which he condemns every dishonest attempt to defeat the just rights of tenants by taking advantage of the present state of the law in Ireland. His observations in the case of "*O'Fay v.*

Lord Naas

Burke," to which the hon. Member for Cork had referred, had been the means of calling public attention to the Law of Landlord and Tenant in Ireland, and had led to a consideration of the best way of improving it. In my opinion, a Judge does not travel out of his proper province when he comments upon the facts brought before him, as his sense of justice and his conscience suggest to him.

THE HOUSELESS POOR.

OBSERVATIONS.

MR. DAVENPORT BROMLEY said, that without any intention to disparage the labours of the late President of the Poor Law Board or of the right hon. Gentleman who now filled that office, he wished to call attention to a subject which he thought of great importance—namely, the defective operation of the Metropolitan Houseless Poor Act during the last two years, and the great number of professional vagrants who have lately been attracted to the metropolis. He believed that the painful, he might almost say revolting, circumstances which had been brought to light with regard to workhouse infirmaries had rather thrust aside and superseded the very important point to which he was about to refer. He did not wish to be understood as stating that the Metropolitan Houseless Poor Act had done no good at all, because he was of opinion that in one respect it had been beneficial. We no longer saw the miserable crowds which we used to see on the steps of the workhouses sleeping all night in the open air. That such sights were witnessed was certainly a disgrace to any civilized town, and more especially to a wealthy metropolis like London; but although this evil had been remedied by the Metropolitan Houseless Poor Act, he had been sorry to find that the tendency of the Act had been to accommodate the professional vagrant rather than the really deserving poor. This was shown by the Returns for which he had moved early this Session, setting forth the enormous difference between the numbers admitted to the casual wards of the metropolitan workhouses in 1864 and 1866, and showing a very great increase in the latter year in the casual wards and lodging-houses. In Kensington in 1866, as compared with 1864, there were upwards of 3 to 1 more male casuals admitted; in Fulham the numbers were about equal; in St. Luke's, Chelsea, the number was as 8

to nil—he referred to the average nightly admissions; in St. George's, Hanover Square, including lodging-houses, as 8 to 1; in St. Margaret's and St. John's, Westminster, as 3 to 1; in St. Martin-in-the-Fields, as 2 to 1; in St. James', Westminster, as 3 to 1; in St. Marylebone parish, as 18 to 1; in St. John's, Hampstead, as 2 to nil; in St. Pancras, as 23 to 1; in St. Mary's, Islington, equal; in Hackney, as 3 to 1; in St. Giles-in-the-Fields and St. George's, Bloomsbury, as 8 to 1; in the Strand, as $8\frac{1}{2}$ to 1, including lodging-houses. In Holborn Union the male casuals as 11 to 1, including lodging-houses, the female casuals as 10 to 1; in St. James's, Clerkenwell, the male casuals as 8 to 1, the female casuals as 14 to 1; in St. Luke's, Middlesex, as 8 to 1; in the East London, as $10\frac{1}{2}$ to 1; in the West London, the male casuals as 16 to 1, the female casuals as 28 to 1; in the City of London, equal. In St. Leonard's, Shoreditch, the number was 15 to nil; in Bethnal Green, 5 to nil; in Whitechapel Union, 2 to 1; in Mile End Old Town, 4 to 1; in St. Saviour's Union, 3 to 1; in St. Olave's Union, 9 to nil; in Bermondsey parish, 2 to 1; in Lambeth, including lodging-houses, 18 to 1; in Greenwich Union there was no great difference, and in Lewisham no formal record. He adduced from all that that there had been a vast increase in the casual poor who were accommodated in those places, and that these casual poor belonged apparently to the class of professional vagrants. The admirable Minute of the Poor Law Board, written in 1848 by Mr. Charles Buller, stated that experience had shown that the roughness of the lodging and the coarseness of the fare, while inflicting underserving hardship on the really meritorious destitute wayfarer, had not counterbalanced the inducement which the certainty of food and shelter held out to the dishonest vagrant. The fact was, the dishonest vagrant reaped the advantages which were intended for the benefit of the deserving, and the cost of which came out of the pockets of the ratepayers. The same admirable Minute to which he had referred, and which he would recommend to the President of the Poor Law Board, and to all future Presidents, as a text-book, stated that one of the worst results of the indiscriminate treatment of all who were commonly denominated "casuals" was, that those who were the best objects of charity were subjected to what was intended to

deter the worst. The great difficulty attending the present system was, how to discriminate between the two classes of applicants, and he saw no other mode than that which was recommended in the same paper—namely, the intervention of the police. The police were the best discriminators between habitual vagrants and the deserving poor, for they had the best means of knowing the two, and they would be able to eliminate the vagrants with greater facility than could be done by a workhouse porter. That plan was recommended in 1848, and the Minute from which he had already quoted said that a plan which had been adopted with success in some towns in different parts of England was the employment of a trustworthy officer of police as assistant relieving officer, the effect of which was, that the habitual vagrant who had rendered himself amenable to the law for his criminal acts had been made to disappear. He felt sure that the district asylums which were proposed in 1846, and to which he took occasion to refer last Session, when he recommended the late President of the Poor Law Board to adopt the same system, would, if now established in London, and placed under the control of the police, have removed some of the very great evils which now existed with respect to the casual poor. There should be a certain amount of what he would call "semi-penal treatment;" there should be the labour test most rigorously enforced, and that would be the means of eliminating a considerable portion of those who now tried to subsist upon the provision really intended for the deserving. The greatest portion of these vagrants were as well known to the police as the Members of that House to the door-keepers, and could as easily be kept out as a stranger by one of the officers of that House. Undoubtedly the principle of the law equally required the granting of relief to the destitute and the prevention of the misapplication of public funds to those who were not destitute. He called upon the right hon. Gentleman the President of the Poor Law Board, to resolutely set to work and separate the two classes, establishing kind and humane, though not too attractive, treatment for the deserving poor, and leaving the vagrants to be taken charge of by the police.

MR. NEATE said, he wished to call attention to the state of the vagrant poor in the provinces as well as in the metro-

polis. Some two years ago he moved for a Return, which showed the rule applicable to the treatment of the casual poor in all the unions subject to the jurisdiction of the Poor Law Board. If they looked to those rules, to the amount of work that was required, and the allowance of food that was made, they would not be surprised to find the great overflow of vagrant poor in the metropolitan workhouses. The law upon the subject was in a most unsatisfactory condition, and he quite concurred with the hon. Gentleman who had just sat down, that we must resort, in a great degree, to the old vagrancy laws, both in their humanity and in their severity, if we desired to put an end to the existing evils. The Guardians of the poor in the country were not commonly aware of the legal rights of the casual poor, and he thought it desirable that an inquiry should be made into the general condition of the casual poor throughout the country, and the mode in which they are treated.

MR. HENLEY said, they were all obliged to the hon. Member for North Warwickshire for calling attention to this subject. It would, however, be necessary to go a good deal deeper than the hon. Gentleman had suggested. It was easy to stick a policeman at the door of one of these places and call upon him to discriminate between the deserving poor and the worthless vagrant. But that would be only another mode of trying to scare the people from getting relief, and it was pretty certain that if this plan were adopted a large class of the casual paupers would not come. Every sort of device had been tried to prevent the casual poor from receiving relief, and when they got the relief the great object of Poor Law Guardians was to get rid of them. Depend upon it, they would never stop this sort of vagrancy unless they took the bull by the horns, and kept the people who came to them until they found out who they were and where they belonged to, and in that way relieved the deserving poor and punished the vagrant. The question was one of much difficulty; but his right hon. Friend the President of the Poor Law Board was young and strong, and no man was more likely to grapple with it successfully. These vagrants might be very unworthy and undeserving, but they might also be in great distress—wet, cold, and destitute of food; and if too strict a hand were kept upon them they would perish, because they would

not apply for relief. He was strongly of opinion that they would not remedy the evil complained of until they detained those who came for relief, examined into their condition, and then either sent them home, if they had one, or detained them where they were and made them work. It was easier to see the evil than to get out of it, but it never would be checked until that course was taken. All the rest was but a temporary expedient, and they might drive the casual poor from pillar to post, but they would be sure to get the better of them. They were passed on from union to union. They tore up their clothes; they were then clad in sackcloth; then they walked to the next union, and tore up the sackcloth, and so the thing went on. He hoped his right hon. Friend would be able, during the recess, to do something towards remedying the evil.

COLONEL HOGG said, that he agreed with the observations of the hon. Member for Warwickshire (Mr. Bromley), that the recent legislation respecting casual poor had failed in many respects, and had certainly increased that class of pauperism. He would venture to quote some figures which would prove the truth of this with regard to one workhouse—namely, St. George's, Hanover Square, and the same figures would prove how impossible it was to carry out the suggestion of the right hon. Member for Oxfordshire (Mr. Henley), who advised that casuals should be detained in the workhouses where they sought refuge, and work found for them. The two workhouses of St. George's, Hanover Square, would not hold more than 700, whilst in one month shelter had been given to as many as 1,282 casual poor. The figures are as follows:—In January, 1864, there were 346 casuals relieved. In February, 1866, the number was 1,282; in March, 1,192; in April, 817; in May, 950. The workhouse being able to accommodate so limited a number, the great bulk were sent out to lodging-houses engaged for the occasion. More than one of the Guardians had taken pains to get work for the able-bodied casuals, and he had himself offered them clothes if they would go to work. In scarcely a single instance, however, had these men come to receive the clothes thus offered to them, and do the work. He thought it rather hard upon these persons that they were kept at work until eleven o'clock, a. m., in exchange for a night's lodging, for it was then too late for a man to get a day's work. The casuals

Mr. Neate

who were relieved were charged upon the general rate of the metropolis; but if they were taken sick while they were in the workhouse, and remained in the infirmary, they were charged upon the parish. He thought it would be fairer if the expense of maintaining the casuals who thus fell ill were charged upon the general metropolitan rate. If a destitute man came and wanted a lodging he did not see how the police who might be employed could refuse him relief.

MR. GATHORNE HARDY said, that the question to which the hon Member for North Warwickshire had called attention was one of great difficulty. The discussion, however, had rather wandered from the Metropolitan Houseless Poor Act, for his right hon. Friend had entered upon the question of vagrancy throughout the country generally. It was very difficult to amend the law in any given direction without causing some evil in another. The Metropolitan Houseless Poor Act was brought in to suppress a great evil—that a great number of people were in the habit of sleeping out of doors in the streets of the metropolis. It was discreditable to the Guardians and to the country that such a state of things should exist as that a number of poor persons should be unable to obtain admission into the workhouses, or to get food, and that they were found sleeping under arches and elsewhere. An Act was passed which had so far remedied the evil that none of these things now happened in the metropolis. Accommodation was now provided for above 2,000 of the houseless poor in the metropolitan workhouses, while the average number of applicants was only somewhat over 1,000. No doubt a great increase had taken place lately in the number of applicants, but whether the Act attracted the class of professional vagrants to the metropolis, or that persons applied for admission who did not go to the workhouses before, he was unable to state. Perhaps the greater care now taken to prevent disorder and dissolute conduct might explain some of the increase which had arisen; but he had not been long enough in office to satisfy himself on this point. He found, from the latest information which he could obtain that day, that there were about seventeen unions in the metropolis in which the police acted as assistant relieving officers, which would leave about twenty-three unions in which the ordinary relieving officers were employed in that service. It might

be desirable to ascertain what was the character of the poor in those unions where the police acted in this capacity, and what was their character in unions where the police were not so employed; but as yet he had not been able to arrive at any conclusion on the subject; and, indeed, he trusted the House would excuse him if he had not yet inquired into the question of vagrancy, whether in the metropolis or the country, because the short time during which he had held office had been occupied with other subjects which, he would say, were very important, although he did not mean to underrate the importance of that question. He was sure the House would desire to distinguish, as far as practicable, between the professional vagrant and those poor persons who fell into destitution from illness, deaths in their families, and other causes which they could not prevent, so that the Poor Law might be administered in a humane and benevolent manner without any more harshness than was absolutely necessary to get rid of the professional vagrant. He would assure hon. Gentlemen that his attention should be given to that matter both in London and the provinces. He could not say that the Houseless Poor Act had failed in the object for which it was passed—namely, to remove from the streets the houseless poor who used to wander about the metropolis. That had to a great extent been done; and it now remained to be seen whether they could not accomplish the further end of deterring the class of applicants who in no sense deserved relief, but who rather, as his right hon. Friend (Mr. Henley) had remarked, deserved punishment.

Main Question put, and agreed to.

SUPPLY considered in Committee.

(In the Committee.)

(1.) £140,000, Manufacturing Departments.

GENERAL PEEL: Sir, the necessity for the Supplementary Estimate which I am now about to move has arisen from circumstances that occurred during the interval between the resignation of the last Government and the accession to Office of the present Government. But so far from being at all guilty of the charge brought against me earlier in the evening by the right hon. Member for South Lancashire (Mr. Gladstone) for having adopted undue haste, I think that neither this House nor

the country will be of opinion that any undue haste could be exhibited in arming our soldiers with good breech-loading weapons in the briefest possible period. On the contrary, I hold it to be a matter of great congratulation that at a comparatively trifling expense this can be effected in a very short space of time. Where the right hon. Gentleman got the figures which he gave I cannot tell. He stated that I said it would require an expenditure of £250,000 not only during the present but also during the next financial year; and I think he went on even to the third year likewise. Now, I certainly am not presumptuous enough to express any opinion as to what may take place in the financial year two years hence; but it may be a matter of great satisfaction to the right hon. Gentleman, and, I trust, to the House also, to know that even of this Supplementary Estimate of £245,000 on the whole, only one-half is for conversions. When I acceded to office I found myself in this position. Two years ago the late Government came to the decision, on the Report of a Committee which sat for the express purpose, that the whole army should be armed with breech-loaders; and the delay in carrying it out only arose from their not arriving at a decision as to what pattern should be adopted. But when I came into office I found that that point also had been decided, and that a pattern had been adopted by which the Enfield rifle was to be converted into a breech-loader. And if any blame is due to me for acting with promptitude on the decision so arrived at by my predecessors, I must plead guilty of it; for I certainly lost no time in carrying out what I am sure would have been done by my predecessor had he remained in office, and in taking every means in my power to increase the number of breech-loaders to be provided during the course of the present financial year. The number that was provided for by the Estimate for the present year already before the House was only 40,000. I received the Seals of Office on Friday, the 6th of July; and instantly on my return home I directed a telegram to be sent to the head of the Royal Small Arms Factory at Enfield that I desired to see him next morning in order to take every possible step for increasing that number. When I saw him next morning I was somewhat disappointed at learning that the factory could not furnish as great a supply as I had hoped might have been possible during the present year, and that I should

be obliged to have recourse to the trade. I at once adopted the suggestion and instituted inquiries to ascertain what the trade would undertake to supply; and I am happy to say that on the Monday following I received a letter from the head of the Royal Small Arms Factory to this effect—

“Sir,—After a careful examination into the existing arrangements which have been made for completing 40,000 converted Enfield rifles by the 1st of April, 1867, and after consulting with the manager and leading foreman, I find that by working late at night, turning a portion of the factory temporarily into a tool-making shop, and by making great exertions in every department of the factory, I can promise to convert 100,000 Enfield rifles into Snider's breech-loaders by the 1st of April next. In order, however, to enable me to do this amount of work not a day must be lost in giving me the necessary orders to proceed. I shall require the following additional funds—namely:—For 60,000 conversions—wages, £36,000; materials, £6,000; miscellaneous stores, £2,000; for engineer services, for foundations for new machines, and erecting furnaces, &c., £1,200. Estimated total, £45,200. I must request authority for the purchasing direct and at once of machinery to the extent of £1,460, as before stated.”

So that for an additional outlay of £45,200 in the manufacture at Enfield we can increase the number promised to be made in the present financial year from 40,000 to 100,000. I may also say that we have entered into a contract with a firm at Birmingham to furnish 50,000 more during this financial year; and we have likewise reason to hope that from the rest of the trade we shall be able to obtain another 50,000. That is to say, we anticipate that by the first of April next we shall have 200,000 Enfield rifles converted into breech-loaders, and that at an expense for their conversion of about £140,000. The rest of this Estimate is for the ammunition for these converted rifles, which is different from that used for the ordinary muzzle-loader, being a self-igniting cartridge, and dearer than the common ammunition by £1 per 1,000 rounds. In other words, instead of costing £2 per 1,000 rounds, it will cost £3. Of the £140,000 proposed as the first Vote, £120,000 is for ammunition and not for conversion. That sum will provide 200 rounds each for the 200,000 rifles which we hope to get during the current financial year. I think that 200 rounds, considering the great rapidity of the breech-loader in firing, is not more than is necessary, and I am sure the House will never hesitate a moment in voting any sum which may be required to place our soldiers at all events upon an equal footing

General Peel

with those of any other country ; and it is clear that this arm, when converted, is quite equal to any arm used in any other service. I do not say that a superior weapon may not subsequently be produced, but what we have to do at present is to convert our muzzle-loading Enfield rifles into breech-loaders.

MR. REARDEN said, it ought to be borne in mind that the weapon proposed to be supplied to the army was probably not the best weapon which could be provided. He understood that there was then within the precincts of the House a breech-loader capable of being fired twenty times in a minute ; and he believed the repeating Spencer rifle could carry more than twenty discharges.

COLONEL SYKES said, he understood that the Government had only just intimated to the small arms' manufacturers throughout the country that that process of conversion was to be attempted ; and the consequence was that they expected 50,000 converted Enfields from Birmingham by next April. But if the small arms' manufacturers had been informed six months ago of this intended conversion they would have turned out by this time all that were required. He could not see the object of such haste, as the country was not going to war.

MR. HENRY BAILLIE said, he did not consider that there had been any haste in the matter, for the subject had been under the consideration of the Ordnance Select Committee for the last ten years, and the result of their deliberations was the selection of the weapon now adopted by the Government.

MR. OLIPHANT said, there was no charge which the people of this country were more apt to make against the Government than that they had unnecessarily delayed in availing themselves of mechanical improvements ; and it was, he thought, unfair to charge the Government now with precipitation merely because their action was unusually rapid. If they were always to wait for the last invention, they would never have a weapon at all, because there would always be some newer invention than the last discovered. Repeating carbines might be used by cavalry, but repeating rifles were not suited for infantry, on account of the enormous quantity of ammunition which the soldier would require. The converted Enfield would put us on a par with any other nation, and he considered the course adopted by the Govern-

ment on the present occasion was deserving of praise.

MR. MAGUIRE said, he did not believe that the converted Enfield was the best weapon which they could procure. He had on the preceding day been talking to an officer who was himself a musketry instructor, and who had been in America during the war, and that gentleman told him that the Enfield was one of the worst weapons in existence and barely safe, as the metal of which it was composed was so soft that the least blow upon it destroyed it. The Americans adopted steel in the construction of their new weapons, and that seemed to be a wonderful improvement. He thought there was no necessity for a panic in the provision of arms ; England was at peace with all the world. He hoped that the Continent, even, was now at peace. We were constructing armour-plated turret ships. But where was the enemy ? We were adopting the Enfield rifle modified, which the War Minister said was the very best arm, but which he (Mr. Maguire) regarded as being only a makeshift.

MAJOR WALKER said, that the late Government by ordering 40,000 converted rifles had committed themselves to the principle that the converted Enfield was to be the future arm of the British infantry, and he gave them the highest credit for adopting that weapon. It might be that by making inquiries and experiments extending over a couple of years the Government would at length obtain a paragon weapon ; but it would be a disgrace to the country if, in the event of any emergency occurring in the meantime, the army was found to be armed only with the old-fashioned muzzle-loader. It was impossible for any one who studied the Return giving an account of the experiments carried on by the Ordnance Select Committee in reference to the converted Snider Enfield rifle to doubt for a moment that the British troops would possess in that arm as formidable a weapon as a soldier could carry, both for the accuracy and rapidity of firing, and for the durability of the weapon. The country ought to be grateful to the Government for furnishing our soldiers with a weapon which would be superior to that possessed by any other European army.

MR. WHALLEY said, he regretted that the work of improving the arms of our soldiers should be taken up in a panic. He, however, hoped our Volunteers would also receive the benefit of the improved

arms, for a complaint had been made on the part of Volunteer Artillery on the south coast, that they were drilled with arms which did not qualify them so that they might be able to afford that service to the country which might naturally be expected considering the expenditure of time and of zeal to which they were put.

GENERAL PEELE denied that the work of improving the arms of our soldiers had been undertaken in a panic; for no less than two years ago the late Government decided that the whole army should be furnished with breech-loaders. He had never said that the converted rifle was the best breech-loader that could ever be produced. He himself had mentioned the Henry rifle; but the Snider pattern was the best to which the Enfield could be converted. The object was, at a moderate expense, to convert our muzzle-loader rifle into the best breech-loader that could be made of it. There need be no fear that the French would have a gun superior to ours, for the very weapon they had adopted was submitted to the Ordnance Select Committee. As to the repeating rifles, it was not possible to convert the Enfield into an arm of this description. He would supply the Volunteers with the new weapon as fast as he could, but the intention naturally was to supply the regular army first. The navy also would require their proportion; and he feared it would not be possible to supply the Volunteers with the converted rifle during the present year. With regard to the Volunteer Artillery, and the guns with which they were exercised, he had already taken measures which, he thought, would satisfy the hon. Gentleman.

COLONEL SYKES said, it was plain from what had lately occurred at Wimbledon that this improved rifle could not be the permanent arm of our troops, and he considered it very questionable prudence to continue supplying our soldiers with a weapon which might need re-placing with one of another construction next year.

Vote agreed to.

(2.) £105,000, Warlike Stores, &c.

(3.) £520,530, to complete the sum for Public Education in Great Britain.

MR. CORRY said, he was sure the Committee would agree with him in thinking that he would be open to the imputation of indiscretion if, after having held his present office for so short a time, he were to express any opinion respecting the

Mr. Whalley

various educational questions which had, of late, been the subject of so much controversy. And there was an additional reason for reserve on his part on this occasion, because the whole question had been under the consideration of a Select Committee for the last two Sessions, and their Report, delivered only on Friday last, while it expressed no definite opinion, left it to the House to determine whether it should be re-appointed next year for the purpose of considering the draft Report proposed by their Chairman, the First Lord of the Admiralty. The question was therefore still *sub judice*, and under these circumstances, he thought he should best perform his duty by merely laying before the House as shortly as possible an account of past expenditure, and some of its results, together with an Estimate for the service of the ensuing year. Before doing so, however, he hoped he might be allowed to tender his grateful acknowledgments to his right hon. Friend and predecessor in office for his kindness in placing his time ungrudgingly at his (Mr. Corry's) disposal, and in giving him the information he required respecting these Estimates. He should always entertain a grateful recollection of the assistance which his right hon. Friend had thus afforded him, and of which he stood much in need. He believed it was usual in proposing the Vote for Education to give an account of the expenditure of the two preceding years, and, in accordance with this practice, he would state that the total expenditure for Great Britain in 1864 was £655,041, and in 1865 £636,810, being a decrease in 1865 of £18,231. This expenditure occurred under four principal heads—for building, enlarging, and improving schools; for maintenance of training colleges; for annual grants; and for the salaries and expenses of inspectors; and the cost of the Department in London. The expenditure for building, enlarging, and improving schools, which in 1864 was £28,305, was in 1865 only £18,882, showing a decrease under this head of £9,423. He was informed that this considerable decrease arose from two causes—in the first place, the number of schools now provided in many parts of the country had diminished the demand for new schools to be erected by Government aid; and secondly, the operation of the conscience clause was to deter in many instances the managers in the small rural parishes from availing themselves of the grant. The sum of £18,882 granted by

the State for building, enlarging, and improving schools in 1865 had been met by voluntary contributions to the amount of £62,274. In 1864, the expenditure on the maintenance of training colleges was £96,166, and in 1865, £75,624, showing a decrease of £20,542. The decrease was owing to the operation of the Revised Code, under which the maximum grant to any college was limited to three-fourths of the whole expenditure. Under the old system the grant was higher, sometimes equalling the whole cost. The annual grants in 1864 amounted to £455,826; and in 1865, to £467,357, being an increase of £11,531. This was owing to a larger attendance of children, and better results of examination. The expense of inspectors and of the London office was in 1864, £74,744; and in 1865, £74,947, being an increase of £203. This small increase was occasioned by the progressive increase of salaries to officers. He would now compare the number of schools in the two years. In 1865 the number of schools built, enlarged, and improved was 111, and additional accommodation was thus provided for 15,300 children. The number of schools inspected in 1864 was 7,891; in 1865 it was 8,438, showing an increase of 547. Of these, the number receiving annual grants was 7,273 in 1864, and 7,883 in 1865, being an increase of 610. The increase in the course of the last year alone was more by 101 than in the whole of the three preceding years, in which the increase was only 509. The number of school-rooms, or separate departments under separate teachers, in 1864, was 11,818, and in 1865, 12,950, showing an increase of 1,132, and, of course, a corresponding increase of efficiency. The number of children present at inspections in England and Scotland was in 1864, 1,133,291, and in 1865, 1,246,055, being an increase of 112,764. The number of such children in schools receiving annual grants was in 1864, 1,094,632, and in 1865, 1,203,422; so that nearly the whole of the above increase took place in schools receiving annual grants. These figures did not show the total number of children attending the schools, since many were absent on the day of inspection. In England and Scotland, the total number might be taken at 1,500,000. With regard to teaching power, in 1864 the number of certificated teachers engaged was 10,809, and in 1865, 11,510, showing an increase of 701. In 1864 the number of assistant

teachers engaged was 688, and in 1865 912, or an increase of 224. The total teaching power, excluding pupil-teachers, was in 1864, 11,497, and in 1865, 12,422, showing an increase of 925. The number of pupil-teachers was in 1864, 12,161, and in 1865, 11,221, showing a decrease of 940 resulting from the operation of the Revised Code. Formerly, when the pupil-teachers were paid directly by the State, it was the interest of the managers of schools to have as many pupil-teachers as possible; but now, under the Revised Code, when payment is made on the results of examinations, they were employed only so far as to avoid a deduction from the grant. The place of pupil-teachers was in some measure supplied by monitors, who were of a superior class, being under certificated teachers. It was the interest of the managers that they should be equal to their work; but, notwithstanding, monitors were not looked upon as efficient substitutes for pupil-teachers. The number of students in training colleges was in 1864, 2,739, and in 1865, 2,482, showing a decrease of 257, resulting from the smaller supply of pupil-teachers and from the growing demand for educated men in other walks of life. Now, with respect to attendance and examinations. The average attendance in day-schools in England and Wales was in 1864, 794,387, and in 1865, 848,044. In Scotland the number for 1864 could not conveniently be given; in 1865 it was 159,000. Of these there were individually examined, over six years of age, in England and Wales in 1864, 523,713, and in 1865, 561,326, or 66·19 per cent on the whole; and in Scotland, the number for 1864 could not be given, but in 1865 the number was 96,432. The number of children under six years of age in England and Wales, examined generally but not individually, was in 1864, 133,621, and in 1865, 146,600; and for Scotland the number for 1864 could not be given, but for 1865 it was 11,979. These might earn 6s. 6d. each for the school on general results. The average attendance at night schools in England and Wales was in 1864, 25,981, and in 1865, 33,904; in Scotland, 2,645 in 1864, and 1,806 in 1865. Now, as to those individually examined, the failures in reading for England and Wales were in 1864, 11·87 per cent, and in 1865, 11·23 per cent; for Scotland, 10·89 per cent in 1864, and 7·64 per cent in 1865. The failures in writing for England and Wales in 1864 were 13·98 per cent, and in 1865, 13·09 per cent; for Scotland 28·06

per cent in 1864, and 20·13 per cent in 1865. The failures in arithmetic for England and Wales were in 1864, 23·69 per cent, and in 1865, 23·58 per cent; for Scotland in 1864, 33·04 per cent, and in 1865, 28·04 per cent. Thus in Scotland the standard in writing and arithmetic was lower than in England, but the improvement had been greater. The reading in Scotland was always better. He now came to the Education Estimates for the year ending March 31, 1867. The grand total for 1866-7 was £694,530, as against £693,078 last year, showing an increase of £1,452. The Estimate for Scotland (annual grants) for 1866-7 was £75,900, against £73,000 last year—an increase of £2,900. The original code still regulated the payment of grants in Scotland. A Royal Commission had been sitting to investigate the question of Education in Scotland, and was understood to have expressed its opinion in the form of a draft Bill. Pensions to schoolmasters in Great Britain for 1866-7 stood at £650, the same as last year. No new pensions were now granted. The annual grants for schools in England and Wales amounted this year to £431,694, against £430,450 last year; showing an increase of £1,244. This Estimate was calculated on an average attendance of 916,722 day scholars at 9s. 1d. per head, and of 50,000 night scholars at 6s. The total number of children on the books in Great Britain was 1,500,000. For building, enlarging, and improving schools the Estimate for this year was the same as that for last year—namely, £30,000. The actual expenditure under this head last year was, as he had already stated, only £18,882, but he was informed that an increased demand equal to the difference was anticipated by the late Government. The grants for the maintenance of training colleges were this year estimated at £75,000, against £80,000 last year; the reduction of £5,000 being due to the gradual operation of the Revised Code to which he had already adverted. For administration in London and inspectors the sum this year estimated was £78,656, against £76,478, showing an increase of £2,178, owing to the appointment of two new inspectors and the progressive increase of salaries in the officers. The last item in these Estimates—namely, that of poundage on post office orders, stood this year at £2,630, against £2,500 last year. He believed he had now gone through all the figures of gene-

ral interest; and, as he stated at the commencement of his observations, he would not at present trouble the Committee with any general remarks. He was aware that the statement he had made was very dry and uninteresting, as was, indeed, almost unavoidable within the limits he had prescribed to himself; but he felt that, considering the short time during which he had held office, a simple narration of facts such as he had offered was the most appropriate statement that he could make. In conclusion, he could assure the House that he entered on the duties of his office with a deep sense of the responsibility which attached to it, and with an earnest desire to promote the great cause of public education by every means in his power.

MR. POWELL said, he wished to make a few remarks on the subject of this Vote, which involved no less an expenditure than £700,000. It was a misfortune that a question so important, so grave, and so deeply affecting the prospects of the country, should, at the same time, be one of so much detail as to render its discussion comparatively dry and uninteresting. He should not do justice to his own feelings if he did not on this occasion venture to express the sense he entertained of the manner in which the late Vice President of the Committee of Council on Education had conducted the business of the Department—the knowledge he always displayed of a wide and comprehensive subject, the zeal he observed for the extension of education, and the sympathy he evinced towards those who had borne the burden and the heat of the day in the various districts of England. He hoped they should hear some account of the success of the great change which had been introduced last year, which was known as Miss Burdett Coutts' system, showing that the expectations entertained in regard to it were not altogether futile and without issue. The first thing to cause regret to one engaged in reviewing the system of education was the decrease in the supply of male teachers. The Committee which had sat upon the subject spoke in their Report of the great difficulty of mending the system, and said that it was inexpedient to deal with the questions raised unless it was fairly to be presumed that a satisfactory conclusion would be come to, because otherwise discussion would only disturb the minds of those engaged in carrying out the present system. One very substantial cause

for a decrease in the supply of male teachers was the great inducement offered to young men to enter more lucrative, though, perhaps, not more honourable, fields of labour. It was necessary to deal with education on sound commercial principles; and if the inducements at present offered to young men to become teachers were insufficient, they should be increased. Formerly it could be said that a young teacher could compare favourably with others of the same station, but differently employed; now, however, his equal in birth seemed to be in a better monetary position, and had also more spare time at his command. If the lack of male pupil-teachers resulted in unfilled colleges, he recommended that one of them should be devoted to the education of teachers for girls. Some time ago there were great complaints that in the schools assisted by Government grants the children were taught far beyond the necessities of the case. So far from this being the case now, it was said that the superior class of children were leaving the schools in consequence of what he might call ornamental teaching having been largely dispensed with; he was sorry the more substantial education which had been substituted for it was not appreciated. He was pleased, however, to hear that the number of scholars generally had increased, and promised to move for a Return showing what accommodation was afforded in the schools now existing. But it was not merely a question of school accommodation in proportion to the population; the extension of the Factory Acts to other trades than they at present dealt with was, in his opinion, an essential preliminary to a large extension of educational machinery. He would not enter into the question on districts which were now neglected, but he believed that many districts described in blue books were not neglected, and that schools of an inferior class were established in them. It was the duty of the House to raise the character of those schools, and to give to those who were willing to adopt the rules a share of those liberal grants which were year by year made by Parliament for the purposes of education. He might, as an illustration, mention the mode in which education had been extended in Manchester. In that city there was a society known by the name of the Free School Society, the object of which was to visit the people from house to house, and wherever

it was ascertained that from poverty children were not instructed, to pay the pence necessary for their instruction. He wished to see local philanthropy meet local deficiency and the central Government grant applied to aid those philanthropists, for by that means education would be diffused throughout the country in a more efficient manner than it would be by any system of local rates. Then, as regards the building of schools, he thought the Council too strict. Opinions might be expressed upon the subject of their size and other matters, and possibly the promoters of local schemes might be induced thereby to modify their plans; but he was sure that a greater desire to bend to the wishes of promoters on the part of the Council would prevent many heartburnings, and often do much service to the cause of education. In conclusion, he expressed a hope that the present system would not be lightly interfered with, but that it would be permitted to expand. He was fully convinced that such a policy would result in the setting up of most excellent schools in every town and village of Great Britain, sufficient to supply the educational wants of the population.

MR. WHALLEY said, he wished that the hon. Member for Leeds had been present to propose the doing away with this Vote for Education altogether, for in his (Mr. Whalley's) opinion the education of children would be more efficient if it were left, not to State grants, but to the natural feelings of parents. The danger was that the State grant—especially when not properly administered—discouraged voluntary contributions. He was sorry to find that the present Government had adopted the scheme of the late Government for a large extension of the system as regarded industrial and reformatory schools. A portion of the Education Vote was expended under an Act of Parliament which actually took out of the hands of parents the determination of the religion of children between the ages of seven and fourteen, and left it to the magistrates to say in what religion these children should be brought up. Through the operation of this Act the Roman Catholic priests throughout the country were enabled surreptitiously to re-baptise children, and to obtain magisterial recognition of the re-baptism, and in that way they superseded entirely the religious influence of the parents. He observed that there was an item of £26,000 for Roman Catholic

Schools. Was it within the scope of the Education Department to ascertain the nature of the education given in those schools? The results of the education were manifested in the Fenian conspiracy, which was chiefly sustained by persons professing the Roman Catholic religion. He also found that £360,000 was given to the Church of England for the purposes of education, and he wished to ask the right hon. Gentleman whether he had inquired into the nature of the education for which the money was given? He believed that nearly half the amount went towards educating children for the service of Rome.

MR. ALDERMAN SALOMONS rose to order. The remarks of the hon. Member were scarcely relevant to the subject before the House. If other hon. Members entered into so wide a discussion their debates would run to a most inconvenient length.

MR. WHALLEY was proceeding when,

MR. POWELL said, he rose to call the attention of the Chairman to the observations of the hon. Member for Greenwich.

MR. WHALLEY said, he could only describe the interruption of the hon. Member for Cambridge as impertinent.

THE CHAIRMAN said, that the hon. Member for Peterborough must withdraw that expression.

MR. WHALLEY said, he would withdraw the word in obedience to the call of the Chairman, but he adhered to the sentiment it expressed.

THE CHAIRMAN said, that the hon. Member had only withdrawn the expression in one form to repeat it in another.

MR. WHALLEY said, he would withdraw the repetition, but wished to be permitted to retain his own opinion upon the subject. Did the right hon. Gentleman regard it as a part of his duty to inquire into the character of the education given to children in Roman Catholic schools and also in Church of England schools?

MR. BRUCE thought that his right hon. Friend and successor had exercised a wise discretion in confining himself to a bare statement of facts and figures. It would have been premature to raise a discussion on these controverted points, which had been fully inquired into by the Committee over which the First Lord of the Admiralty (Sir John Pakington) had presided with so much impartiality, and the two volumes of evidence taken before that Committee, and the Report of that right hon.

Gentleman, would be found to contain matter which would worthily occupy the attention of the Department during the recess. The right hon. Gentleman had abundantly appreciated the little assistance he had been able to give him since he entered upon his office, and he could not refuse himself the pleasure of thanking hon. Gentlemen opposite for the uniform consideration and kindly spirit with which they had judged his own acts and opinions during his tenure of office. He trusted that the same spirit would continue to animate the House, and that the subject of education would ever be kept out of the arena of party contest. The progress made during the last year showed that the country was recovering from the state of alarm and uncertainty into which they had been thrown by the Revised Code. The increase in the number of schools receiving annual grants was greater during the single year 1865 than that of the three preceding years in the aggregate, and the addition of 108,000 scholars in one year was as large as that made in any one preceding year since the Education Grant had been made. Perhaps the hon. Member for Peterborough (Mr. Whalley) would regard that circumstance rather as a misfortune than as a subject for congratulation, inasmuch as these children now receiving their education in schools aided by the State had formerly been educated by purely voluntary efforts. The difference, however, was that they would in future, as a general rule, be educated in good instead of indifferent schools. An indifferent school left the population as it found it, torpid, stationary, contented in its ignorance. The good school, dealing with a similar population, soon introduced the elements of hope and progress, and enabled the more gifted and energetic children to rise to posts of honour and profit. How was it that so many Scotchmen of humble parentage had risen to positions of trust and consideration? It was because the very poorest could command a good education for their children. The Report of the Committee of Council for the year ending July 1865 was the first which gave the matured view of the inspectors on the operation of the Revised Code. The battles fought over that Code seemed now so remote that it was difficult to believe that it had only been in complete operation for two years; for although its operation commenced in July 1862, it only became general in July 1863. Each Report contained the experience of half of the

Mr. Whalley

whole number of inspectors, and therefore extended over two years. The financial results of that great experiment were remarkable. The highest expenditure on National education was in 1861, when it reached £813,000. Since that time the number of aided schools had increased by 1,119, or from 6,764 to 7,883; the number of scholars present at inspection by 234,000, or from 969 to 1,203,000; the increase of the number of children on the books being about 300,000; while the expenditure had fallen to £636,810, being a diminution of £176,632. The greater part of this decrease had occurred in the building grants, which had fallen from £106,451 in 1861, to £88,569 in 1865. The grants to training colleges had fallen in the same time from £101,865 to £75,624. The decrease under these two heads amounted, therefore, to £114,810. This diminution in the grant must not, however, be taken as a proof of diminished activity in the cause of education. Since 1839 the building grants voted by Parliament amounted to £1,602,808, to meet local contributions of no less than £2,972,258, making a total of £4,575,066 spent on the mere erection of schools. It was impossible to estimate how much, in addition to this enormous sum, had been expended by private liberality unaided by the State; but undoubtedly it was a very large sum, probably not less than £2,000,000. A large portion of the country had thus been supplied with schools, and some considerable diminution of expenditure under this head was therefore inevitable. That the accommodation thus provided was not insufficient was proved by the fact that at the last inspection only 1,246,000 children were present in schools capable of containing 1,616,000. Such were the financial results of the Revised Code; as to its effects upon education there was considerable difference of opinion. The Reports of the majority of inspectors were decidedly favourable to its operation; but some inspectors, while not denying some good results, attributed to it also some mischievous ones. Two inspectors reported in terms of unmingled condemnation. He would endeavour to present to the Committee a fair estimate of the practical effects of the new Code. In the first place, there had undoubtedly been effected a considerable reduction of unnecessary expenditure. Under the old Code the grants had frequently been in excess of the wants of schools, and it was within his knowledge that in some cases an annual

saving had been made out of the grants, and carried to a capital account. It had also diminished the number of pupil-teachers, which had been extravagantly great. It had reduced the number of students at training colleges, many of whom had been educated at the public expense, without any intention of devoting themselves to the profession of teachers. It had at the same time so arranged the system of payments to the training colleges, that grants were only made on account of those pupils who had given some proof of their intention to devote themselves to the work of teaching. The system of individual examination had secured to all the children throughout the school an equal degree of care and instruction, and had thus removed an important defect in the former system of education. Another valuable result was that the direct dependence of teachers on the State had ceased. They now made their own arrangements with the managers. Such were the principal good results. On the other hand, the sudden reduction in the scale of annual payments undoubtedly involved many managers of schools in great difficulties. The average payment on each child under the old Code had been 11s. 6d. The estimated payment under the Revised Code was 10s. per child; but it actually amounted to only 8s., being a reduction of 3s. 6d. a head. It would easily be understood how heavily this large and sudden decrease of receipts had fallen upon managers of schools, especially in the poorer districts, and in small schools. The clergy, already heavily taxed in proportion to their resources in maintaining these schools, were the principal sufferers by the change, to which, therefore, they naturally objected. Some improvement had taken place in the rate of payment, which reached 9s. a head last year, and was estimated at 9s. 1d. for the present year. Then, again, the reduction in the number of pupil-teachers and students at the training colleges, although salutary and desirable within certain limits, had perhaps been carried too far. The increasing number of annual grant schools was necessarily leading to an increased demand for certificated teachers, the supply of whom it might soon be difficult to furnish. It was urged, too, against the Revised Code that, while it undoubtedly secured greater equality of instruction in reading, writing, and arithmetic, it operated injuriously in checking the useful

study of history, geography, and grammar. He did not wish to dispute the validity of any of these objections. The means of obviating them had been much considered by the Department; but it would have been inexpedient to propose any changes, while so much of the subject of public education was still under the examination of the Select Committee, and before their Report had been received; but he believed that remedies to these defects might be applied, and in fact his noble Friend (Earl Granville) and himself had been quite prepared to suggest them. The financial difficulties of the smaller schools, and the diminution in the number of pupil-teachers, might be met by allowing a higher rate of payment for the first 100 children in every school, and by coupling with that concession the obligation of providing a larger proportion of teaching power than is insisted upon by the Revised Code. There was another alteration which might be advantageously made. Although a large portion of the country was well supplied with schools there was still a deficiency in our agricultural parishes, where the value of property was inconsiderable, and in the outskirts and suburbs of our populous towns, where, although the property might be very valuable, the resources of the resident population, consisting chiefly of the labouring classes, were small. The building grants had been successively reduced from 6s. and 4s. to 2s. 6d. per foot of internal area, while the cost of building had greatly increased. He thought, therefore, that the building grant might be advantageously restored to its previous amount of 4s. He believed that these alterations would give an important stimulus to education in the poorest and most neglected districts without entailing any considerable addition to the expenditure. The Returns for the last year showed some improvement in the quality as well as in the quantity of the education given in our elementary schools. Of the children subjected to individual examination 40 per cent were of or above ten years of age. If the schools did their work well it would not be unreasonable to expect that all children of this age should pass a successful examination in one of the three upper standards. In the first year of individual examination, however, the number who presented themselves were only fourteen, of whom ten passed successfully. In 1864 sixteen presented themselves, and eleven passed. In 1865 the numbers had increased to

twenty presenting themselves, of whom thirteen passed. Much ground had, therefore, been gained, although there was room for considerable improvement. The Minute passed about a year ago for facilitating the examination of night schools had had a great effect in encouraging attendance. The numbers presented in 1865 were 33,904, as against 25,981 in 1864; and so rapid was their rate of increase that provision had been made in the Estimates of this year for 50,000. He had been asked how the scheme known as Miss Burdett Coutts', permitting the union of five small schools under one certificated teacher, had worked. He regretted to say that but little success had attended that experiment. Only three such groups had yet been formed. But it took a long time to make the knowledge of such changes penetrate the country, and although he did not believe that this arrangement would afford much aid to the spread of education, he did not despair of seeing some further extension of the experiment. His hon. Friend the Member for Peterborough had asked what sort of education was given in Roman Catholic and Church of England schools. The State did not prescribe any form of religious education, nor did it dictate or control the choice of books employed in such instruction. It only required that religious instruction should be given, and in Church of England schools the sufficiency of the religious teaching was inquired into by Her Majesty's Inspectors, who were invariably clergymen of the Church of England approved by the Archbishop of the province in which the school was situated. Considering that the great majority of children left school at or under ten years of age, his hon. Friend, he thought, expressed needless alarm as to the propagation of unsound doctrinal knowledge. The hon. Member had blamed the Vice-President for not discussing the provisions of the Industrial Schools Bill and Reformatory Schools Bill; but he was either too late or too early in his criticisms. He should either have taken his objections when his right hon. Friend the late Home Secretary proposed the Home Office Estimates, or he should have deferred them until the Bills were before the House. In conclusion, he might confidently state that the education of the country was in a healthy and progressive condition. The promoters of education and the managers of schools had recovered from the alarm and uncertainty caused by

the introduction of the Revised Code, and the country, he hoped, would gradually be covered with an increasing number of schools imparting as sound an education as the elementary schools of any people in the world.

MR. HENLEY said, he was sure that the whole Committee felt much obliged to the right hon. Gentleman for his very fair and clear statement of the various *pros* and *cons* of this difficult question. There could be no doubt that of the various educational efforts that had been made the night schools had proved the most successful; and he should be glad if it turned out that the other observations of the right hon. Gentleman as to the improved state of education throughout the schools of the country generally were equally well founded. The alleged improvement rested solely on the Reports of inspectors and results of examinations, as to which he could not help feeling somewhat sceptical, knowing that by the time a man came to examine a school a second or third time, both masters and scholars were familiar with the groove that he ran in, and answered better than they did upon his first visit. It was capable almost of being demonstrated that if the number of pupil-teachers had gone on accumulating in the former ratio, there would very soon have been an excess. Whether the large diminution which had now taken place went beyond what the circumstances of the country and the waste which naturally took place required, time alone would show. Allusion had been made to the Report of the Committee. As it happened, there was no actual Report from the Committee, but a draft Report drawn up by his right hon. Friend the First Lord of the Admiralty had been circulated. Among Members of the House the circumstances were very well known, but as three or four Members of the present Cabinet had been Members of that Committee, it was well that the country should know that they were not in any way pledged to that Report, which was simply the Report of his right hon. Friend the President of that Committee. He wished he could agree with the sanguine view taken by his hon. Friend the Member for Cambridge, as to the mode in which the educational system was likely to develop itself. There was a decrease, however slight, in every item of the payments except that for Establishment charges. That fact did not look like a great development of the system; and he believed that it

had not developed in proportion to the continued increase of the population. They knew that a great number of young children were counted in at these examinations. In fact, they had got the name of "blessings," being what persons called "certain money," as the payments were made on their account, whether they passed the examination or not. All the assistance which the State could give ought to be given to education; but dependence, in the main, must be placed on the voluntary exertions of the people, and State assistance must be managed so as not to shock the feelings, and especially the religious feelings, of the various parties who contributed by far the greater portion of the educational expenditure of the country. He could assure the right hon. Baronet the First Lord of the Admiralty, that considerable interest was felt in the subject throughout the country; and though they all knew what sort of a thing a draft Report was, yet from the circumstance that it was proposed by a Member of Her Majesty's Government, and that three others of the Committee at least were in the Cabinet, a significance had been attached to it which it did not deserve.

SIR JOHN PAKINGTON said, he only rose to confirm what had fallen from the right hon. Gentleman the Member for Oxford. The draft Report to which the right hon. Gentleman had referred was not sanctioned, or even for a moment discussed, by the Committee over which he had the honour to preside. The discussion of the Report had been prevented by the accident of the moment, when a change of Government was taking place, and five Member of the House were likely to become Members of the present Government. It was impossible, under the circumstances, at that time to take into consideration a Report of considerable length, and embracing, as hon. Members were aware, a considerable number of subjects, all of them of importance as bearing upon the subject of education. He had had the honour for the last two years of presiding over the Committee, and at the end of that period he had been requested to frame a Report founded upon the evidence which had been adduced, and this he had done to the best of his ability. It was not for him to say whether that Report would have been adopted or rejected. Most probably some portions would have been adopted, while others would have been

rejected. Seeing, however, how impossible it was from the position in which they then were to give the matter the necessary consideration, it was agreed, and he was a party to that agreement, to circulate the draft Report.

Mr. HUBBARD said, he wished to call attention to the reduction in the Building Vote, the difference between that Vote for the present year and for the past year amounting to over £9,000. For the last seven years, the Votes had ranged as follows:—1859, £137,000; 1860, £118,000; 1861, £106,000; 1862, £66,000; 1863, £42,000; 1864, £28,000; and the last year, £18,800. It might naturally be asked whether such a continued reduction arose from the fact that the demand of education had been satisfied and that applications were not so numerous as heretofore. But that the reduction did not arise from such a cause would be shown from other statistics. The National Society, working in connection with the Church of England, had granted aid in 1859 in building 146 schools; in 1860, 146; 1861, 193; 1862, 148; 1863, 149; 1864, 173; and in the last year, 184. The buildings had, therefore, evidently been on the increase. The cause of the reduction in the amount of the grant was therefore to be looked for in another quarter, and it plainly arose from the operation of the conscience clause, into the results of which he hoped some investigation would be made. By the conscience clause any parent could claim for his child a purely secular education, and Her Majesty's Privy Council had attempted to introduce it into building grants. This circumstance naturally lessened the number of applications made by conscientious builders and by the clergy. He desired to call the attention of the Vice President of the Board of Education to the fact that the conscience clause tended to obstruct instead of to promote the cause of education, and he wished also to urge the adoption of some system of education more in harmony with the religious feelings of school builders, and more in harmony, too, with Resolutions which had been passed by that House.

Mr. WHALLEY said, he had to complain that a large sum of money was annually expended in circulating Roman Catholic publications in some of our Church of England schools. He should never enter into any question of doc-

trine, but he hoped that the right hon. Gentleman at the head of this Department would not ignore any part of our political history. There were some things to be taught even under a religious system, and some systems of religion were antagonistic to the social well-being and polity of the country. The History of England which was employed in the Government schools was one which justified the punishments inflicted by Queen Mary, and which extolled the heroism of Guy Fawkes and his co-conspirators, much after the fashion that was adopted even by some hon. Members of praising the heroism of the Fenians.

Mr. POWELL asked when the Report of the Commission on Education in Scotland would be published; and whether it would be accompanied by the evidence?

Mr. KINNAIRD asked whether it was intended to continue the grant to the night schools. It had been productive of much benefit, and it would be satisfactory to know if it would be continued and increased according to the demands?

Mr. CORRY said, it was intended to continue the grant to the night schools, which he believed were very valuable, and the Report on Scotch Education would, he was informed, be ready by next Session, and would be laid on the table along with the evidence.

Mr. WHALLEY said, he hoped that the right hon. Gentleman would reply to his inquiry. The right hon. Gentleman was about to answer his question, but was restrained by the Chancellor of the Exchequer, who, however, had himself once stated that the whole energies of the Roman Catholic priesthood were directed to the destruction of the polity and, as far as necessary, of the Empire of England, and had said, "this foreign priesthood is the sirocco breath under which the fame and influence of England are fast withering."

Mr. CORRY said, he had merely to observe that he did not think it was a part of his duty to inquire into the description of religious education given to Roman Catholic children, or to children of any other religious denomination in the schools receiving public grants. The matter was one for the inspectors, who are alone responsible.

Vote agreed to.

House resumed.

Resolutions to be reported To-morrow.

Committee to sit again upon Wednesday.

Sir John Pakington

RAILWAYS (IRELAND) TEMPORARY
ADVANCES BILL—[BILL 220.](Mr. Dodson, Mr. Chancellor of the Exchequer,
Lord Naas, Mr. Hunt.)

SECOND READING.

Order for Second Reading read.

THE CHANCELLOR OF THE EXCHEQUER: This Bill is one to enable the Treasury to make temporary advances to Railway Companies in Ireland. The character of the measure is fully described in a Treasury Minute which has been laid on the table. Very briefly I may say it is this—a number of railway debentures are becoming due at the severest moment of the monetary distress, which unfortunately still prevails. It is totally impossible for the Railway Companies to meet those debentures at the present time, and as the holders have power to seize the railways—to seize the rolling stock—there was every prospect of the general railway communication in Ireland being stopped. This is a matter of convenience of the highest order, and, consequently, it had to be considered by the Government. The late Government very wisely decided on affording temporary assistance in the manner which is described in the Minute on the table. Under this Bill the Lords Commissioners of the Treasury will have the power of advancing, through the Loan Commissioners, a sum of not more than £500,000 for a period of three months, with a power of extending the time to twelve months, but not to any longer period. The Bill contains all the necessary clauses usual under such circumstances—namely, clauses authorizing the appointment of receiving in case of default, and the fixing of interest at not more than 4 per cent. I beg to move that the Bill be read a second time.

Motion made, and Question proposed, "That the Bill be now read a second time."—(Mr. Chancellor of the Exchequer.)

MR. SYNAN said, he regretted to observe the limited character of the Bill. A sum of only £300,000 would be required to meet the debentures now falling due, but the whole sum would be required to meet them and the collateral securities which would be due within the next three months on debentures that would not be due until after that period. He wanted to know if the Government would assent to an alteration of the Bill in that respect?

SIR FREDERICK HEYGATE said, he was glad the Government had brought in the Bill. He had recently been in Ireland, and he could state the rolling stock was in such a bad condition on some of the Irish railways, that if some assistance were not given to the companies, travelling on their lines must soon come to an end. He was also glad that the remedy was only a temporary one, because if public money was to be carried from this country to Ireland, the whole railway system in that country should be revised. He thought the public ought to reap some advantage in the way of a reduction of fares or a compulsory carriage of the mails, or a better arrangement of trains in return for the assistance which the State afforded to those railways.

MR. CHILDERS said, he thought it would be very improper to introduce into a temporary measure clauses of a permanent nature which would open up the whole question of Irish railways. As to what the hon. Member for Limerick called collateral securities, the state of the question was this. The money was secured upon certain primary securities, and if these securities fell due either three months before or twelve months after the passing of the Act the first section would enable the Public Loan Commissioners to make an advance. If the securities were good and duly issued under the powers of the company, there would be no objection, provided the Commissioners were satisfied. If the securities were not duly issued, the House would be slow to assent to any proposal to advance money on them.

MR. THOMSON HANKEY said, that the fourth paragraph of the 4th clause, which required that the Commissioners should not make any loan unless the security offered was in their opinion sufficient and proper, would go far to neutralize any good effect which could be wrought by the Bill. If the Treasury threw on the Commissioners the responsibility of seeing that the security was ample, that circumstance would stand very much in the way of the measure. The Treasury ought to take that responsibility upon themselves.

MR. HUNT said, that the Bill was brought in to meet a temporary purpose and under exceptional circumstances, the Irish railways having suffered in consequence of the Fenian disturbances. The fourth paragraph alluded to by the hon. Member for Peterborough was framed in the ordinary way, which required that the

Loan Commissioners should see that the security was right and proper. With respect to the proposal to extend the operation of the Bill, he could not hold out any hope that the wish of the hon. Member for Limerick could be complied with.

MR. MAGUIRE said, there was no foundation whatever for the assumption that the Railway Companies had suffered from Fenian disturbances. Long before the Fenian conspiracy the Railway Companies themselves complained of the falling off of traffic, and attributed it not to any political cause, but to the diminution of the population.

MR. HENLEY said, the matter would require to be watched or it might form a dangerous precedent. When Parliament was beginning to authorize the advance of money in that way, they ought to see whether it was not likely to lead to any inconvenience if pushed to a great extent, and whether they might not be unjust to other parties who might be equally deserving of assistance.

Motion agreed to.

Bill read a second time, and *committed for Thursday.*

VACCINATION (*re-committed*) BILL.

(*Mr. Bruce, Mr. Baring.*)

[BILL 173.] COMMITTEE.

Order for Committee read.

COLONEL BARTTELOT expressed a hope that the Government would not proceed further with this important measure this Session, as the House could not have an opportunity of fairly discussing it.

MR. CORRY had been very anxious that the law relating to vaccination should be amended during the present Session, because it was impossible to read the able Reports of the medical officer of the Privy Council without seeing that the present state of the law was very defective. But he had ascertained from hon. Gentlemen on both sides of the House that the measure was likely to meet with great opposition, and it was, therefore, very doubtful whether it could be carried through Parliament at so late a period of the Session. Moreover, in the opinion of his noble Friend the President of the Council, as well as of his right hon. Friend the Home Secretary, some of its provisions required further and careful consideration; and,

Mr. Hunt

under these circumstances, it was not his intention to proceed with the Bill.

Order discharged: Bill withdrawn.

COLONIAL BRANCH MINTS BILL.

(*Mr. Hunt, Mr. Adderley.*)

[BILL 215.] SECOND READING.

Order for Second Reading read.

MR. HUNT stated that the Bill was a general one, enabling Her Majesty to make the gold coins of the colonies legal tender in any part of her dominions.

Bill read a second time, and *committed for To-morrow.*

ABERDEEN PROVISIONAL ORDER CONFIRMATION BILL.

On Motion of Mr. Secretary WALPOLE, Bill to confirm a Provisional Order under "The General Police and Improvement (Scotland) Act, 1862," relating to the burgh of Aberdeen, *ordered to be brought in by Mr. Secretary WALPOLE and Mr. HUNT.*

Bill *presented*, and read the first time. [Bill 237.]

INCLOSURE (NO. 2) BILL.

On Motion of Mr. Secretary WALPOLE, Bill to authorise the Inclosure of certain Lands, in pursuance of a Report of the Inclosure Commissioners for England and Wales, *ordered to be brought in by Mr. Secretary WALPOLE and Mr. HUNT.*

Bill *presented*, and read the first time. [Bill 238.]

LOCAL GOVERNMENT SUPPLEMENTAL (NO. 4) BILL.

On Motion of Mr. Secretary WALPOLE, Bill to confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the districts of Ramsgate, Leominster, Stalybridge, Lincoln, Maidstone, Banbury, Tonbridge Wells, Bedford, and Southampton; and for other purposes relative to districts under the said Act, *ordered to be brought in by Mr. Secretary WALPOLE, and Mr. HUNT.*

Bill *presented*, and read the first time. [Bill 236.]

BILLS OF SALE ACT (1854) AMENDMENT BILL.

On Motion of Mr. HUNT, Bill to amend the Bills of Sale Act (1854), *ordered to be brought in by Mr. HUNT, Mr. CHANCELLOR of the EXCHEQUER, and Mr. ATTORNEY GENERAL.*

Bill *presented*, and read the first time. [Bill 235.]

PARISHES (SCOTLAND) ACT (1848) AMENDMENT BILL.

On Motion of Mr. WALDEGRAVE-LESLIE, Bill to amend the Act of the seventh and Eighth Victoria, chapter forty-four, relating to the erection of new Parishes quoad sacra in Scotland, *ordered to be brought in by Mr. WALDEGRAVE-LESLIE and Sir JAMES FERGUSSON.*

Bill *presented*, and read the first time. [Bill 232.]

House adjourned at a quarter before Two o'clock.

HOUSE OF LORDS,

Tuesday, July 24, 1866.

MINUTES.]—PUBLIC BILLS—*First Reading*—Militia Pay *; Drainage and Improvement of Lands Act (Ireland) Provisional Order * (217); Courts of Justice * (218); Public Works, Harbours, &c.* (219); Public Works Loans (Ireland)* (220); County Assessments* (221); Suburban Commons* (222); Paupers (Scotland)* (223).

Second Reading—New Forest Poor Relief* (203); Consecration of Churchyards (No. 2) (97).

Report—Standards of Weights, Measures, and Coinage * (150); National Gallery Enlargement* (171); Dean Forest (Walmore and the Bearce Commons)* (178).

Third Reading—Postmaster General* (75); Pier and Harbour Orders Confirmation (No. 2)* (187); Extradition Treaties Act Amendment (200), and *passed*.

CONSECRATION OF CHURCHYARDS

(No. 2) BILL—(No. 97.)

(The Chairman of Committees.)

SECOND READING.

Order of the Day for the Second Reading read.

LORD REDESDALE, in moving the second reading of the Consecration of Churchyards (No. 2) Bill, said, that its object was to obviate the necessity for re-consecration in the event of land being added to an already consecrated churchyard. A right rev. Prelate objected to the Bill, in the form in which it was originally introduced, that its operation would involve the desecration of churchyards by Act of Parliament—the very last thing that he (Lord Redesdale) would desire to do. He had, therefore, withdrawn that Bill, and had introduced the present measure amended in such a manner as would, he hoped, remove the objection of the right rev. Prelate. When an addition was made to a church which had been consecrated, it was held that the enlargement did not necessitate re-consecration; and, indeed, it was obvious that if further consecration were required, great inconvenience would be experienced. It seemed to him that the principle that was accepted with regard to churches might also be accepted in regard to churchyards. All that the Bill did was to say that there was no legal impediment to the application of this principle; but it left it quite open to the Church authorities to do what they liked, and either to adopt re-consecration or to dispense with it. He believed the passing of the Bill

would be regarded by the Bishops as a great relief to the Church.

Moved, “That the Bill be now read 2^a.”
—(The Chairman of Committees.)

LORD STANLEY OF ALDERLEY said, he was much obliged to the noble Lord for the pains he had taken in reference to this subject. Great difficulty had been occasioned by requiring re-consecration when a churchyard was enlarged. It often happened that a landowner would give the land to be added to the churchyard, but neither he nor the parishioners would incur the expense of re-consecration. The Bill was a most important one, and it would be very gratefully received. In the absence of the right rev. Prelate who had at first objected to the Bill, it might probably be taken for granted that the grounds of his objection had been removed.

THE EARL OF DERBY said, he had no objection that the Bill should be read a second time, but hoped that the future stages would not be taken without consulting the right rev. Prelate who had urged the objection.

THE EARL OF SHAFTESBURY also said, that, in his opinion, the Bill would confer a great public benefit.

Motion *agreed to*: Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

EXTRADITION TREATIES ACT AMENDMENT BILL—(No. 200.)

(The Lord Chancellor.)

THIRD READING.

Order of the Day for the Third Reading read.

Moved, “That the Bill be now read 3^a.”
—(The Lord Chancellor.)

LORD TEYNHAM begged the attention of their Lordships while he repeated the circumstances under which this Bill was introduced. The presiding magistrate at Bow Street, in refusing to give up to the French Government an accused person unless there was sufficient evidence to render probable the conviction of the person demanded, was simply acting upon the principle adopted in the case of an English prisoner, who was not committed for trial unless a *prima facie* case were made out against him. The effect of the alterations proposed by the noble and learned Lord would be, that instead of no prisoners being delivered up to the French autho-

rities, any person who was accused would be delivered up. Under all the circumstances, he hoped their Lordships would reject the Bill.

THE LORD CHANCELLOR: My Lords, I very much regret that making the original statement on the introduction of this Bill I should have expressed myself so imperfectly as to have been misunderstood by the noble Lord on my left with regard to the object of the measure. I explained to your Lordships that when treaties were entered into, in the year 1843, with France and the United States, it became necessary to introduce Bills for the purpose of carrying those treaties into effect; and, inasmuch as it could not be expected that the foreign countries should whenever they claimed a fugitive send over persons to give evidence in regard to the guilt of the accused party, the Acts of Parliament provided that the evidence to be adduced before the magistrate to whom the application was made for delivering up the accused should consist of copies of the depositions certified by the magistrate who issued the warrant, and also that such copies should be proved to be authentic by some person sent over for the purpose from the foreign country. I also explained to your Lordships that the mode in which documents sent from France were authenticated was this:—The *juge d'instruction* certified to the correctness of the copy of the depositions, and his certificate was authenticated by the Minister of Justice—the head of the law in France—who affixed his signature and seal of office. Now, it certainly seems an extraordinary thing that this authentication should be regarded as insufficient, and that it should be necessary for a witness to attend in order to prove that the copies of the depositions so verified and authenticated were true copies of the original depositions; and it is still more extraordinary that the presence of a witness should be required in extradition cases, because, if during a trial in a Court of Justice in this country these very documents verified in the same way had been produced as evidence they would have been admitted, without any further proof being required. The French Government thought it was a great indignity that a certificate under the seal and signature of the highest officer of justice in that country, should not be sufficient to authenticate documents sent over to this country, but that in addition a witness should be required to prove that they were correct

Lord Teynham

copies of the originals. On a former occasion I explained to your Lordships that the magistrate of a former day thought it was his duty to inquire, not as the noble Lord supposes, whether there was a sufficient charge to warrant him in sending the accused party to his trial, but whether the evidence adduced was sufficient to secure a conviction. I think it is perfectly clear that the view which is now taken is the correct one—namely, that all the magistrate has to inquire into is whether there is sufficient evidence to send the accused parties to trial. The Bill which I now ask your Lordships to read a third time will merely assimilate the law with regard to evidence in cases of extradition with the law which prevails with regard to foreign documents in our Courts of Justice; and how that can possibly make the slightest difference in the opinion of the magistrate as to the duty he has to perform I cannot understand. But it does seem to me a most unreasonable thing that more evidence should be required in cases of extradition than is required in our Courts of Justice. The noble Lord evidently does not understand in the least the object of the Bill. On inquiry, however, he will find that what I have stated is perfectly correct. Now, can there be any reason why this Bill should not pass? Its provisions will not confer on foreign Governments any greater advantages than they at present possess with regard to the extradition of criminals. Indeed, a recent case shows plainly enough that there need be no apprehension that persons whose extradition is demanded will not have ample protection. The case in question was heard before Sir Thomas Henry, who thought he was bound upon the evidence to deliver up the prisoner. But a writ of *habeas corpus* was immediately obtained, and the Court of Queen's Bench was applied to to prevent the extradition. That Court, however, confirmed the decision of the magistrate; and afterwards an application was made on behalf of the prisoner to the Court of Chancery, so that not only the Court of Justice in the first instance but two Courts of Appeal decided his case before he was delivered up. I am quite sure the noble Lord will find that what I have stated is correct, and I think there can be no just objection to the Bill being read a third time.

On Question, *agreed to*; Bill read 3^a accordingly, and *passed*, and sent to the Commons.

VACCINATION.—QUESTION.

THE EARL OF SHAFTESBURY said, he wished to direct their Lordships' attention to a subject of some importance. He understood that there was in the House of Commons at the present time a Bill on the subject of vaccination, and if he were correctly informed that Bill had passed a Select Committee. Now he was very anxious to ascertain whether Her Majesty's Government intended to proceed with that measure during this Session. He was also desirous of saying a few words with respect to the present state of vaccination and small pox. In London alone, in 1863, there were 2,000 fatal cases of small pox, which at the very lowest computation would show 6,000 cases of attack; and in 1864 the number of fatal cases in England was 7,684, which would show at least some 24,000 cases of attack. He was informed that in the present year there were symptoms of a great increase of that epidemic, and that the small pox was likely to spread more fatally than in any preceding year. Therefore, it was absolutely necessary that the measure which had been introduced into the House of Commons for the purpose of stopping this fatal malady should as soon as possible be passed into law; and this was the more necessary because the disease was one which by sanitary regulations had become almost extinct in Austria and other countries of Europe. There could be no doubt that if measures were adopted in this country such as had been adopted on the Continent they would be attended with similar results. He begged to ask the noble Duke the President of the Council, What steps will be taken this Session in respect of any Bill regulating vaccination?

THE DUKE OF BUCKINGHAM assured the noble Earl that the Government were quite sensible of the importance of the subject; but, as the noble Earl was evidently not aware the Bill had been withdrawn in the House of Commons on the previous night because, from the numerous objections raised to it, there was no hope of passing it during the present Session. It was generally admitted that some of the clauses adopted by the Select Committee would have been a very valuable addition to existing legislation; but there were other points on which there was much difference of opinion, and his right hon. Friend the Home Secretary did not think the object in view would be forwarded by

further pressing the question during the present Session. It would, however, receive the attention of the Government during the recess; and they hoped to be able next Session to introduce a satisfactory measure.

THE REFORM MEETING IN HYDE PARK.
QUESTION.

EARL GRANVILLE: Before the adjournment of the House, I wish to put a Question to the noble Earl at the head of the Government respecting the deplorable events of last night. As I did not give the noble Earl notice of my Question before coming to the House, I only expect that he will give me exactly such answer as may be convenient to himself and to the public service; but I believe it would be satisfactory to the country if the noble Earl would inform the House, Whether he has any objection to lay before Parliament the instructions which were given to the police and the military; and also whether he can give any assurance with regard to the precautions about to be taken to prevent the recurrence of similar scenes?

THE EARL OF DERBY: Although my noble Friend had not given me any notice before I came to the House of the Questions which he intended to put, I cannot be surprised that he should have been desirous of taking the earliest opportunity of calling the attention of your Lordships and the country to what he has justly described as the deplorable events of last night—events which I am sure all persons in the country, whatever may be their political or their private opinions, cannot regard without feelings of the deepest regret, and also of some shame and humiliation. There is only one source of satisfaction in connection with those occurrences—that we find on inquiries made up to within the last hour that there has been, up to that time, at all events, no actual loss of life. There have been injuries, some of them of a serious character; but from the latest information it appears that there has been no loss of life whatever, and it is hoped no loss of life will ensue. But, my Lords, it is impossible to deny that the proceedings of yesterday were of a very grave character. My Lords, I entirely acquit those who were the leaders of the movement of any intention to produce the consequences which followed from it. I do firmly believe that those who desired to make a great demon-

stration had no intention of causing any breach of the public peace. But, on the other hand, I think it is idle to contend, that what they desired was to afford a fair opportunity for public discussion. It was impossible to believe that any such fair discussion could take place under such circumstances; and I cannot but think that the object was, not by a breach of the peace, but by a demonstration of physical force to overawe the Legislature and give a false impression of public feeling upon the subject of Parliamentary Reform. However, though I acquit the leaders of any intention to violate the public peace, I do hope that the experience of last night will show them how impossible it is for those who take upon themselves the responsibility of collecting tens and hundreds of thousands of persons together, and assembling them for a demonstration of physical power—how impossible it is for them to answer for persons who are not in immediate connection with them, but who, half in sport and half in earnest, are ready perhaps to join in any riot and disturbance—or, perhaps, I may say, in any frolic which may arise. I believe that a great portion of those who assembled in Hyde Park last night were boys and young men, who had no serious views with regard to the demonstration, but joined in it merely for the purpose of assisting in any row or disturbance that might take place. There was among them a great amount of good humour, rough jokes were bandied about from side to side, and I really believe that a great deal of the mischief which resulted was not intended in the slightest degree, nor anticipated even by those who were the principal actors. At the same time, it is impossible not to see that the result was of a very serious character. The leaders of the demonstration, I dare say, were sincerely desirous to try the point of law—whether the Parks ought to be open for all purposes and at all times to all Her Majesty's subjects? But that point of law is one on which I believe there can be no question whatever. There can be no doubt that the Crown is the owner of these Parks. It is true they are kept up at the expense of the public, and for the enjoyment and recreation of the public; but the Crown has the undoubted right of exercising such control over the Parks as to prevent them from being diverted from their proper purposes to objects which may interfere with the enjoyment and recreation of the people. I

The Earl of Derby

believe this has been laid down at all times. It is a question on which there is not the smallest doubt; and that opinion was emphatically declared by the Home Secretary of the late Government in the most handsome manner when he was expressing his concurrence in the course proposed to be taken by my right hon. Friend the present Secretary for the Home Department. As to the propriety of imposing certain restrictions and regulations in the Parks, I believe no Member either of the late or the present Government, and no one who has considered the question can have the slightest doubt. The measures adopted yesterday for enforcing the rights of the Crown were those which were thought least likely to produce a collision between the police and any number of the persons who might attend. Whether the course adopted was really the most prudent one I do not pretend to say; but there can be no question that it was for the purpose of preventing a collision the gates of the Park were closed. Unfortunately, it happened, partly from the pressure of the vast multitude collected, and partly from a spirit of mischief, that a portion of the railings was pulled down. I am told that not less than 1,400 yards of iron railing were pulled down in the course of last night. The consequence was that the Park was left open, and very considerable destruction has taken place of those ornamental flower-beds and shrubberies which have afforded so much delight to the people, and much injury has been done to the property of the Crown. I believe the leaders, having ascertained that they would not be admitted, desired to withdraw and to hold their meeting in some place where the same objection would not apply as in the Parks; and, whatever I may think of their prudence in assembling where they did, I can safely say that there is no desire on the part of any one to interfere with that which is the right of British subjects—namely, to assemble for the discussion of political and public questions wherever they do not infringe upon public or private rights, or obstruct legitimate traffic. There is no doubt that in this case the leaders endeavoured to withdraw their forces from the scene of action; but after they had done so a multitude of “roughs” and idle characters assembled, and from these in the main the mischief proceeded. My Lords, I believe that the police acted with great forbearance and temper; and I have also

to say that the troops, whom ultimately it was found necessary to call out, behaved with the utmost forbearance. Whatever may be the rumours as to charges made on the people, or anything of that kind, such rumours are absolutely and entirely unfounded. The troops confined themselves as far as possible to keeping the crowds moving, and at a not very late hour the Park was comparatively clear, and very little damage was done in the streets. I believe my noble and learned Friend on the Woolsack was an unfortunate sufferer in consequence of his near proximity to Sir Richard Mayne, who yesterday was not a very popular character; and between two and three o'clock in the morning I was honoured with a visit from the mob. But beyond the breaking a few windows, I do not think any damage was done, except in the immediate neighbourhood of the Park. Nevertheless, it is the duty of the Government to use every means in its power to prevent a repetition of dangers of this kind. I have no reason to apprehend that there is likely to be a repetition to-night of the scenes of last night; but, at the same time, it is not to be concealed that there were a number of idle people about the Park this afternoon, probably with no political object, but bent on mischief, and it will be necessary to take precautions for the purpose of interfering with their unlawful proceedings. There will be no attempt to exclude people from the Park, because circumstances have made that utterly impossible, but what will be done will be to prevent assemblages by keeping the crowds in motion. This will be done by the police—for I hope there will be no occasion to call out the military. It may, however, be necessary to patrol the Park and the immediate neighbourhood; and if the spirit of mischief and insubordination should continue, it will be necessary to take those steps which were taken on a former occasion, and call on the well-disposed inhabitants of the district to enrol themselves as special constables for the preservation of the public peace, in which all are interested, but more especially those whose residences are in the vicinity of the Park. I cannot undertake to say what are the precise instructions which my right hon. Friend the Home Secretary has given, nor whether it will be possible to produce those instructions; but I know that my right hon. Friend has been in constant communication with Sir Richard Mayne, and I believe also with

the illustrious Duke the Commander-in-Chief. We have full confidence—as I am sure my noble Friend opposite has also—in the judgment and discretion of Sir Richard Mayne, who I am sure will use all the means at his disposal, should it become necessary for him to do so, to preserve the peace of the metropolis.

EARL GRANVILLE: The Questions which I put to the noble Earl—though he might have objected that he was taken by surprise—I am bound to admit have been answered with candour. In some points I entirely agree with the noble Earl. I think we must regret with him that these monster meetings should be held in the metropolis, where they cannot be of any use in furthering what is professedly the object of those who call them together. I am as strongly as possible in favour of the right of public meeting; and I think it must be borne in mind that some difficulties have been placed in the way of persons regarding whose conduct observations are now made by the course events have lately taken with regard to the measure of Reform introduced in another place. One of the strong arguments used against the necessity for such a measure was the apathy and indifference shown by the working classes to any such proposals. At the same time, I believe that for the purposes of real discussion these monster meetings are valueless. I entirely agree with the noble Earl that, not only on the part of the leaders, but of the real working classes of the metropolis, their desire was to maintain perfect order; but in these very large meetings numbers make discussion almost impossible, and therefore, whether such be the desire or not, they cannot fail to be taken to some extent as embodying the desire for a display of physical force. I believe there can be no doubt whatever as to the state of the law regarding Royal Parks. It is quite clear that if no legal power exists to prevent these meetings, there must be a great abuse of power in preventing carriages from going through, in shutting the gates at particular hours, in placing policemen to regulate the riding in Rotten Row, in prohibiting preaching meetings and cricket matches—and other things, which are prohibited from being done. These are all restrictions imposed in order to maintain the Parks for the general purposes of the recreation, health, and amusement of the people at large. But I wish to have it clearly understood that Sir

George Grey, while stating the other day, entirely in accordance with the sentiments expressed by the present Secretary for the Home Department, that in his view it was not desirable to allow public meetings of this monstrous extent to be held in the Park, gave no opinion whatever as to the mode of proceeding which ought to be adopted. I do not wish at present to discuss the means which should have been adopted for preventing these very deplorable events; but the public will certainly be anxious to know, and I trust on calm consideration the noble Earl will not find it inconvenient to give full information as to the instructions which were given and the mode in which those instructions were carried out. I do not offer any opinion of my own, as to whether it was desirable to bring out troops at the particular moment, or whether they should have been called out at all. But it certainly is an unusual circumstance in this metropolis for the military to be called out, and I think it ought to be clearly known to the public under whose authority they were called out, and under what circumstances the occurrence happened. My real object, however, in rising was to assure the Government that they will have the co-operation, as far as I know, of every single person, not only in this House, but of the public, if necessary, in that most important object of maintaining order in this great metropolis by all modes consistent with the liberties of the people.

LORD TEYNHAM was understood to suggest that means should be given to the public by the Government to hold large meetings in such a manner as not to interfere with the public peace.

House adjourned at Six o'clock, to
Thursday next, half past
Ten o'clock.

HOUSE OF COMMONS,

Tuesday, July 24, 1866.

MINUTES.—NEW WRIT ISSUED—*For Galway Town, v. Michael Morris, esquire, Solicitor General for Ireland.*

NEW MEMBERS SWORN — William Nicholson, esquire, *for Petersfield*; Abel Smith, esquire, *for Hertford County.*

SELECT COMMITTEE—*Report—Mortality of Troops (China)* [442].

SUPPLY—*considered in Committee—Resolutions* [July 23] *reported.*

Earl Granville

PUBLIC BILLS—*Resolutions in Committee—Common Law Courts (Fees and Salaries); Fortifications and Works.*

*Ordered—Common Law Courts (Fees and Salaries)**

*First Reading—Common Law Courts (Fees and Salaries)** [240].

Second Reading—Compulsory Church Rate Abolition [143] [Mr. Gladstone], *adjourned debate further adjourned*; *Traffic Regulation (Metropolis)** [227]; *Local Government Supplemental (No. 4)** [234]; *Aberdeen Provisional Order Confirmation** [237]; *Inclosure (No. 2)** [238].

Committee—Public Health (re-comm) [202] [R.P.]; *Attorneys and Solicitors (Ireland)* [Lords]* [172]; *Colonial Branch Mints** [220]; *Fees (Public Departments)** [223].

Report—Attorneys and Solicitors (Ireland) [Lords]* [172]; *Colonial Branch Mints** [220]; *Fees (Public Departments)** [223].

Considered as amended—Inland Revenue [209]; *Tramways (Ireland) Act Amendment** [149].

*Third Reading—Court of Session (Scotland)** [204]; *Land Drainage Supplemental (No. 2)** [198]; *Overseer of the Poor (Small Parishes)** [214]; *Parochial Buildings (Scotland) Act Amendment** [222].

Withdrawn—Veterinary Surgeons [121]; *Railway Construction Facilities Act (1864) Amendment** [226].

PUBLIC HEALTH (re-committed) BILL.

(Mr. Bruce, Mr. Chichester Fortescue,
Sir George Grey.)

[BILL 202.] COMMITTEE.

Order for Committee read.

Motion made, and Question proposed,
“That Mr. Speaker do now leave the Chair.”

Mr. HENLEY said, that the more convenient course would be to postpone for the present Session the first part of the Bill, relating to sewage and water supply. The second and more material portion of the Bill, providing for the removal of nuisances, it would be well to go on with. There was a third part which having treated *de omnibus rebus*, went on to consider *quibusdam aliis*; and which might well be dispensed with altogether. The first part took powers so large for the execution of works of drainage and water supply that it would require more time and consideration than it could receive at the present period of the Session. The Bill was first ordered to be printed on the 6th of June, at a time when public attention was occupied with other matters. It was referred to a Select Committee of seventeen Members, and it went through Committee in two days. [Mr. BRUCE: Three.] Clauses had been “pitchforked” into the Bill from other Acts of Parliament, and great care and consideration

would be necessary to secure the proper relation of these clauses to each other, and to provide sufficient checks and safeguards for the protection of the rights of the public and of individuals. The clauses in reference to the water supply were of great importance, and would require amendment before they would work properly. For in the case of a speculator in an agricultural parish of 10,000 acres who might erect forty or fifty cottages for labourers without making provision for the water supply, the enactments of this Bill might render the district liable to rates for the supply of water to these cottages. In the Local Government Act and Public Health Act, there were stringent provisions to guard navigation and canals from being injuriously affected by the exercise of the powers under these Acts for providing a supply of water; but in this Bill any such provision was totally omitted—at least, nothing could be found to guard them. The clauses also in regard to the “summary process” for enforcing the provision of the Bill, which some of the daily prints had pronounced to be beyond all praise, were extremely defective, and would lead, he believed, to an indefinite measure of vexatious litigation and consequent expense.

Mr. BRUCE said, there was a strong need for an Amendment of the Nuisances Act. The object of the present Bill was to enable the local authorities in rural districts, as well as in towns, to execute sewage and other works necessary for the public health, and, in case of their neglect, to compel them to exercise the powers conferred by the Bill. The main powers to which the right hon. Gentleman (Mr. Henley) objected were already supplied by the Sewage Utilization Act, to which the authority now proposed to be given was but supplemental. He had intended to introduce a Bill for consolidating all the nuisances removal Acts and conferring on local boards and vestries additional powers and responsibilities, which the good of the country required, but the question was so large, and Parliament was so much occupied with other important subjects, that he thought it best to confine the measure entirely to matters demanding immediate attention. The effect of adopting the suggestion of the right hon. Gentleman would be practically to postpone legislation for twelve months, and the sacrifice of hundreds and perhaps thousands of lives would be the consequence. The public mind had been a good deal excited by accounts of

the state of the workhouses in London, but in almost every country parish there were scenes quite as horrible, and daily deaths from want of draining and water supply. He heard a gentleman say at a public meeting that if there was as much mortality among the calves born in this country as among the children there would be a Royal Commission and a demand for the fullest inquiry into the matter. The mortality among children in this country, in the rural districts as well as in towns, was in a great degree owing to the pernicious sanitary conditions under which they lived; these evils were to a great extent preventible by judicious legislation, and it must rest with the House to apply a remedy or assume the responsibility of declining it. For these reasons he could not consent to postpone this necessary measure.

Mr. STEPHEN CAVE said, that notwithstanding the great confidence which he reposed in the judgment of the right hon. Gentleman (Mr. Henley), he thought that the question was of such importance that immediate legislation was necessary. The general feeling of the Committee to whom the Bill was referred was, that immediate and decisive steps ought to be taken to supply a remedy. The former Act relating to this subject had proved almost inoperative in the country districts. He hoped the Bill, some modifications being inserted, would pass into law this Session, and he believed it would prove one of the most useful measures which had ever been passed by that House.

Mr. AYRTON said, he objected to going into Committee on a Bill of this gravity at the very close of the Session. It was very desirable that a distinct statement of the effect and bearing of the various clauses of the Bill, and the circumstances which rendered it necessary, should be presented to the House, in order that a proper opinion might be formed regarding them. The first part of the Bill did not affect the metropolis, inasmuch as it was not included in it; and with respect to the rest of the country, he believed the public was not aware of what was to be accomplished by the measure. The second part of the Bill was quite unsuited to the circumstances and conditions of the metropolis, and would be quite inoperative. Its provisions would place the great body of London dwelling-houses and offices at the mercy of the police. When the police had reason to suppose that too great a number of persons were collected in the same dwell-

ing-house, the police would have power to enter and turn them out. He admitted that there might be cases in which it was necessary to turn people out of their houses ; but he contended that this provision should not be enacted until measures were taken to find suitable accommodation for those so turned out. With regard to the definition of nuisances, he thought it a very serious matter that the police should have the power of interfering vexatiously with the occupation or property of the poorer classes. He had not heard a single reason why the powers vested in the hands of the local authorities of London should be transferred to that of the police. He would remind the House that the metropolitan police were not appointed by local authorities as they were in the country, and they had had an illustration no later than last night of the strong repugnance entertained against the interference of the force under Sir Richard Mayne. He knew there were some who thought, so long as they had got a regiment of Guards, they might do as they pleased ; but even these should be reminded that the time was rapidly approaching when those things could no longer be. This was not all. There were provisions in the Bill by which local authorities were to be brought up for judgment before police magistrates. Anybody who knew the feelings of the population of London, and the respect they entertained for local authorities, could hardly conceive a proposition more outrageous or extravagant. In fact, the whole supervision of the local authorities would be transferred by the Bill to stipendiary magistrates of police. The Bill had been proposed hastily, and its provisions were likely to prove ineffective, and he had expected that before going into Committee that the House should have had an ample statement of facts, circumstances, and reasons, to show the necessity and expediency of this Bill ; but no such statement having been made, he, for one, must object to going into Committee on the measure.

SIR GEORGE GREY said, that no person who had read the Reports and Returns laid before the House could deny that the present law as to the public health was in an unsatisfactory state, or that the means for enforcing it were at all adequate. He thought the effect of the Bill had been entirely misrepresented, and if the House went into Committee, it would be possible to consider and remove the objections to the various clauses. The objections of the

hon. Gentleman who spoke last were, in a great degree, founded on the second section of the twenty-third clause, which gave the police power of interference with manufactories in certain circumstances. Now, the whole effect of this clause would be to transfer to factories not hitherto introduced in the Factory Act the powers granted by that measure in reference to those comprehended under it. If his views were carried out, and the police magistrates not allowed to enforce the law with respect to smoke and similar nuisances, there would be no chance of the public ever getting rid of them. In the same way, it was absolutely necessary that the police should have a power of inspecting lodging-houses, with a view to the removal of sanitary nuisances. With regard to the action of the police, he reminded the hon. Member that it was through their agency that the Smoke Act was enforced in London, while it was neglected in towns like Manchester, Leeds, and Newcastle. The police in this country were not the absolute despots the hon. Member had represented. It was their duty to report facts upon which action might be taken by the Secretary of State. He believed that, if they went into Committee upon the Bill, they might, even at this late period of the Session, so amend the law as to conduce to the general health and comfort of the public.

MR. THOMAS HUGHES said, he considered that the various Reports which had been presented to the House amply proved that there was an urgent necessity for legislation on the subject, and while he admitted that some of the clauses might be improved in Committee, he hoped they would not allow so useful a Bill to drop and leave the present terrible state of things to continue.

MR. GRAVES said, that this measure received the hearty approval of the town of Liverpool, where mortality, from preventable causes, had reached a great height, and he believed it would receive similar approval from other large towns and districts of the country. It was most desirable, for the sake of promoting the general health of the country, that there should be no delay in considering the provisions of the Bill.

MR. HARVEY LEWIS said, there could not be a doubt that grave and serious objections existed to this Bill in its present shape, and he particularly objected to the metropolis being handed over to the tender mercies of the police. This,

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in a place where there were medical officers of health, was, he thought, an ill-advised measure. It was most injudicious to bring the police into such disagreeable collision with the people, and so far as the Bill gave power of house-to-house visitation by the police, he should give it his opposition.

MR. CANDLISH said, that the previous legislation of that House had been most defective in dealing with that class of subjects, and he was in favour of going into Committee with a view to providing a remedy. He thought the Bill was so important that it would be worthy of the House to have a special Session in order to fully consider its provisions and pass it into law.

MR. ADDERLEY submitted that, as there was no objection to the principle of the Bill, they ought to waste no time in going into Committee, where whatever was objectionable in the clauses might be removed. So far from the subject being a new one, it had been before the House in different shapes for the last twenty years; but though there had been much legislation, it needed simplifying, and it would be absolutely necessary to deal with the existing law in a consolidating Bill next year. He denied that the power given to the police was unduly extended, and it was only of an initiatory character. There were, however, parts of the present Bill which were most urgent and might well be passed this Session.

MR. LOCKE said, as far as his experience of the feeling of the inhabitants of the metropolis went, it was decidedly in favour of the Bill. It was absolutely necessary that immediate legislation should take place on the subject, and that it should not be postponed until next Session.

MR. POWELL said, he concurred with the hon. Member for Southwark as to the feeling of the metropolis with regard to the measure, and he hoped the House would not delay going into Committee. There had been great exaggeration in the allegations made respecting the powers proposed to be given to the police, but that was a question which would most properly be raised in Committee.

MR. BAZLEY said, he hoped there would not be any objection to substitute the Secretary of State as the authority of appeal instead of the local magistracy.

SIR JERVOISE JERVOISE said, he did not think hon. Members had sufficient

information before them to warrant such legislation as that which was proposed by the provisions of this Bill, and some of the clauses would require to be very minutely sifted. It was a very serious question whether the remedy proposed was not worse than the disease.

MR. LEEMAN said, the first part of the Bill which related to agricultural districts was most important and valuable, and he would recommend the House to proceed with the measure as speedily as possible. He should oppose some of its proposals, but he was satisfied that the measure, as a whole, would prove beneficial.

Bill considered in Committee.

(In the Committee.)

Clause 1 agreed to.

Clause 2 (Sewer authority.)

MR. DILLWYN moved an Amendment that where a local Board of Health existed it should alone possess "sewer authority."

MR. WALPOLE said, that the Amendment was unnecessary, as the local Boards of Health already possessed the power which it proposed to confer upon them.

Clause agreed to.

Clauses 3 and 4 agreed to.

Clause 5 (Formation of a special Drainage District.)

MR. KNIGHT moved an addition to the clause to the effect that the drainage district should, for the purposes of the Sewage Utilization Act, 1865, come under the provisions of the Local Government Act. Unless some such Amendment was made, every village and hamlet might become a corporation for drainage purposes.

After some discussion, Amendment, by leave, withdrawn.

MR. HENLEY said, he objected to the clause as it stood because it would relieve one part of a parish from paying rates for which the poorer part of the parish only would be assessed. The effect of the clause would be to cut off the portion of the parish most requiring drainage into a district. The clause now ran—

"And any officer or officers who may from time to time be appointed by the sewer authority of such special drainage district for the purpose shall have within that district all the powers of levying a rate for the purpose of defraying the expense of carrying the said Sewage Utilization Act into effect that they would have if such district were such parish as aforesaid, and such rate were a rate for the relief of the poor, and they were duly appointed overseers of such parish."

He proposed, as an Amendment, after "rate," to leave out "were a rate for the relief of the poor," and insert "were a district rate, made in the same manner, and assessed on different descriptions of property in the same way, as a general district rate in 'The Local Government Act, 1858.'"

Amendment proposed,

In page 3, line 13, after the words "rate were a," to leave out the words "rate for the relief of the poor," and insert the words "district rate made in the same manner, and assessed on different descriptions of property in the same way, as a general district rate in 'The Local Government Act, 1858,'"—(*Mr. Henley*.)

—instead thereof.

MR. NEATE said, that the meaning of the clause was that in a parish composed partly of houses and partly of land they should concentrate the sewage rate on that part of the parish that derived advantage from it. The adoption of the Amendment would introduce an element of dissension into the parishes so circumstanced.

SIR ROBERT COLLIER said, he would suggest to the Committee that they should adhere to the words of the clause as it stood, that being consistent with former legislation on the subject.

MR. AYRTON said, it would be better for the right hon. Gentleman to raise the question by a distinct clause that would apply to the entire case.

MR. POWELL advised the postponement of the clause.

MR. ADDERLEY said, he must object to the postponement of the clause. This was a collection of supplemental provisions of existing Acts, and it was intended to consolidate these Acts next year. The Amendment could not be carried without altering the existing law, and that was a proceeding to adopt on consolidation.

Question put, "That the words proposed to be left out stand part of the Clause."

The Committee *divided*:—Ayes 82; Noes 8: Majority 74

MR. KNIGHT said, he was of opinion that the clause would be one of the most oppressive ever proposed, and but for the result of the last division he would have divided the Committee against the clause.

Clause *agreed to*.

Clause 6 to 9 *agreed to*.

Clause 10 (Drainage of Houses.)

MR. PAULL said, he would propose to the Committee to introduce words for the

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purpose of meeting a case of nuisance caused by stench arising within a dwelling-house or tenement adjoining thereto, from any drain or pipe being out of repair, thereby causing an escape of sewage or vapour therefrom. He desired by the adoption of his Amendment to give power under the Bill to suppress such a nuisance. He thought that power should be given to the authorities to interfere in such a case.

SIR ROBERT COLLIER said, that the object of the hon. Gentleman would be effected by the clause as it stood.

MR. HARVEY LEWIS said, it struck him that the law as it stood was amply sufficient to meet such a case as that referred to by the Mover of the Amendment.

MR. BRUCE said, he would confer with the Government in order to obtain an early day for proceeding with the Bill.

House *resumed*.

Committee report Progress, to sit again *this day*.

CATTLE DISEASES ACT.—QUESTION.

MR. READ said, he would beg to ask the Secretary of State for the Home Department, If the slaughtering powers of the Cattle Diseases Act will be continued after the 3rd of August; and if any modification of the Orders in Council restricting the movement and the trade in cattle is contemplated, in consequence of the decline of the Cattle Plague; and, if he can inform the House how the Cattle Diseases Act is being carried out in Cheshire, since by the last Return it appears that eighteen out of the twenty-one cases of "recoveries" are reported from the county of Chester?

MR. WALPOLE said, in reply to the first part of the Question, that no modification was at present contemplated, and with regard to the question relating to Cheshire he should have to bring in on Thursday a Bill amending the Cattle Plague Act of which he intended to give notice to-night, and he would then state the views of the Government.

CASE OF NEVILLE MASKELYNE TOOMER.—QUESTION.

MR. EYKYN said, he would beg to ask the Secretary of State for the Home Department, Whether his attention has been called to the circumstances under which Neville Maskelyne Toomer, notwithstanding strong medical evidence in his favour,

was convicted at the Berkshire Assizes, held at Abingdon on the 11th of July last, and sentenced to fifteen years' penal servitude, and whether Her Majesty's Government intend to take any steps in regard to that sentence?

MR. WALPOLE: My attention, Sir, has been called only indirectly to the case in question. It is usual at the Home Office, and with great propriety, to wait until the convict, or some person on his behalf, applies to have his case taken into consideration. That case has not come directly under my notice upon such application at present. I expect from what I hear that it will in a day or two, and the moment it does I will give my best attention to the subject.

THE BRITISH MUSEUM.—QUESTION.

MR. GREGORY said, he wished to ask, Whether, in the case of any new appointment that may be made in the Department of Prints and Drawings in the British Museum, it will be distinctly understood by the gentleman appointed to the place that there is a probability that the Drawings of the Old Masters will be removed to the National Gallery?

MR. WALPOLE: Sir, I will state, according to my recollection, what took place at the last meeting of the Trustees with reference to the lamented death of Mr. Carpenter. When the vacancy occasioned by his death was communicated to the principal Trustees, in whom is vested the appointment of a successor, nothing, if I recollect rightly, was said with reference to the possible separation of the principal drawings from the rest of the collection. But I take it for granted that anybody who succeeds to that office would accept it subject to the condition that if those prints and drawings are removed something will have to be done with reference to the keeper. If the hon. Gentleman wishes for a more specific answer, he can put the Question on the paper.

THE REFORM MEETING IN HYDE PARK.—QUESTION.

MOTION FOR ADJOURNMENT.

MR. OSBORNE: Sir, perhaps the urgency of the case will form my apology for not having given Notice to the right hon. Gentleman the Home Secretary of the Question I am about to put. I have to ask the right hon. Gentleman, Whether he will be kind enough to state to the

House, with reference to the meeting proposed to have been held in Hyde Park last evening, what were the Instructions given by the Home Office to Sir Richard Mayne?

MR. AYRTON: Before the right hon. Gentleman answers the Question which has just been put I should like to address to him another, and as it may lead to some observations, it may be convenient that I should conclude with a Motion for the adjournment of the House. My hon. Friend behind me has asked a very simple Question, which I think has been answered by anticipation. But there are other questions upon which I confess I should like to have some information. Every one must regret that the people of the metropolis should have been brought in the way they have been face to face with the authorities, and still more, as the result of that, that there should have been any resort to force on the one side or the other. But one cannot help feeling that this unfortunate state of things has arisen from causes which might have been entirely prevented. Undoubtedly it came to the notice of the Government some time ago that a certain portion of the community was under the impression that they had a right to assemble together in Hyde Park for the purpose of considering political questions, and expressing their opinions thereon. With regard to the question of right, I am bound to say that circumstances have occurred in recent times which have tended very much to encourage this notion on the part of the people; and I allude more particularly to the disposition that has been evinced in somewhat recent times on the part of other sections of society to appropriate the Parks in a specific manner to their own gratification and enjoyment. I myself, as these occurrences have arisen, have expressed my strong opinion against such pretensions, because I have always felt that if any section of the community, however elevated in rank and influential in station, though extremely few in number, took it upon themselves to exercise influence over the Government to induce it to appropriate portions of the Park specifically for their gratification and enjoyment, it must necessarily give rise to an impression in the minds of the people that they in their turn would have the right whenever the occasion arose to appropriate some portion of the Parks in a manner which might be convenient to themselves. I cannot help recollecting that not long ago there was a desire on the part of a very small portion of the

community that instead of riding on the ordinary road they should have a very soft road to ride upon, or, it may be, to fall upon, as they went through St. James' Park; and thereupon the railings of the park were pushed back, and a considerable portion of the Park was appropriated for the exclusive benefit and gratification of that particular section. ["Oh, oh!" I am obliged to hon. Gentlemen opposite for crying "Oh, oh!" because they evidently begin to appreciate the truth of my observations. When I expressed myself in general terms hon. Gentlemen did not seem to sufficiently appreciate my remark, and I was in doubt whether I should give any illustration, but I am glad I have done so, because it is quite obvious that my remarks have penetrated their minds. But that was not the only occasion on which these things have been done. I recollect not long ago those who are responsible for the local government of the metropolis, and also for its taxation, being very much pressed by a fashionable part of society who inhabit the parish of St. George's, Hanover Square, to improve the means of communication between one part of the parish and another. It was suggested to those then in authority that there was an obvious means of improving that communication, because there already existed a thoroughfare between Hyde Park Corner and Park Lane, and there was, therefore, a very simple mode of proceeding by making that thoroughfare available to those who desired to use it. They were told by the gentlemen in authority that that particular portion of the Park was a lounge for a very refined section of society, and that it would be quite impossible to appropriate such a space for the convenience of the public at large. It may seem a very simple thing for people who have hours to while away in carriages to appropriate to themselves a particular portion of the Park. Nevertheless, that again was a specific appropriation of a character entirely exclusive. ["No, no!"] Undoubtedly Gentlemen opposite will say it was not exclusive, because anybody who has an hour or two to while away in a carriage, can participate in the enjoyment. That appears to be very much like the old answer that anybody may go into the London Tavern and eat turtle soup if he desires it; but the qualification is limited and the appropriation exclusive. Whilst the public at large have, therefore, insuperable difficulties placed in their way in the legitimate use

of these Parks, we cannot help remembering these things. Again, when an inconvenience was experienced in passing between the Clubs and Belgravia, it was suggested that a very easy remedy could be found by going through the gates of St. James' Palace at one side and the gates at Buckingham Palace at another, and no obstacle was encountered in arranging that matter when the fashionable part of society was concerned. It may be thought that the people of this metropolis are so ignorant or so stupid that they cannot observe what is going on. But, in point of fact, they do observe it, and when they find that the hearth of the poor man is to be taxed to the extent of £100,000 to meet the convenience of fashionable folks, it is a matter which does penetrate the mind of every thoughtful member of society. The House will appreciate what the value of that money is when I tell them that the Metropolitan Board of Works has expended only £110,000 for the purchase of the two Parks for the people, one on the south and the other on the north side of the metropolis. I have stated enough to show the exclusive character of these appropriations, and that if one section of society makes these exclusive appropriations it is natural that it should become imprinted on the minds of the other section of the community that they are at liberty to do likewise. But I can refer to even a stronger case. When the Civil Service desired to appropriate a portion of a Park for the benefit of a club, that concession was granted in spite of the remonstrances that were made. It is impossible to divest the minds of the people of the impression that they in their turn ought to have their share of these appropriations; and I mention these things because, four years ago, the matter was mooted to me and to other metropolitan Members, and on that occasion, after going into the matter calmly, we succeeded in satisfying those who raised the question that on the point of right there was no special right to make these appropriations for the exclusive benefit of particular portions of society. But these efforts are naturally frustrated when the unfortunate examples to which I have referred, and others which I might mention, are set, leading the people astray in their notions as to the proper appropriation of this public property. The result is that the people are deeply impressed with the idea that they have a right to use this

public property for their own particular purposes and objects. Now, what was the duty of the Government? I do not allude particularly to the right hon. Gentlemen who now happen to occupy the opposite Benches, but what was the duty of any Government in these circumstances? It appears to me that when a claim of right is put forward in respect to these Parks the best way of meeting it is by issuing a well-considered and temperate proclamation, explaining clearly the exact rights the people possess; and I have no doubt if the people had been met in that way, in a spirit of proper conciliation—if the question of right had been disposed of as a question of right—we should not have had the events occur which did occur last night. But instead of this a notification was placed on the gates of the Park of a character which I think was an entire mistake, to say the least of it. I am sorry I have not a copy of the document with me. I had meant to read it more carefully, but I was unable to find any trace of it on the gates of the Park. Still, my recollection of it is that it was one of certainly an extremely disagreeable description, because it suggested that the meeting proposed to be held was one calculated to lead to a disturbance and a breach of the peace. If I am right in that, I think the claim on the part of the people was met by what I can only denounce as a false suggestion. I do not think there is any one in this House weak enough to believe that a meeting of 3,000 or 4,000 people in the Park to pass resolutions on the subject of Reform is a proceeding likely to lead to violence and a breach of the law. For my part I should be sorry to see that hon. Member, but I cannot imagine any such person exists in this House; and I cannot suppose that a person of the lively intelligence of Sir Richard Mayne could really believe what he wrote when he penned that notification. The people having perfect confidence in their own tranquillity, and in their power of carrying through a public meeting of which they had some experience, seeing this statement, at once regarded it as a false suggestion intended to cover an improper proceeding, and when once their minds became impressed with that idea they were sure to regard the acts of the Government as an appeal to might rather than right. Now, nothing can be more disastrous than that the Government of this country should so far forget its constitutional basis as ever to

appeal to force in order to meet a claim supposed to be founded on a sense of right. We are not governed by force but by respect for the law. No army in this country ought to be used as an agent of Government. We solemnly pass every year a declaration to that effect; and I deny that it is any part of the Constitution to govern on the part of the Crown by force. This country can only be governed in accordance with the national sense of right and justice. To appeal to force, and not to have considered and examined this question—not to have met the people on the ground of right—appears to me a most deplorable error; and to have led very much to the consequences that have ensued. Therefore, I do hope that the Government will take an early opportunity of issuing a proper notification, in which they will explain the nature of this question, and will not persist in the course (which may be most disastrous) of endeavouring to keep the people in order by the police on the one hand and the soldiers on the other. If the time has not already come, it will very soon, when Government will have to learn that its authority does not and cannot depend upon military force. It is true that in times past an army composed of all the scum and ruffianism of the country was an instrument in the hands of a Minister, be he good or evil, or his purposes right or wrong, to inflict violence on the people. But our army is somewhat improved, although not so much as we desire, judging from the Bill we recently passed. Still it is somewhat improved, and the more it improves the less it will be an instrument in the hands of the Government, and the more it will become an arbiter between the Government on the one side and the people on the other. It is a very dangerous doctrine for the Government to act upon, that the army is a machine to be used against the people. I hope, therefore, instead of attempting to keep 500,000 adult people—the number comprised in the metropolis—in order by the physical power at their disposal, the Government will consider the expediency of appealing more to the moral influence of the community, for I am quite certain this is the only means by which order can be preserved in this metropolis. I think we have had abundant evidence that there is no people in the world more ready to recognize the principles of order than the people of this metropolis. In point of fact,

if that was not the case, the metropolis would be at their disposal. I, therefore, ask the right hon. Gentleman the Home Secretary if he will be good enough to lay upon the table the notification issued by Sir Richard Mayne; and I wish also to inquire what steps he has taken for disabusing the minds of the people of the erroneous impression that they have a right to use the Park for their own purposes, and also what steps he has taken for preserving the peace of the metropolis?

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Ayrton.*)

MR. WALPOLE: Sir, in replying to the Questions which have been put to me, I think I should not at all exercise a wise discretion by following the hon. Gentleman who has just sat down in some of the remarks he has made to the House. At the commencement of his speech, he drew a contrast between different classes of society, and he tried to make out and represent to the House, and through the House to represent to the country, that the law was administered to those whom he calls the higher and richer classes, in a different manner from that in which it is administered to the humbler orders. Nothing of that kind, I am sure, was ever contained in any notice issued with my sanction, and nothing of that kind, I am equally sure, was ever present, or ever will be present, to the mind of any Member of the Government. I believe that all classes of society should be treated alike in the matter which is now before us, and it was because it was founded on the principle of securing to all classes of society the benefit—and the full benefit—for which the Parks are appropriated, that the notice which has been referred to was issued. The hon. Gentleman has found fault with that notice as being one which contained "a false suggestion," and he has followed that up by remarks which seemed to be responded to by partial cheers from his own side of the House as if the matter of right to which the hon. Gentlemen has referred had not been perfectly well known to the House and to the country by proceedings which have before taken place in reference to the Parks, but which the hon. Gentleman has thought it convenient to forget. In the year 1855 there was a great stir in this metropolis about a Bill brought forward by a noble Lord (Lord Richard Grosvenor) now a Member of the House of Peers respecting Sunday trading. At that time great meet-

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ings were held in Hyde Park, great disturbances took place, and the Government of the day—not a Government composed of my Friends sitting near me, but a Government consisting of Gentlemen now sitting on the other side of the House—did, in consequence of those meetings, appoint a Commission to inquire into the proceedings, into the conduct of the police, and into the rights which were then to a certain extent claimed on the part of the public. I would recommend the hon. Gentleman to read the Report of that Commission, as he seemed to put it to the House as if this was a question entirely new, and as if the present Government were commencing a course of conduct totally unknown to the House and to the country. The Commission consisted of Mr. James Stuart Wortley, Mr. Baynes Armstrong, and Mr. Gilbert Henderson, who went into a full investigation of the subject, and in their Report I find the following paragraphs:—

"After the proceedings in Hyde Park on Sunday, the 24th of June, it was fit and proper that measures should be taken to secure to all classes the undisturbed exercise of their right to ride or drive in the Park. The arrangements for this purpose seem to have devolved on the First Commissioner, Sir Richard Mayne, according to the distribution of duty sanctioned by the Secretary of State for the Home Department.

"With the prospect of a recurrence on the 1st of July of the tumults of the 24th of June, it was right to issue some warning to the public, and to apprise the unwary that such proceedings were illegal and would be checked by the police. The police notice which was advertised, and also printed and placarded, had in view those objects, and also, as we understand it, the prevention of a public meeting in the Park, at which, as it was anticipated, the Sunday Trading Bill would be discussed, and the assembled multitude addressed by speakers, with the usual forms.

"An attempt to hold such a meeting had been foiled by the police on the 24th of June. It seems to us that meetings of this nature might properly be interdicted and suppressed, as novel, and not sanctioned by usage or the regulations of Hyde Park. To make Hyde Park an arena for the discussion of popular and exciting topics would be inconsistent with the chief purposes for which it is thrown open to and used by the public. Whether the holding any such meeting was contemplated it is difficult to say, but it is certain that the police notice was understood by many, not as prohibiting a meeting in this limited sense, but as interdicting and prohibiting any meeting or assembly of large numbers of persons in Hyde Park on the 1st of July.

"This construction induced many to go to the Park to assert a right which they imagined to be impugned by the notice of the Police Commissioners. The language of the notice, and especially the use of the term 'meeting' in a sense not clearly defined, seems to have given some ground for this construction. The notice, however, produced a good effect by inducing many to

abstain from going to the Park in carriages or on horseback. Report signed by

"JAMES STUART WORTLEY,
"ROBERT BAYNES ARMSTRONG,
"GILBERT HENDERSON."

Such was the Report of the Royal Commissioners, who inquired into similar proceedings to those which occurred last night. The following year another question was raised—namely, whether bands of music and preaching would be allowed in Regent's Park and one or two other Parks. On that occasion the opinion was taken of the Law Officers of the Crown, which opinion I hold in my hand. These Law Officers were Sir Alexander Cockburn, the present Lord Chief Justice, Sir Richard Bethell, now Lord Westbury, and Mr. Wills, an able lawyer. As the foundation for that opinion three Questions were put, which I will take the liberty of reading:—

"1. Is there any authority to close the gates of the enclosures, and exclude the public altogether during the day?

"2. The gates of the enclosures being open, is there any authority to prevent the ingress of persons to the enclosures, those persons conducting themselves properly and orderly in their attempt to obtain ingress?

"3. Supposing persons to have entered and to preach, or play upon musical instruments, or to sing, does any authority exist to turn persons so preaching, or playing or singing, out of the Parks, supposing they do not obstruct a thoroughfare or cause a disturbance? And, if so,

"You are particularly requested to state what is the nature of the authority, and how it is derived."

The following is the Opinion which was given:—

"1. We think that there is a right in point of law to close the gates and exclude the public from the Parks.

"2. We think that the gates being open there is a right on the part of the Crown to exclude persons attempting to gain admission; but we do not think this right should be exercised against particular individuals unless in case of previous misconduct.

"3. If persons who have entered commence to preach or play they cannot be turned out without proper notice to them that the permission or licence of the Crown to the public to enjoy the Park is conditional only, and does not apply to persons who so conduct themselves, and the best way of giving such notice is by posting it up at the entrances of the Parks.

"The authority to close and to exclude the public from the Parks is that which every landowner has to prevent the public from trespassing on his lands; for we are of opinion that the public have not acquired any legal right to use the Parks by reason of the continued user under the licence and by favour of the Crown.

"(Signed),

"A. E. COCKBURN.
"RICHARD BETHELL.
"W. H. WILLS."

With regard to the matter of right, I conceive that it is perfectly clear that the opinion given by these Law Officers is the true opinion, on which any person filling the situation I have the honour to hold is required to act. As to the mode in which he should act, and the discretion to be exercised, I frankly and freely admit that any advice must be given subject to the responsibility which the Minister owes to Parliament. But I beg the hon. Gentleman to believe that instead of the notice to which he referred being issued on the grounds he supposes, it was issued simply and solely on the ground which I have already stated—that the Parks being appropriated by the Crown for the benefit of all classes of the public, that object ought not to be interfered with—as all my predecessors have held—by any meeting which was likely to create political excitement or to cause religious agitation, and thereby to interfere with the recreation of the people. Now, for myself, I can truly say, that I consider the holding of any meetings in the Parks for political demonstration or religious agitation so entirely opposed to the purpose for which those Parks are open to the public, that, until corrected by this House and Parliament, I must take leave to think that we are bound to exclude such meetings from the Parks. ["No, no!"] I hear some hon. Gentleman opposite say "No!" If he really holds any such opinion I beg him to bring the question distinctly before the House, and let it be discussed temperately and calmly. I have given my reasons why I think the line ought to be drawn between meetings of this description and the free admission to the Parks of all Her Majesty's subjects for the purposes of enjoyment and recreation. I believe that distinction to be sound, and as I said before, until it shall be directed otherwise by Parliament, I shall certainly feel it my duty to act upon it. But in so acting, let it not be supposed that I do so in the spirit so unjustly imputed to me by the hon. Gentleman. I hope that it is not in my character, and I am sure that it is not in my disposition, needlessly to employ any coercive authority. The hon. Gentleman went on to say that it is to public opinion—to moral influence—that every Government must submit. Most cordially do I agree in that sentiment; and by no other test do I wish to be tried than by appealing to rational, right-minded, public opinion—to that moral

influence which I trust will always exercise its weight over every person who inhabits this free country. As for force, I repudiate it altogether; force I would never call in for any purpose except to secure obedience to the law: but if the law is likely to be violated, and if the public peace is likely to be endangered, it is a very great responsibility, let me tell the hon. Gentleman, for any person occupying the position I hold, should he not have the moral courage to take measures for the preservation of order. Having said thus much, let me now assure the House that if any words of mine uttered in the most conciliatory spirit could allay the alarm which has during the last twenty-four hours prevailed in the public mind I would speak them from this or any other place. I have no desire that any public meeting should be prevented when held in the proper place and at the proper time for the most free discussion of any subject whatsoever, and of political subjects of course among others. All I can say is that, for the reasons which I have given, I think, and shall continue to think until contradicted by authority, that the parks are not the places in which such meetings as that of last night ought to be held. In answer to the hon. Member for Nottingham (Mr. Osborne) and the hon. Member for the Tower Hamlets (Mr. Ayrton), I will now state the exact course which I deemed it to be my duty to take with reference to the meeting announced to be held in Hyde Park. The notice which was issued by my authority does not, I believe, contain a single word to which any peace-loving subject of the Crown could well object. It states that the Parks are open for the recreation of the public, and that therefore meetings like that which was announced ought not to be permitted to be held there. That notice was communicated the moment it was printed to the promoters, or to the gentlemen who were supposed to be the promoters, of the meeting, and I hoped that these gentlemen would, under such circumstances, have been cautious before they persevered in their object, and that they would have refrained from holding such a meeting. They, however, came to a contrary decision and I do not regard myself as responsible for anything which resulted from that decision. I have, however, seen letters which have been written by others, and which throw, I think, upon the writers a very grave responsibility indeed. As to the instructions which I gave, I may state

that they were as follows:—A notice was issued to the effect that if the meeting did take place the police should temperately and forbearingly warn those by whom it was held against doing anything contrary to the notice. The police were also instructed, unquestionably, if anything were done contrary to the notice to stop the meeting, but not to have recourse to force until it was absolutely necessary. Instructions were further given to keep the military in their barracks, but to call them out in case of necessity—but in case of necessity only. I have seen it stated in the papers that the military force were called out before any riotous proceedings took place. That is simply not true. The military authorities were not called upon, as I firmly believe, one minute too soon. I also gave instructions, or rather recommended, that the Park gates should be closed at five o'clock, thinking and believing, as I think and believe still, that was the proper and the wisest course to pursue in order to prevent any riot. The best proof that that was a wise course is, that those by whom the meeting was convened, and who went to address the people in Hyde Park, having demanded admittance at the Marble Arch, and having so far tested their right, as they called it, to be allowed to enter the Park, went away on being refused admission, and took, I am happy to believe, no part in the proceedings which subsequently occurred. Other persons laboured under the impression that if admittance to the Park was denied them they ought to go quietly home, and they marched back instead of trying to effect an entrance by force. But when you bring a large number of men together—and those who broke into the Park are the persons to whom such notices as this are more particularly addressed—I say that when many thousands of persons are thus called together, it is not always in the power of force or of moral influence to prevent them from breaking the law. Well, that was the state of things up to yesterday evening. I ought to say, in justice to the military force which was called out, that I have heard from all quarters that they exercised the greatest forbearance, and that they had recourse to no measures which could be fairly characterized as measures of severity or coercion. I am bound also in justice to the police to say that I believe they took, from all I can hear, no measures of undue severity, and that their conduct, under trying circumstances, was

Mr. Walpole

both temperate and forbearing. They simply took such steps as they were bound to take when they found that the railings of the Park were being pulled down. I think it is but fair to add with respect to those who were assembled to attend the meeting—I do not wish to apply the remark to all, because some acted in a very different spirit—that the great mass were orderly and good tempered. It is of course extremely painful to find that the precautions which we deemed it to be our duty to take did not prevent the great disturbance which occurred yesterday evening. They put a stop to disturbance in some places, but they were not successful in preventing the pulling down of the rails and the breaking into the Park; and I doubt whether these things could have been avoided by any other measures of precaution which we could have adopted. It may be doubtful whether the locking of the gates was the best course which could have been pursued. I thought, however, upon the whole, and I still think, that it was the most prudent step to take; and I am confident the House, not judging merely by the event, will feel that, if tens of thousands of persons had been allowed to go into the Park, it would not have been possible to prevent the meeting, or, perhaps, to take any other measures which would have insured the preservation of the peace. [“Oh!”] That is my opinion. At all events, it could not have been done without great risk, great pressure, great excitement. I am therefore, upon the whole, still inclined to be of opinion that in ordering the gates of the Park to be locked we took a wise course. [“No, no!”] I see that some hon. Gentlemen differ from me in that view, but I can only say that it has been successfully done in other cases, and I must still express it to be my opinion that that was the best precautionary measure which we could adopt. Whether it was so or not, nobody can, at all events, deny that it was not by the police that the disturbance was begun. It did not begin even with the leaders of the meeting. It had its origin with persons who came to the Park with very different purposes from that of free and open discussion; and the responsibility of what has occurred rests with others, and not with me. I am sorry to have to add that some disturbances have taken place again this afternoon in the Park. The measures we have taken to prevent them are still as moderate as I believe the circumstances of

the case will admit. And now I hope I may appeal to the right-minded people of this metropolis—I hope I may appeal to all those who really wish to have free discussion, and desire at the same time that the peace of the metropolis shall be preserved, that they will not give a grudging support to the Government to whose hands the preservation of that peace is intrusted. I have nothing further to say, except to thank the House for the kind manner in which they have listened to this explanation, from which I hope it will be perceived that there is really no ground of complaint against the Government for the manner in which they have discharged a most painful but a most imperative duty.

MR. OLIPHANT said, it was impossible to have listened to the speech of the right hon. Gentleman who had just sat down without being assured that he was deeply impressed with the responsibility of his position, and that he had used the power vested in him as one of the Executive officers of the Government to the best of his ability and discretion. But he hoped the House would excuse him for a few minutes while he endeavoured to show that the measures which the right hon. Gentleman had taken were not judiciously chosen. Without raising the question of the right of the people to meet in the Park—with regard to which, however, he might add that he entirely differed from the right hon. Gentleman—but, assuming even that the people had no right to the Park, he was at a loss to know how the right hon. Gentleman could justify the utter failure of all the measures which he had taken to prevent the meeting and to preserve the Park. The people had been informed that a public meeting would not be permitted, but he himself was in the Park several hours unmolested. The Park was to have been closed, but the Park was full of people. There was to have been no riot, but there was disturbance for several hours. In fact, he did not see to what single point the right hon. Gentleman could appeal to justify the steps which he had taken for preventing a breach of the peace and for preserving the Park. On the contrary, he believed if the right hon. Gentleman and Sir Richard Mayne had gone to White-chapel and asked the “roughs” the best way to get up a riot, the answer would have been, “Shut the Park gates, place the police in front of them; we will then pull down the railings, and have a riot; and, if you want to give the affair an air

of importance, you can have in some military, provided they are not allowed to do anything." He (Mr. Oliphant) did not, in fact, see how the Home Secretary could take credit for what he had done; nor, indeed, on the contrary, could he see how the right hon. Gentleman could escape serious blame. If it was said that it was impossible to keep the people out of the Park after the railings had been pulled down, his answer would be that the Executive ought not to have attempted an impossibility and brought themselves into ridicule. As it was, the police were laughed at throughout London. The poor fellows no doubt did their best, and no one who was present could withhold his sympathy from them any more than he could from the people, both of whom were brought face to face with a sort of unlimited order to attack each other on any sort of pretext or excuse. After the palings had been pulled down and the exclusiveness of the Park had been invaded, the only prudent thing to be done was to withdraw the police. A protest had been made by the Government. The gates had been shut, and the authorities should have been content with that protest, as Mr. Beales and those with him had been with theirs. But the mob had taken the law into their own hands, and the only way to avoid a collision was to withdraw the police. ["Oh!"] Hon. Gentlemen who expressed their dissent could not deny that the object of calling out the police was to keep the peace, and that the effect of retaining the police on the spot was to cause a very great riot. He did not know that such was the object desired, but certainly that was the effect of the want of discretion on the part of the authorities in leaving the police in the Park when it was impossible for them to deal with the enormous mass of people who had collected there. The result of marching the military through the Park with an intention not to use them was simply to render them ridiculous. The effect of the whole proceeding had been to impair very seriously the authority of the Executive, to bring the police into contempt, and to lessen the prestige of the military. He was of opinion, however, that this little episode might afford a useful moral, if the Government looked on it as providentially sent to them as a warning that if they shut the gates against constitutional Reform the people would pull down the constitutional palings.

MR. BAILLIE COCHRANE said, he did not think this discussion should close

Mr. Oliphant

without particular attention being called to the letter to which the Secretary of State had already slightly alluded, which had been written by a Member of that House. The House should have the opportunity of expressing their opinion with respect to that letter, which appeared to have been written by one of its own Members with the view of inciting the people to a breach of the law. That letter was written by the hon. Member for Birmingham after the declaration made by the right hon. Gentleman the Secretary of State for the Home Department and the right hon. Baronet his predecessor in office on Thursday evening, to the effect that the meeting in Hyde Park had been prohibited, and when therefore the hon. Member was perfectly well aware of the forcible language he was using. It might be said he ought not to attack an absent Member, but the hon. Member was not only absent from his place in that House—he was absent from London. The language of the letter was not more remarkable than the care and caution which the writer showed for his own personal safety. It might be said of him as of another agitator—

"With the cold caution of his patriot spleen,
Which pens no treason, but which seeks a screen,
And keeps this maxim ever in the view,
What's basely done should be done safely too."

He (Mr. Baillie Cochrane) must protest against that letter. He regretted very much that when he put a question to the late Secretary for the Home Department some two or three weeks ago, as to the legality of the meeting in Trafalgar Square, the right hon. Gentleman said it would be legal, unless it were held for the purpose of petitioning Parliament. That answer he thought at the time was calculated to mislead the people, and he considered that the right hon. Gentleman would have acted with more candour if before leaving office he had expressed a strong opinion against the legality of such meetings, instead of leaving it to the new Secretary of State to put a stop to them. He hoped the House would feel that he was entirely justified in calling attention as he had done to the letter of the hon. Member for Birmingham, and which he considered had been most improperly written by a Member of the Legislature.

MR. LAYARD said, he thought that justice to a large constituency composed principally of artisans deeply interested in the question under discussion, called on him

to say a few words on their behalf. He did not intend to enter into the legal question raised by the hon. Member for the Tower Hamlets, as the public right to hold meetings in the Parks was about to be tried before a Court of Law, and the House was not called upon to decide it. What he wished to call attention to was this—that the measures taken by the Government to impede the meeting last night were most injudicious and foolish. What was the history of the case? The working classes had recently been taunted in no measured terms with their indifference to Reform. It was said they took no interest in Reform, and their lukewarmness was the justification of right hon. Gentlemen now on the Treasury Bench for opposing the Bill Her Majesty's late Government had introduced. These taunts had touched the working classes very keenly, and they desired to show by some great public demonstrations that they did take an interest in the question of Reform and that they did approve the Bill brought in by the late Government. He did not say whether it was prudent or imprudent to make such a demonstration, but they had a perfect right to do this. They sought for some place where an expression of public opinion could be made; and they naturally thought that Hyde Park might be used for their demonstration. They had seen Hyde Park used for Volunteer reviews and other large gatherings; and as they had to pay their share for keeping up the Park, they thought themselves entitled to its use. It might be said that these meetings might have been held elsewhere, at Primrose Hill or in the Borough, or among their own kith and kin in the East End of the town? But their own kith and kin knew their opinions already, and the working men of the East End of the town desired to let the people at the West End of the town know what their opinions were. The people might have been right, or they might have been wrong in thinking they had a right to the Park. But he ventured to say that if the Home Secretary had met them in an open and fair way nothing of the kind that took place last night would have occurred. All riot might have been avoided. Two or three of the leaders might have been arrested, or the gates might have been closed for half an hour. There were a thousand subterfuges of law which would have enabled them to discuss the question of right. The authorities might have confined the meeting to one

portion of the Park, and the people would at once have accepted that arrangement. The right hon. Gentleman had said that the meeting would have interfered with the riders and the drivers. But this meeting was to have been held at seven o'clock in the evening, when most of the riders and drivers had departed. Then the right hon. Gentleman assumed that there was to be a riot and disturbance, and it was on this point that the hon. Member for the Tower Hamlets had condemned the proclamation. What right had the right hon. Gentleman to assume that the working classes would be guilty of a riot and disturbance? He wished to know by what right the Government presumed to prevent such meetings. No steps had been taken to interfere with vast meetings which had been held in London on other occasions. Were there not many hon. Members present who saw the entrance of the Princess of Wales into London? Did not his hon. Colleague and himself, as Members for the borough of Southwark, enjoy special opportunities of seeing the whole of the vast multitude that assembled to welcome the arrival of Her Royal Highness? [*Laughter.*] Hon. Members might laugh, but he repeated that his Colleague and himself, in virtue of the position they held, had a better opportunity of knowing what then occurred than had any other Members of that House. He had also been present when Garibaldi was welcomed by the people of London. No riot took place on those occasions. The result of his experience was that if they trusted to the good feelings of the working men no riot would occur. He ventured to say that, had the Government appealed yesterday to the working men to preserve order, no disturbance would have taken place. For any riot or disturbance that did take place yesterday he would venture to say that the right hon. Gentleman opposite and his Colleagues were entirely and exclusively responsible. It had been said that a large part of the crowd consisted of roughs and pickpockets, but did ever any large assembly of people take place in London without such persons being present? Why they had them at the opening of Parliament. The Government gave a direct invitation to those classes to visit the scene of action when they announced their intention of pursuing a course which could only lead to commotion and disorder. The right hon. Gentleman fully admitted that the disturbance was not raised by the quiet and orderly people who got up the demonstra-

tion, but by roughs and pickpockets who were induced to attend the meeting in consequence of the steps taken by the Government. Had the Government reserved their right to prevent such meetings by issuing a protest against the demonstration, and had they then permitted the working men to enter the Park, no riot or disturbance whatever would have resulted from the assemblage. There would have been a quiet demonstration, a few foolish speeches would have been made, and then the people would have gone home. The results of the course taken by the Government had been most unhappy. Throughout the length and breadth of the land—and no man in the House could deplore the fact more than he did himself—it would be believed that physical force had been used to prevent the working men from expressing their feelings and opinions upon the subject of Reform. [“Oh, oh!”] That belief might be well or ill founded. He did not say for one moment that it was well founded, but nothing would prevent its spreading throughout the length and breadth of the land. When working men who had met by advertisement were confronted by soldiers and by large bodies of police, people might be justified in supposing that those who had so assembled were to be ridden down, if not slaughtered by the sabre or the bullet. If no use was to be made of the military, why were they called out? He recollected that some years ago an hon. Member, who then sat among Gentlemen opposite, had said that the only way to control a London mob was to train a cannon upon them. [“Oh, oh!” and “Name, name!”] The hon. Gentleman who made use of that expression was Mr. Dundas. Such, however, was the feeling of the country at the time, that in three or four days afterwards the hon. Member came down to the House and humbly apologized for having made use of the expression. He repeated that he very much regretted the course taken with regard to last night’s meeting by the Secretary of State for the Home Department, as he believed that it would lead to consequences that everybody must deeply deplore.

MAJOR JERVIS said, he would like to know whether he was in the parish vestry of St. George’s, Hanover Square, or in the House of Commons, and whether the Members of the British House of Commons, who represented other than metropolitan districts, were to be dictated to, as to the course they should adopt in reference to

Mr. Layard

certain questions, by meetings held in Trafalgar Square. The hon. Gentleman who had just spoken said, that an effort had been made to prevent the working men from being heard, and that they therefore wished to assemble in Hyde Park in order to let the people of the West End of the town know what they thought on the subject of Reform. Why, what was the meaning of this? Simply to endeavour to intimidate the Members of this House, most of whom lived at the West End. But hon. Members were sent to the House of Commons to act on behalf of the people of England as a whole, and therefore he must protest against meetings being held for the purpose of intimidating country Members, and forcing them to act against their better judgment. As Members of that House, they had to see that the laws were properly respected, and, instead of stimulating the people to further excitement, by using language of the character made use of by the hon. Gentleman, it was their duty to impress upon all classes the necessity of preserving the peace. He could tell the hon. Member that it was to people like him, and the speeches they made, that the feeling that had been exhibited yesterday was owing. The hon. Gentleman had spoken of the proposed meeting in Hyde Park, and said that if the people had been let alone there might have been two or three foolish speeches, and then the meeting would have been over. Was that the way the hon. Gentleman spoke to the people of Southwark? Did he tell them there that these exaggerated speeches on Reform were foolish? He trusted that the House would hear no more such speeches as those of the hon. Member who had last spoken, and of the hon. Member for the Tower Hamlets. He (Major Jervis) did not say whether locking the Park gates and placing a body of police at the Marble Arch was right or wrong. That was a question for the authorities. But he must protest against the proposition laid down by those hon. Members, that when the working men adjourned the meeting to Trafalgar Square, the police were bound to retire before the mob, and to give up the Park to pillage. The police were bound to do their duty to the last moment, in order to protect the public property, and he could only express his regret that, in manfully discharging their obligations, they had suffered so severely as they had done.

SIR GEORGE GREY: I wish to say

a few words in reference to the remarks which fell from the hon. Member for Honiton (Mr. Baillie Cochrane). That hon. Member complains that I abstained from declaring that the meetings advertised to be held in London for the purpose of expressing the opinions of the working men upon the subject of Reform were illegal and ought to be put down. Sir, when the meeting was about to be held in Trafalgar Square I stated that, as far as I was informed, it was a legal meeting; that any meeting at which language was held calculated to provoke a breach of the peace was an illegal meeting; but that a meeting held for the purpose of discussing Parliamentary Reform was not in itself illegal. I gave directions to the police in regard to that meeting, and I beg to inform the hon. Member, in reply to his question, as to whether means had been taken to preserve the peace, that I gave directions to the Commissioner of Police that he was not to interfere with the meeting as long as it was legally and peaceably conducted, but that he was to take means to prevent any illegal assemblage of persons afterwards for the purpose of breaking windows and of expressing political animosity against individuals. In order that the instructions under which the police were to act should be made known to the persons organizing the meeting, Sir Richard Mayne, by my instructions, sent the following letter to Mr. Edmond Beales, whom I regarded as representing those engaged in getting up the proposed demonstration:—

“Metropolitan Police Office, July 2, 1866.

The Commissioner of Police of the metropolis has to acquaint the President or Chairman of the public meeting to be held this evening in Trafalgar Square that the police have instructions not to prevent or in any way interfere with the holding of the meeting in a peaceable and quiet manner; but should bodies of persons proceed together about the streets in such a manner as by their numbers, noise, demeanour, or language is calculated to cause a breach of the peace, or excite terror or alarm in the minds of Her Majesty's subjects, it will become the duty of the police to prevent, and, if necessary, put a stop to such proceedings, and apprehend persons encouraging those engaged in them, and others who continue to act with them.

RICHARD MAYNE,

The Commissioner of Police of the Metropolis.”

The police acted in accordance with those instructions, and prevented any injury being done to property. The morning after the meeting was held the following letter was received by Sir Richard Mayne from Mr. Edmond Beales. I read it because it

shows that courteous treatment is met in the same spirit in which it is offered—

“4, Stone Buildings, Lincoln's Inn, July 3.

Mr. Edmond Beales presents his compliments to Sir Richard Mayne, and begs to thank him in all sincerity for his letter relative to the meeting last evening in Trafalgar Square, and the police arrangements made with regard to it. The letter was received with much good feeling, and, in fact, with much applause generally on the part of the very large multitude assembled, and they evinced every desire to adhere to the course prescribed in it—a course also strongly urged by the speakers. If there was any procession or clamour in the streets after the proceedings of the meeting were terminated, they could only have been the work of a few boys, as the great bulk of those assembled dispersed quietly to their several homes. It will be, as it has been, Mr. Beales' constant effort to prevent any constitutional exhibition of popular opinion from being perverted into anything approaching to a breach of the peace or to public disorder.”

About that time Sir Richard Mayne informed me that it was reported that it was intended to hold a meeting in Hyde Park. I told him that, in accordance with the course that had been adopted for some years past by the Government, the meeting in Hyde Park would not be permitted, and that I wished that an intimation to that effect should be made to those who were engaged in organizing the proposed meeting. I must, therefore, take upon myself a full share of responsibility for having acted on the opinion that it is inexpedient that meetings of a political character should be held in Hyde Park, and that it is utterly incompatible with the purpose for which the Parks are thrown open that large assemblages of people for making speeches or passing resolutions on political or religious matters should be permitted to take place in them. I understand that a communication to the effect that the meeting would not be permitted to be held in Hyde Park was addressed by order of the present Government to Mr. Beales, and I very much regret that that gentleman did not act upon that notice and prevent the meeting taking place. At the same time, what the right hon. Gentleman (Mr. Walpole) has said with regard to the conduct of the persons engaged in those proceedings is, I believe, perfectly correct. I, myself, walked up from the House yesterday evening about seven o'clock in company with another hon. Member through the Green Park, and on getting near Hyde Park Corner we saw there a large procession with flags. It was some time before we could get out of the Green Park, and by the time we got into Grosvenor Place

the procession, accompanied by its flags, was fully half way down Grosvenor Place, those connected with it having been refused admittance at the gates of the Park, and having left after doing what they thought sufficient to enable them to test the legality of the refusal. I have had no opportunity of forming any opinion upon the manner in which the police acted in this instance; but, from a long knowledge of the manner in which they perform their duties, I have no doubt that they acted with the firmness and moderation which generally characterize them. Nor am I prepared to express any opinion on the expediency of closing the Park gates. It would be unjust, I think, to form any opinion adverse to the Government by judging merely from what has taken place, and without placing oneself in the difficult and responsible position in which the right hon. Gentleman found himself. The right hon. Gentleman undoubtedly adopted those measures which he thought would be most likely to attain the objects which he very properly had in view. At the same time, I cannot but view with feelings of the deepest regret and humiliation the scenes of lawless violence which occurred in the Park last evening, and which resulted not only in the destruction of the greater part of the iron railings round the Park, but in the partial demolition of those beautiful borders of flowers from which the public have derived so much pleasure. I was really perfectly astonished to hear the hon. Member for the Tower Hamlets (Mr. Ayrton) state that the Parks were exclusively devoted to the enjoyment of one class of the community. I am frequently in the Parks—not merely in one of them—and there can be scarcely anything more gratifying than to see the manner in which all classes alike avail themselves of the advantages conferred upon the public by Hyde Park, St. James' Park, and the Green Park. Any hon. Member who desires to convince himself that this is the case has only to walk across the Green Park on a Sunday afternoon, or to go into St. James' Park, when he will find numbers of children from the streets and alleys in Westminster lying on the grass or playing about, and thoroughly enjoying themselves. These Parks are to the people sources of recreation and great enjoyment; but these objects are incompatible with employing them for the assemblage of large meetings of a political or any other nature. I deeply regret the occurrences of last evening, but I hope

Sir George Grey

the House will support whatever Government may be in power in the adoption of judicious measures which will tend to prevent their recurrence. Not having witnessed what took place, and consequently not being aware of all the circumstances, I shall say nothing about the calling out of the military; but the good sense of the people generally will, I trust, induce the public to unite with the Government for the preservation of order and the prevention of such scenes as have unhappily occurred on this occasion.

MR. COWPER said, he would only detain the House a few minutes. The hon. Member for the Tower Hamlets had taken an unusual course in the strictures he had passed on the right hon. Gentleman opposite (Mr. Walpole), and his assertion that of late some exclusive appropriation had been made in the Parks for the benefit of one class, was one that he could not allow to pass without an emphatic contradiction. He could not conceive what confusion of ideas on the part of the hon. Gentleman could have led him to make such a statement. He supposed he must refer to the circumstance that a particular portion of the Park was set aside for the purposes of riding. But there was no exclusiveness in this, any more than in setting aside another portion of it for carriages. All classes were able to cross St. James' Park in cabs, and all had equal access to the ride. The hon. Gentleman had also fallen into the error of forgetting that the Parks were the property of Her Majesty. The common phrase the "People's Park" did not imply that the Park was the property of the people, but only that the people were allowed to avail themselves of its benefits for the purposes of recreation and amusement. As a proof, too, that the advantages conferred by the Parks were appreciated by the people, he must say that it afforded him great pleasure to mention the fact that the crowd who on the previous evening had torn down the railings, even in the excitement of the moment and their anxiety to baffle the police, did not forget the flowers whose beauty had afforded them so much pleasure, but carefully avoided interfering with the beds. So far from the Government having confined the benefits of the Parks to the upper classes, it was for the amusement and recreation of the lower classes that the Government had striven, and striven, too, with a care and anxiety which had been bestowed upon no other branch

of Her Majesty's subjects. He perfectly agreed with the right hon. Gentleman the Home Secretary as to the advisability of not holding large meetings in Hyde Park. Such meetings had been for some years forbidden, because, if they were once permitted, the Park would become the ordinary arena for the holding of meetings, and the discussion of various subjects, not only on every working day, but also on Sundays. There was not a temperance society that would not be wanting to expound its principles in Hyde Park, and the managers of school feasts would fix upon the Parks as appropriate spots for eating buns and drinking ginger-beer. Now this would materially interfere with the ordinary enjoyment and recreation of the public, and would prevent the attainment of the objects to the service of which the Parks were specially appropriated. For two years he had not allowed interference with religious and social discussions in the Parks, but the Garibaldi riots, and other inconveniences that arose from these discussions, proved the necessity of enforcing the regulation against all meetings whatever. At the same time, he was afraid that the right hon. Gentleman the Home Secretary hardly appreciated the peculiar circumstances of the present day, and that there are no open spaces in London now, as there were once, where large public meetings could take place. This was not a desirable state of things. He held it to be an essential element in the success of constitutional principles in this country that large masses of the people should be able to meet together when they wished to discuss questions of public importance. In the year 1848, the people were able to hold such meetings on Kennington Common, but since that date the common had been enclosed. There were no buildings, too, in London, sufficiently large for the purpose of such gatherings. Exeter Hall, for instance, would accommodate but 3,000 people; and even Mr. Spurgeon's Tabernacle would not accommodate, he believed, more than 7,000. But there was still another resource open. When he occupied the position of the First Commissioner of Works, the City of London Working Men's Garibaldi Committee desired to hold a large meeting to condemn certain steps which they believed had been taken to secure Garibaldi's withdrawal from this country. Although he did not sympathize with the feelings by which the committee were actuated, he thought it very desirable that an opportunity should

be afforded for the expression of public opinion. He therefore informed the committee of the rule under which meetings of this description were forbidden to be held in Hyde Park, but he informed them also that Primrose Hill was at their disposal instead, and that a sufficient number of police would be directed to attend, in order to see that the proceedings were not disturbed. It had been said, on the present occasion, that Primrose Hill would not do as well as Hyde Park, because it was so much out of the way. That he believed to be a mistake, because the information which most people were likely to receive about the meeting would be gathered not from a personal visit but from a perusal of the newspapers. The public inconvenience and the stoppage of the traffic which would result from the use of Hyde Park could not be urged against the employment of Primrose Hill, and, if he might venture upon a suggestion, it would be that the right hon. Gentleman the Home Secretary should in case of any future applications for the purpose of holding such large meetings, inform the applicants that they could meet in as large numbers as they liked on Primrose Hill.

MR. J. STUART MILL: Sir, I have no intention of taking up much of the time of the House, but this is no ordinary occasion, and it seems to me that noble Lords and hon. Gentlemen opposite are by no means aware of the extreme seriousness of it, and of the serious consequences to which it may lead if some steps be not taken, of which at present there appears no promise. I am not going to enter into the question of the right of the people to meet in Hyde Park. We know that Her Majesty's Government have the opinion of eminent lawyers to the contrary. We know that they believe they have the right to exclude the people. But lawyers are not unanimous on the subject; there are other distinguished lawyers, who, on legal and high constitutional grounds, have contended that the people have a right to meet there. But I do not desire to lay any stress on this circumstance. I maintain that if the people have not that right now, they ought to have it. I maintain further, that if, for reasons unintelligible to me, it was thought necessary for the maintenance of any supposed or nominal right that the people should ask permission to hold a meeting there, that permission ought to have been granted. And it ought ten thousand times more to have been

granted to them under such circumstances as these, when they believed, erroneously or not, that they had the right; for surely this circumstance, when the people were already in an excited state of mind on another subject, ought to have warned right hon. Gentlemen opposite that the consequences would be such as have actually occurred, and which I believe the people deplore equally with himself. But I maintain that the public ought to have the use of the Park for this purpose, for if not, what other place is there that can suit them? In what other place can they meet where there would be less interruption to recreation? Is there likely to be less interruption to traffic, or to other pursuits or persons, in Trafalgar Square than in Hyde Park? Does a public meeting, if it were held once a month—in the evening, too—cause a thousandth part of the interruption that an ordinary review or meeting of Volunteers in the Park does? If such reasons as these are to exclude the public from meeting in the Parks, which assuredly must be held to belong to the public, for they have been ceded by the Crown to the public for a consideration—like other Crown lands—if these reasons are to prevail to exclude the people, there is no place for which equally strong reasons might not be given for their exclusion. Perhaps this is what hon. Gentlemen opposite wish. I give full credit, indeed, to the assurance which the Home Secretary has given us, that he has no desire to prevent political meetings. I believe in the perfect sincerity of what he said; but I cannot say that it has altogether reassured me. He said he had no objection to open air meetings at proper hours and in the proper places; but he did not tell us what the proper times or the proper places were in his opinion, and the newspaper scribes of the Government are already declaring that no open air meeting ought to be tolerated in the metropolis. I advise them to try that. I promise them that they will have to encounter an opposition of a very different kind, and from different persons, to any they have yet encountered. Noble Lords and right hon. Gentlemen opposite may be congratulated on having done a job of work last night which will require wiser men than they are, many years to efface the consequences of. It has been the anxious wish of all those who understand their age, and are lovers of their country, that the necessary changes in the institutions of the country should be

effected with the least possible, and if possible without any, alienation and ill blood between the hitherto governing classes and the mass of the people. Her Majesty's present advisers seem resolved, so far as it depends upon them, that this anxious desire should be frustrated. We know that there is a kind of people who can do more mischief in an hour than can be repaired in a lifetime. I am afraid that the Members of the present Government are animated by the noble ambition of inscribing their names on the illustrious list of those persons.

THE CHANCELLOR OF THE EXCHEQUER: I take it for granted, Sir, that the speech we have just heard was one of those intended to be delivered in Hyde Park, and if I may judge from it as a sample, we can gather a very good idea of the rhetoric which will prevail at those periodical meetings we are promised. But I must say that on the part of Gentlemen who sit on this side of the House I entirely repudiate, and even with some indignation, the imputations, the feelings, the motives, the views, the policy which the hon. Gentleman has imputed to us without the slightest foundation. No opinions with regard to the occurrences under discussion, which of course all of us must deeply and equally regret, have been expressed on this side of the House which have not been equally expressed by the highest authorities on the other side. However much we may deplore what has occurred—however easy it may be after the event to be as profoundly sage as some of those who have favoured us with their opinions—I think, on the whole, that every prudent man would have taken a course precisely as that which we pursued, and which our predecessors in office have, in a generous and gentlemanlike manner, acknowledged they would themselves have taken—[Mr. GLADSTONE was understood to signify dissent]—with the exception, then, of the right hon. Gentleman, my predecessor, whom I understand to express his dissent. [Mr. GLADSTONE: The observations did not come from me.] Then I beg the right hon. Gentleman's pardon. I mistook the quarter from which the dissent came. And surely, if we calmly consider what has occurred, I think there cannot be two opinions, except among those Gentlemen who intend to deliver speeches in Hyde Park, that meetings for political or religious purposes ought not to be encouraged in

that locality. I think the reasons that have been given, both by my right hon. Friend on this side of the House and by the right hon. Gentleman opposite, are quite unanswerable. But, perhaps, I may be permitted to remind the House, in addition to what has already been said, that in all those public Parks which during the last few years have been happily established in our great towns, it is a standing rule that no public meeting should be held in them for any political or religious discussion. Thus the common sense for which the English people are distinguished has brought them to the same conclusion that the practical men have adopted who are responsible for these matters in the metropolis. I should not have risen, Sir, if it had not been for the extraordinary and unjustifiable tone of the hon. Member for Westminster, who imputed motives to hon. Gentlemen on this side of the House for which he had not the shadow of a foundation. But, as I have risen, I cannot help making a remark respecting the view—apparently wholly groundless—taken in the speech of the hon. Member for the Tower Hamlets, who introduced this discussion. The whole speech of the hon. Gentleman went upon this assumption—that there was a false suggestion in the notification that had been published by the Government—namely, that this meeting in Hyde Park, if it took place, would tend to riot and disturbance. Now, I maintain that there was no false suggestion. In that notification it was not at all assumed, nor was it believed by those who drew it up, that riot or disturbance would be occasioned by those who promoted the meeting, or by the working classes generally who attended it. Our opinion was quite the reverse; we had confidence in the conduct of the individuals who had undertaken the management of the meeting, because from their previous behaviour we saw that they were men of sense, who would act upon any fair representations, and who, I think, conducted themselves under the circumstances with propriety. I willingly make a declaration which I feel it to be my duty to make. As far as regards the working classes, from all that I have heard, from all we know of them, it never for a moment crossed the mind of the Government that it would be the real working classes, who were holding this meeting, that would be authors of riot or disturbance. What we said was that a

meeting of this kind would tend possibly and probably to riot—and has it not? They may be going on even at this moment. I live close to the spot where these disturbances have occurred, and I do not know this night if I shall get home safely, if, indeed, by this time, I still have a home to go to. Having, then, had a good opportunity of observing the turbulent among the people who form these meetings, I am bound to say that they are not of the working classes, and that they are very different from the sensible and well-meaning subjects of Her Majesty whom they taint. But the tendency of those meetings—though very honest and honourable gentlemen may be the promoters of them, and though they may be attended by many sensible and loyal subjects of Her Majesty—is to give an occasion for all the scum of a great city to take advantage of the circumstance, and to conduct themselves in the manner which has unfortunately taken place. I repudiate, then, the views imputed to us by the hon. Member for Westminster, as to our being opposed to public meetings of the working classes on subjects in which they take an interest. On the contrary, I believe public meetings, properly held, at the proper time and in the proper place, as my right hon. Friend says, to be most desirable. I regard them, under such circumstances, as one of the great political safety-valves to which we should trust. So far from discouraging them I would allow of no impediment to public meetings of the working classes at the right time and place on political subjects, confident as I am that it is to the advantage of society that they should take place. But I am confident that unless they are held, as my right hon. Friend says, at the proper time and place, they give the opportunity for riot, tumult, and disturbance, and what has occurred proves the soundness of my view. I make these few observations that our feelings on the subject may not be mistaken, and to free ourselves from the interpretation that has, without the slightest justification, been placed upon the conduct of Her Majesty's Government by the Member for Westminster.

MR. OTWAY said, he wished to put a further question to the right hon. Gentleman the Home Secretary to which he hoped to receive an answer that would be satisfactory to the House. Some companies of the Guards had been called

out, as he (Mr. Otway) thought very unwisely; for there was nothing more likely to create a disturbance than a display of military force; and it was stated in the *Daily News* that the Guards, after entering the Park, were ordered to load. Now he wished to know if there was any foundation for such a report. In his opinion, if a patrol had circulated about Park Lane, the grouping of the people would have been prevented, and the iron railings would not have been destroyed. He believed that the course which had been taken by the right hon. Gentleman was of all others the most calculated to provoke a breach of the peace.

MR. WALPOLE: I believe there is no foundation whatever for the report to which the hon. Gentleman refers. Although it is not competent for me again to address the House on this question, I may perhaps be allowed the opportunity of further stating that there was no demonstration of the military until the railings of the Park were pulled down. I felt it necessary to make this observation in order to correct an unintentional misstatement of the hon. Gentleman.

MR. WHALLEY said, the Chancellor of the Exchequer had raised an entirely new issue. The right hon. Gentleman had pointed out the importance of public meetings, the constitutional character of public meetings, and the necessity of maintaining that constitutional right, but he went on to say that there would be sufficient justification for prohibiting a public meeting if an apprehension was entertained of a breach of the peace. Now it was incident to all public meetings that there might be a breach of the peace; so that the doctrine laid down by the right hon. Gentleman would go to the root of the right for which he contended. The question raised by the hon. Member for the Tower Hamlets was whether there was a false suggestion in the proclamation which had been issued, and he hoped the question would be raised by the hon. Member for Westminster, or some other influential Member, as to the restrictions within which the public were entitled to enjoy the Parks. If politics and religion were to be excluded from consideration in the Parks, such exclusion ought to have been stated in the proclamation. He had been informed that the Government had adopted the course of sending policemen in plain

clothes as spies to the meetings of the Reform League, and that this unconstitutional proceeding had given great offence to the members of that society. He hoped the right hon. Gentleman would be able to state that there was no ground for the rumour to which he referred. There was a remarkable coincidence between what had just taken place and certain proceedings near Downpatrick, where a meeting of Orangemen had been called to celebrate the 12th July, and where the same false pretence had been used to put down that meeting—namely, that a breach of the peace was apprehended.

MR. HADFIELD said, that although Her Majesty had six times in speeches from the Throne recommended to Parliament the consideration of the question of Parliamentary Reform, there still remained out of a population of about 30,000,000, no fewer than 5,000,000 of adults who had not the power to vote for the election of Members of Parliament. It was a lamentable fact that in a population so industrious and intelligent as ours, 5,000,000 of adult males were unrepresented; and it was also a serious and lamentable fact that the enemies of Reform were in possession of the Government. The late Reform Bill proposed to add only 400,000 electors to the present number. That moderate Bill was defeated, and the people were deprived of their just expectation. It had been a source of surprise to him that the country was satisfied with so small a measure. He admired their patience; but now they were roused and excited; they saw in power a party that had resisted every measure for the improvement of the country, and they would demand that consideration and justice to which they were entitled. It had been the policy of the great Conservative party to oppose every improvement offered to the country. They might continue to resist Reform for a time, but it could only be for a time. He had confidence in the people, and he would remind the House that no determined effort had ever been made by them to advance their rights and liberties unsuccessfully. So long as he had the honour of a seat in that House he should stand up for the just rights of the people.

Motion, by leave, *withdrawn*.

PRISON MINISTERS' ACT.

RESOLUTION.

THE O'CONOR DON, in rising to call attention to the mode in which the local authorities of county and borough prisons in Great Britain have carried out the provisions of the Prison Ministers' Act (1863), said: Sir, after the very exciting subject which has just been discussed, I trust it may be in my power to attract the attention of hon. Gentlemen for a short time to another subject which is certainly not of so exciting a character, but which, I think, well deserves the consideration of this House and of Her Majesty's Government. If I had given but late notice of the Motion which I propose to make, and if I had signified my intention of going on with it only since the formation of the present Administration, I should certainly owe an apology to the Home Secretary for so doing. But both the right hon. Gentleman and the House are well aware that it was my intention to have brought the subject under the notice of the House at an earlier period of the Session, and that I was prevented from so doing in consequence of the events of the last six weeks. I trust, therefore, that the right hon. Gentleman opposite will not consider for a moment that I bring this subject forward in the slightest degree with a view of embarrassing the Government, or that I would presume to trespass upon the attention of the House at this late period of the Session were it not that I believed this to be a subject very well deserving the attention of this House, and one which I consider it my duty to bring at the very earliest period under the consideration of the new Government. I think, Sir, from the wording of my Motion as it stands on the paper this evening, that the object which I have in view must probably be known to most Members. As most hon. Gentlemen are aware, some years ago an Act of Parliament was passed which generally goes by the name of the Prison Ministers' Act, and which had for its object to make provision for the religious wants of criminals in different gaols throughout the country who did not belong to the Established Church. This Act was passed chiefly with a view of providing for the religious wants of that unhappily large class of criminals the Roman Catholic prisoners confined in the gaols of this country. As I am sure that most hon. Gentlemen are aware of the arguments upon which the introduction of that Act was based,

I will not trouble the House at any length upon that point. Still, it may be necessary briefly to mention the state of things which existed before the passing of that Act and the object which the Act was intended to accomplish. Before the passing of the Prison Ministers' Act of 1863, the condition of criminals in this country who did not belong to the Established Church—I mean their condition as far as provision for their religious wants is concerned—was this:—It was open to a prisoner of any religious persuasion to seek the ministrations of any clergyman whom he wished to see; but no clergyman of any religious persuasion other than that of the Established Church could see any prisoner unless a specific request to that effect was made by the prisoner. This was the state of things which existed in the county and borough gaols of Great Britain before the passing of the Act, and it was a state of things which existed a few years ago both with regard to Government prisons and those under local authority. But in a previous year the Government of Lord Palmerston had succeeded in establishing a different state of things with respect to the convict prisons—the prisons under Government control—and in those prisons a Bill was passed by this House enabling the Government to appoint Ministers of other persuasions than that of the Established Church to attend to the religious wants of the convicts in cases where it was thought that the number of the prisoners and the circumstances connected with their confinement justified such an appointment. At the first introduction of a proposal to that effect I believe that the Government were unsuccessful, although in submitting that proposal with respect to the convict prisons, Lord Palmerston stated that he saw no other principle involved in it than one of common justice. To this conclusion he came because, as he said, he did not believe that our criminals ought to be subjected to any particular disadvantage or punishment on account of any religious belief which they might happen to entertain. This is the principle which I hold was involved in the proposal then made, and which was sanctioned by the Legislature subsequently in the Act of 1863. In 1862 Mr. Pope Hennessy, who was then Member for the King's County, brought under the consideration of the House the question of the condition of the Roman Catholic prisoners in the county and borough gaols in England, and pointed out that

there were a large number of Roman Catholics confined in the county and borough gaols, who were practically deprived of anything like religious ministration. He introduced a Bill, the main purpose of which was to place the prisoners confined in those gaols in a somewhat similar condition to that of the criminals in the convict prisons. But at the request of my right hon. Friend the Member for Morpeth (Sir George Grey) Mr. Hennessy withdrew that Bill on receiving an assurance that the Government in the following Session would deal with the question. Accordingly, in 1863, a Bill, which subsequently passed through Parliament, and entitled the "Prison Ministers' Act," was brought in by the then Home Secretary and had since become law. This Prison Ministers' Bill consisted mainly of two sections. In the first place, it gave power to the justices who had the management and control of these prisons and to the Justices at Quarter Sessions to appoint chaplains of a denomination different from that of the Established Church, if the number of criminals or the circumstances connected with these gaols in their opinion justified the appointment. In the second place, the Act empowered the same justices to permit the visits of a minister of any persuasion differing from that of the Church of England to a prisoner of his own creed, without requiring on the part of that prisoner a special request for such visit. But although the Act of 1863 empowered the justices to adopt either of these alternatives, it did not in any way enforce that adoption. The Act of 1863 was essentially a permissive Act. Yet if we examine both the arguments used in that debate and the wording of the Act itself, we shall find that the reason why the Act was made permissive and not obligatory was because it was said that it would be very difficult to lay down by a stringent rule in an Act of Parliament that a chaplain belonging to the persuasion of every person in the gaol should be appointed to every gaol, and that, in fact, the case was one in which some discretion should be exercised. It was felt by the House that that discretion could not be placed in better hands than in those of the justices who had the management of the prisons, and it was fairly argued that the known impartiality of English gentlemen would lead them to carry out the intentions of the Legislature in passing that Act, and would secure, wherever circumstances warranted its adoption, the appointment

of chaplains or ministers to attend to the religious wants of any prisoners of a particular denomination who were in sufficient numbers in any of the gaols of this country. This is what was done in 1863; and last Session, in the General Prisons' Act, a further clause was introduced—a clause which, to my mind, changed the permissive character of the second section of the Prison Ministers' Act of 1863 and made it compulsory. To my mind the section introduced into the Act of last Session obliged the justices to appoint a minister who should visit the prisoners of his own persuasion confined in any gaol whether those prisoners sought for his ministration or not. Hence the present state of the law is this—it is open to the justices and magistrates at Quarter Sessions to appoint regular chaplains other than those of the Established Church in any of the gaols in England; and, in the second place, it is obligatory upon them, on demand being made, to approve of a fit and proper person to visit prisoners belonging to his own persuasion. I am speaking, of course, chiefly with reference to Roman Catholic prisoners. It is incumbent on the justices to select a chaplain to attend to the religious wants of the Roman Catholic prisoners subject to the rules and discipline of the prison. Now, the point I wish to bring under the notice of the House is this—the law being in this state, what has been its practical operation? In order to ascertain how this matter stood, I moved a short time ago for a Return referring to a considerable number of the prisons of this country. But I would wish, in the first instance, to allude to a Return which was moved for last Session by Mr. Hennessy. It was a Return to show how far the Prison Ministers' Act had been at that time carried into operation. According to that Return it appears that at the time it was made there were 126 prisons in which no action whatever had been taken under the Prison Ministers' Act; there were nine in which paid Roman Catholic chaplains had been appointed, who were regular officials of the gaol; and there were seven in which visiting priests had been approved. That was the state of things according to the Return of last Session. This year I moved for a Return dealing not with the whole of the prisons in the country, but dealing with a certain limited number which

I selected on account of what I believed to be the mixed character of the population residing in their neighbourhood, and which, from the mixed character of that population, might be naturally supposed to be tenanted by criminals of different religious persuasions. This Return refers to forty-one prisons. I may here mention that there were five or six prisons included in the Return about which I did not seek for information, but which were probably included, because they were under the same control as other prisons which I did include. The House will understand that in these forty-one prisons most of the Roman Catholics who unfortunately happen to get into confinement in this country are to be met with. Now, out of these forty-one prisons I find that there are only eight in which regular paid chaplains of the Roman Catholic persuasion have been appointed to attend to the religious wants of the prisoners. There are, consequently, thirty-three in which the provisions of the Prison Ministers' Act of 1863 have not been carried out, while in fifteen of these thirty-three no alteration whatever has taken place either in consequence of the Prison Ministers' Act of 1863 or of the Act of last Session; so that the old rule of special request by the prisoners is enforced. In ten out of these fifteen no fewer than 800 Roman Catholic prisoners are confined. With regard to the remaining prisons, there are twelve in which Roman Catholic clergymen have been approved to visit the prisons; but as far as I can make out from the statements in the Return as to the rules under which the visits of the Roman Catholic priest are permitted, there are only four instances in which anything like a satisfactory state of things exists. These, then, are the general results which appear on the face of the Return. But when you come to examine the facts of the case, I think you will find that a great deal more remains for consideration. As I have said, in many of these prisons the Acts have been apparently put into operation. The Roman Catholic clergy are permitted to visit prisoners of their own persuasion; but those visits are permitted under such restrictions, and are harassed in so many different ways, that practically the operation of the Act is quite worthless. I do not propose to go over the details of all these prisons separately, because the rules

existing in them are, I may say, different in almost every instance. But I will take, by way of example, some three or four which I think will clearly explain in what particular point the Prison Ministers' Act of 1863 has proved inoperative. For this purpose I have not to go far, because the prisons in this county, Middlesex, in themselves furnish sufficient examples of the state of things which I wish to see amended. In the county of Middlesex there are five prisons. In three of these five the Prison Ministers' Act has been apparently put into operation, that is to say, a Roman Catholic priest has been approved of to attend and visit the Roman Catholic prisoners. These three are Coldbath Fields, Clerkenwell, and the Westminster House of Correction. I will first take the case of Coldbath Fields, in which at the date of the Return there were 314 Roman Catholic prisoners. Of course, no Roman Catholic priest has been appointed to attend to their wants, but a priest has been approved to visit them. I will remark here that the section in the Act of last Session, which to my mind obliges the justices to approve in such instances of a Roman Catholic minister to visit the prisoners, concludes with the words, "Provided there be no express objection on the part of the prisoner himself." The first complaint I have to make of the operation of the Act in the Coldbath Fields Prison is, that these concluding words in the Act of 1865 are made use of for the purpose, in some cases, of preventing the ministration of the Roman Catholic clergy; because, although the meaning of the Act of 1865 is quite clear—namely, that the objection must come from the prisoner himself, the objection is suggested to him, and the Roman Catholic minister, instead of being permitted to visit him until he objects, is at Coldbath Fields obliged to wait till the warder or other official inquires of the prisoner whether he has any objection to such visit. But that is a trifling objection compared with some of the other difficulties under which religious instruction by Roman Catholic priests is at present carried on. As I have stated, in Coldbath Fields there are 314 Roman Catholic prisoners, and, according to the rules and regulations laid down by the justices, these 314 prisoners can never be assembled for common instruction. They can only be seen in small numbers, the largest number that can be assembled at any one time being ten.

Now it must be perfectly obvious that to attempt to instruct such a large body of persons, taking such small numbers at a time, is almost impossible. In the next place, this clergyman is not a regularly appointed official of the establishment. He is not permitted to see the prisoners at any time he thinks proper, nor can his whole time be devoted to them. He is restricted to a certain number of hours in the week, during which period he has to minister to these 314 prisoners, of whom he can only assemble a certain limited number at a time. In addition to this disadvantage, these prisoners were debarred from anything like a religious service by their own clergyman. They have no service on Sundays, as the Protestants have; they have not the regular morning and evening service in which the other prisoners may join; and here, therefore, they are under a great disadvantage on account of their religion. A very different course is pursued with regard to members of the Established Church who happen to be confined in the same prison. For the wants of the Protestant prisoners in Coldbath Fields, two chaplains and one Scripture reader are provided; and these persons are not only permitted, but are bound by the duties of their office, to give up their whole time for the religious instruction of prisoners of their own persuasion. These prisoners are permitted to assemble together for morning and evening service daily, and, of course, also on Sundays. And while these Protestant prisoners are assembled for service on Sundays, the Roman Catholic prisoners, having no service of their own, are either obliged to attend the Protestant service or are forced to undergo so much more solitary confinement in their cells. Consequently, a direct punishment is inflicted on the Roman Catholic prisoners, unless they attend the service of the Established Church. At Clerkenwell the state of things is exactly similar, or nearly so, to that existing at Coldbath Fields. There is, however, this exception — that, whereas at Coldbath Fields ten prisoners may be assembled at one time for religious instruction, in Clerkenwell they must be seen singly by the Roman Catholic priest. Again, with respect to the Westminster House of Correction, or Tothill Fields Prison. In that gaol there are 201 Roman Catholics. [Mr. Alderman SALOMONS: All females?] Yes, this is a female prison, and, of course, the inmates are all women. For the instruction of these prisoners no Roman Catholic chap-

lain is appointed; and, as in Clerkenwell, the clergyman who has been approved to visit the prisoners is only permitted to see them singly. As I understand, his visits are confined to two hours and a half each day. If we consider for a moment the utter impossibility of giving anything like useful religious instruction to prisoners who are allowed to be seen only singly, with but one priest to attend to 201 criminals, and his visits confined to two hours and a half a day, we can easily see what practical results must follow from an Act of Parliament carried out in that manner. Sir, there is one point connected with this prison to which it is necessary to refer. Of course, the great difficulty under which the Roman Catholic clergyman who has been appointed to attend on these prisoners labours is, that he is unable to assemble them for religious instruction. Various attempts have been made to get rid of this restriction. On one occasion a direct application was made for permission to assemble the prisoners at the same time, and the answer of the Visiting Justices was this—

“In reference to the last subject of your letter —namely, the assembling together of the Roman Catholic prisoners, the Visiting Justices are advised, by Counsel consulted on the subject, that it is not in their power to permit it.”

From this letter it would appear, then, that the Visiting Justices of the Westminster House of Correction have taken legal advice as to their power of allowing the Roman Catholic prisoners to assemble for religious instruction by ministers of their own persuasion, and the opinion of Counsel was, that such an assembly of the prisoners was illegal. This is in itself a point well deserving the consideration of the House and the Government; because, if it be true that the assembling of the Roman Catholic prisoners for such a purpose was illegal in Westminster, the magistrates in other parts of England where it is permitted are acting illegally; and, on the other hand, if the practice be legal, it is most desirable that the Westminster magistrates should be informed as soon as possible that the opinion which they have obtained is an erroneous one. But, then, as to the spirit which actuates the justices of the Westminster prison on this subject. A short time ago, as soon as the Act of last Session came into force, the Roman Catholic clergyman who had been in the habit of visiting such prisoners, as specially requested his ministrations, applied for

permission to see all the Roman Catholic prisoners who happened at that moment to be confined; and of course this permission was given to him. As soon as this permission was obtained he began to act exactly as he had acted before with regard to the prisoners of the Roman Catholic persuasion who had previously sought his ministrations. He was in the habit of instructing them in Roman Catholic doctrines, and of lending them Roman Catholic books—catechisms and so on—with the full approbation of the authorities of the prison. Shortly after the passing of the Act of 1865, and after he had sought for the powers which it gave him, he was officially asked whether he had given a Roman Catholic catechism to a Roman Catholic woman. He admitted at once that he had done so, said he had always been in the habit of doing so with the full approval of the prison authorities, but that he did not know that he had been doing wrong. Immediately, however, an order was sent down that he should be dismissed. And this Roman Catholic priest was dismissed solely upon the ground that he had given a Roman Catholic catechism to a Roman Catholic prisoner—dismissed, too, at the very time when in that same prison the Protestant scripture reader and chaplains were in the habit of giving Protestant books not only to Protestant prisoners but, contrary to all rule, to the Roman Catholic prisoners; and of course the Protestant ministers did not meet with any rebuke from the justices. Now, Sir, it is perfectly evident that to place the power of applying the Act in the hands of justices who are influenced by such feelings, is to render the Act perfectly nugatory. And in the fact that these large prisons are now in much the same condition, with regard to the religious instruction of Roman Catholic prisoners, as they were three years ago, we have a sufficient justification for the statement contained in my Resolution that the Prison Ministers' Act has failed to carry out the intentions of the Legislature. I do not desire to weary the House by any lengthened detail, and therefore I will not go into the particulars of several other prisons which are similarly situated to those I have just instanced. But I will name some three or four which I think are practically in a condition as unsatisfactory as those of the county of Middlesex. They are Salford, Leeds, Swansea, Cardiff, Edinburgh, and Glasgow. In these prisons more than 400 Roman Ca-

tholic prisoners are confined. From this part of the subject I will now turn to the next point, a much more agreeable one than that I have just mentioned. I mean the state of things which exists in those prisons where both the letter and the spirit of the law have been observed. In the convict prisons, and in the eight or ten prisons to which I alluded in the first instance, the Prison Ministers' Act has been really and truly put into operation, and in those prisons the results have been of the most satisfactory description. This I gather from official statements emanating from authorities who ought to be well cognizant of the facts. In the Report of the Directors of convict prisons last year I find this gratifying statement—

"It is with much pleasure that we record the benefits which have arisen from the appointment by the Secretary of State of visiting Roman Catholic priests at Milbank, Parkhurst, Portsmouth, Dartmoor, and Fulham. The effect on the convicts has been marked; and the recognition by the State of their claim to the ministrations of a clergyman of their own persuasion has been the source of a great improvement in their outward conduct. . . . We believe this measure to have been one attended with unmixed good results."

That is the opinion of the Directors of convict prisons with respect to this Government measure. Now with respect to the county and borough gaols, I find by the report of the district inspector, Mr. Perry, the inspector of the Southern district, that in those prisons where the Act has been put into operation it has worked extremely well; that the utmost harmony prevails between the priest and the chaplain, and no complaint has been made that the provisions of the Act have not been carried out. Then the inspector of the Northern district reports in almost similar terms of those gaols to which the Act has been applied; and I have also got letters from some of the Governors and others connected with the gaols fully bearing out the facts which I have stated—namely, that wherever the Roman Catholic priest has been regularly appointed to attend to the religious wants of the members of his own persuasion, both the discipline of the prison has been improved, and the general conduct of the prisoners has been extremely satisfactory. Thus, I think that from this Return and from the statements which I have made, it will appear that in those cases in which the Act has been put in operation good results have followed, while where it has not been acted on a bad feel-

ing has been created, a feeling that the law is not administered with impartiality, and that a distinction is maintained between the treatment of prisoners on account of their creed—a distinction which, according to Lord Palmerston, should under no circumstances exist. But, Sir, there is one point connected with this question which I, as a Roman Catholic, and especially as an Irishman, cannot pass over without notice, and that is the rather strange fact—strange at all events on the face of it—that the number of Roman Catholic prisoners in this country is so very large. Now I fully admit that that fact requires explanation, especially from one who is an Irishman, because most of these prisoners are from Ireland, but I think the fact that most of the Roman Catholic prisoners in the gaols of this country are Irish, and therefore emigrants to a certain extent, explains it. These people have been forced to leave their native homes. They are emigrants, and they are emigrants of the lowest and poorest class. The Irish emigrant of the better class goes either to the United States or to the colonies. It is only these persons who have not sufficient means to enable them to proceed either to the United States or the colonies who emigrate to this country, settle down in our large towns, and many of whom are subsequently found among the criminal classes. As I have said, these people are of the poorest class; and the crimes for which the mass of these people find their way into gaol are essentially attributable to poverty. For instance, we find a large proportion of such crimes as vagrancy, begging in the streets, selling without a license, disorderly conduct, and intoxication. These are the crimes for which a great majority of these persons are imprisoned; and when we reflect that they belong to the poorest class, and are separated from all those influences of friends, and home, and neighbours, which are brought to bear upon persons in a better class of life, we cannot wonder, I think, that a large number of these persons—an undue proportion if I may use the expression—should find their way into the ordinary prisons of the country, though many of the offences are of a trivial character, and the sentences are of very short duration. In order to justify both the nationality and the religion of these persons, I think it would be but just to look at the state of things which exists in Ireland, where they are at home. I think that a

comparison between the crime of England and of Ireland is a sufficient answer to any argument drawn from the undue number of Irish people who are confined in the gaols of this country. According to the judicial statistics, it appears that the criminal classes are 34 per cent lower in Ireland than the criminal classes in England. In England one in every 159 of the population is a criminal; in Ireland the proportion is as one to 254 of the population. Then, again, when we speak of the criminal classes, we speak, of course, of the known criminal classes. In both countries there is a large number of criminals who are unknown. But the knowledge of the criminal classes in Ireland is much greater than it is in England. It is greater, *primâ facie*, from this fact:—The police in Ireland who furnish these judicial statistics are more numerous in proportion to the population than the police of England. In the next place, the Irish police are under one central management, and consequently, they communicate one with the other in every part of the country, information passes from one district to another among the police with great facility, and therefore, *primâ facie*, we should expect the criminal class to be better known in Ireland than in England. But we are not left to speculation upon this subject, because the judicial statistics show that the apprehensions in Ireland were 62 per cent on the crimes, while in England they were only 58 per cent. What is still more important is that of those proceeded against in Ireland, only 9 per cent were unknown to the police, while of those proceeded against in England, 33 per cent were unknown to the police. While, therefore, on the one hand, you have in Ireland a greater knowledge of the criminal classes, and fewer escapes in proportion to the crimes, we have on the other hand the fact I have already stated, that the proportion of criminals in Ireland is 34 per cent lower than it is in England. So much for the large number of Roman Catholic prisoners who unfortunately find their way into the gaols of this country. Now, if any argument at all is to be founded upon this fact, with respect to the question which I am now bringing under consideration, it ought to be this:—We find in a country where there is fair play in the prisons, and where the Roman Catholic clergyman has free access to the criminal class, the number of that class is comparatively small. But in the country where this free access is pro-

hibited, and facilities are not given for the ministrations of the Roman Catholic priest, you find there is a much larger number of the criminal classes. What conclusion are we to draw from this? The obvious conclusion must be that you should extend to this country the principle which exists in Ireland; and thus, if it has any force at all, the fact I have stated, instead of being an argument against the Resolution which I propose, seems to be an argument in its favour. Now, what are the objections urged against putting into practice the provisions of the Prison Ministers' Act? I do not intend to go into them at any length, because they are all ascribable to the violation of the principle of religious equality. If you admit the principle of religious equality, it at once cuts at the root of all those objections which I have heard urged in this House against the permission to Roman Catholic prisoners to be visited by their priests. I have heard it said before the Prison Ministers' Act was passed, "Is it not sufficient if Roman Catholic prisoners are permitted to see their clergy when they ask to see them?" I say, in reply, that principle may be a very just one; but if so, extend it to all other prisoners, do not apply it merely to Roman Catholics. If you go upon the principle that no prisoner is to see the minister of any persuasion unless the prisoner seeks for such a visit, if that be a good principle, let it be universally applied. But you cannot hold it with respect to the members of one religious body and deny it to others, all the while professing religious equality. The same answer will apply to every argument which I have heard used in denying what I consider to be the just claims of the Roman Catholic body with respect to prisoners belonging to their persuasion. This being the state of things which now exists, I may be asked what I propose to do in order to amend it? It seems to me that the permissive character of the Prison Ministers' Act of 1863 has led to its being inoperative, and that with a view to carry out the intentions of the Legislature in passing that Act, it is essential either that the permissive character should be taken away and the Act be made compulsory, or that the discretion of applying the provisions of the Act should be transferred from the justices to some other body. I would therefore propose either that the Prison Ministers' Act should be made compulsory in all prisons where a certain fixed number of prisoners are confined, or that power

should be given to the Home Secretary to enforce at his discretion the provisions of the Act in case the local authorities should neglect to put it in force. I consider that the adoption of one or the other of these remedies is essential in order that this question may be satisfactorily settled, and I consider also that in asking for either of these things, we are asking for nothing beyond that religious equality of which the people of this country boast so much. A few nights ago I heard the hon. Gentleman the Member for North Warwickshire (Mr. Newdegate) tell us that the Roman Catholics in this country were insatiable, that they were never satisfied with anything which they received, and in fact he insinuated that they were insensible to the benefits they enjoyed under the constitution of this country. Now I cannot understand arguments such as this being used, when all we ask is, on the present occasion, that those principles of political and religious liberty, of which he is so proud, should be extended to their logical conclusion, and that there should be no distinction in the goals, the poorhouses, or the ordinary walks of life in this country, on account of the religious faith which anybody professes. So far as I am aware, that is the only principle for which we have asked, and I certainly do think that when we make such a request, it is not reasonable to tell us that our demands are of the most insatiable character, and that it is impossible ever to satisfy us. Some hon. Gentlemen seem to be afraid that beneath a proposal of this description there lurks concealed something like the endowment of a hostile priesthood or of a religious community. Now this I most distinctly deny. There is nothing at all resembling endowment mixed up in this matter. No one ever dreams of supposing that the medical profession is endowed when you pay physicians and surgeons for performing work in poorhouses and in gaols. Yet what is the difference between the payment made to him and the payment to a schoolmaster, a chaplain, or any other person who is paid for performing distinct and positive services? You pay in both instances for services rendered, and in neither case is there any endowment of the person receiving payment or of the community to which he belongs. Therefore, I hope that no one will believe that in asking that proper provision may be made for the religious instruction of Roman Catholic prisoners, we are seeking directly or in-

directly anything like an endowment of our Church. When we take a man from the ordinary walks of life and shut him up in a gaol, thereby depriving him of every means of taking care of himself, we are obliged to provide for all his wants, we are obliged to clothe and feed him, and if he is a Protestant, you admit that we are obliged to provide for his religious instruction. In paying for any of these things you never imagine that you are endowing the persons who supply them; and we merely ask that what is obviously the case with regard to members of the Established Church should be also the case with regard to members of our persuasion, that all should be put on the same footing. This is the whole case which we have to submit for the consideration of the right hon. Gentleman the Home Secretary. I do not, of course, expect that at this late period of the Session it would be possible to introduce any very extensive measure upon this subject. All I ask is the affirmation of the principle that the present law is not sufficient. All I desire is that the House of Commons should express its opinion that the working of the Prison Ministers' Act has been unsatisfactory, and that it requires to be practically amended. All I desire from the right hon. Gentleman is that, if that principle should be affirmed, he will give us the assurance that, at the earliest period next Session, he will introduce a Bill dealing with the whole question, and on the part of the Government will inform us who take an interest in the subject that the Government will no longer permit what we regard as a heavy grievance to continue.

Motion made, and Question proposed,

"That, in the opinion of this House, the Prison Ministers' Act has to some extent failed to carry out the intentions of the Legislature, and that its amendment is therefore a subject which should receive the early consideration of Her Majesty's Ministers."—(*The O'Conor Don*.)

MR. WHALLEY said, he regretted that the hon. Gentleman should have thought it desirable to raise an abstract discussion upon that subject. He would remind the House that the Prison Ministers' Act was a measure by which magistrates appointed by the Crown were enabled to tax the people; and that was the only instance, he believed, in this country in which taxation could be levied without representation. That was a dangerous violation of constitutional principle, and the House ought to

The O'Conor Don

be very careful not to extend it any further. No real case of hardship had been made out by the hon. Member for Roscommon in regard to those counties in which the Prison Ministers' Act had not been brought into operation. Never was there an Act more at variance with religious liberty than that; and the object of its introduction was not to enable Roman Catholic prisoners to obtain the spiritual services of priests of their own denomination, for that they could previously obtain if they desired it, but it was to prevent Roman Catholic criminals from availing themselves of the opportunity of receiving spiritual instruction of a different kind from that which had more or less contributed to make them what they were, and to force the ministrations of the Romish priest upon them, whether they wished for them or not. Nothing could be more intolerant, more binding and crushing, than the discipline of the Roman Catholic priests in their efforts to prevent those who were once members of their communion from escaping from their control. But there was surely no reason why the Government should aid them in coercing the people. Attention had been called by the hon. Member to the alleged comparative immunity from crime of the Irish in their own country, and reasons had been given for the gaols in this country containing so large a proportion of Irish criminals. But this state of things was not fairly attributable to the poverty of the Irish, or to the other circumstances which had been mentioned, but it was owing to the fact that much of the teaching they received as part of their religion justified, under certain circumstances, the commission of acts in violation of the law. Indeed, there was not a single offence in the whole catalogue of crime, from murder down to petty larceny, which was not justified by the teaching of the Roman Catholic priests under certain circumstances having reference to the interests of their Church, or from which the offender could not be absolved *in foro conscientie*, or by the assured authority of its ecclesiastics. He did not know what the fact might be as to the gaols in Ireland, but he had a lively recollection of a grant of £780,000 a year out of the Consolidated Fund, for police to look after these innocent people. There was no other rational explanation of the chronic disaffection and disloyalty of the Irish people than that essentially disloyal teaching inculcated as part of their religion by the Roman Catho-

lie priests. The hon. Member for Roscommon spoke much of religious equality. He (Mr. Whalley) thought it was high time to ascertain precisely the meaning of those words as regarding the members of the Roman Catholic faith. He might be called a Jesuit or some other name—he was always happy to receive suggestions for the improvement of his demeanour in that House; but it had never once occurred to him to offer any opposition to the Roman Catholics in the free exercise of their faith. In opposing the principle laid down by the hon. Member for Roscommon, he (Mr. Whalley) felt himself justified by the statute book and the experience of centuries. The late Sir Robert Peel said that, under the pretence of religion, there was associated with the Roman Catholic faith a definite system of political policy which was antagonistic to every principle on which the happiness and the civil and religious liberties of the people were based. And Lord Palmerston gave expression to a similar opinion. We contributed not less than £1,000,000 a year to promote, propagate, and sustain the Roman Catholic religion, and yet whenever he or any other Member attempted to show the political character of that religion, what they had to say was looked upon as a violation of the amenities of debate. If he had the Returns he wished for before him he would be able to show that wherever the Roman Catholic priests were admitted they manifested such airs, such an assumption of authority, such a dictatorial manner, as if they possessed the most absolute authority over the souls of the people. It was their practice whenever they had an opportunity to force their doctrines upon those who were unwilling to receive them, and their teaching generally had the effect of breaking up the general discipline of the institution into which they were admitted. He trusted that the House would reject the Resolution of the hon. Gentleman.

SIR GEORGE GREY said, he did not think his hon. Friend could be justly charged with bringing his Motion forward merely as an abstract question. The subject was an important one, and the change recently made in the law as to Roman Catholic prisoners in Great Britain was one he considered to be founded on justice. The principle contended for by the hon. Gentleman was one which was already recognized in Ireland, and he could see no good reason why it should not be equally recognized in every other part of Her

Majesty's dominions. It was only fair and reasonable that the Roman Catholics who were in the prisons of this country should have the benefit of receiving religious instruction from the ministers of their own faith. The question was one which, so far as he could see, did not involve the truth or error of the doctrines of any particular Church, while the principle for which the hon. Gentleman contended was one which had been fully recognized in our legislation, inasmuch as there was a provision made not only for the Roman Catholic priests who visited the prisons in Ireland, but also for the Protestant chaplains of those gaols, although in some cases there were scarcely any members of their religion to be found in them. That principle had been for some time acted upon in convict establishments under the control of Government, but it required an Act of Parliament to authorize similar arrangements in county and borough prisons. The principle upon which Parliament had proceeded had been to place the administration of the law with regard to these prisons in the hands of the local authorities. In many prisons the provisions of the law as to Roman Catholics had been put in force, both in the spirit and in the letter, in a manner which, he believed, had given entire satisfaction to the Roman Catholics, and left no ground for complaint. The report of the inspectors of prisons, gentlemen of large experience in prison discipline and management, was that the results had been entirely satisfactory. There might have been some Roman Catholic priests who had not acted with judgment and discretion, but that might be the case also with regard to Protestant chaplains, and the law provided a remedy in giving power to the local authorities not only to appoint, but to remove, where necessary, the persons they appointed. No doubt there were other cases in which the magistrates had not availed themselves of the powers of the Act of Parliament, and he very much regretted that that should have been the case. He should be sorry, however, to see the Motion before the House pressed to a division; as he could not but hope that the beneficial results of the Act in those prisons in which it had been applied would exercise its due effect on the minds of magistrates in other places, and lead them to put the provisions of the Act in force to a much greater extent than was the case at present. There might be some points contained in the Act which required amendment. The Committee

on the Prisons Act of last year, of which he was a Member, showed every disposition to take the most liberal view of the claims of the Roman Catholics, and to place them on a footing of equality with Protestants so far as religious instruction and worship were concerned. They recommended an important alteration in the law, which was sanctioned by Parliament, obliging magistrates to allow the attendance of ministers of their own Church to the spiritual wants of the prisoners, without any special request from the prisoners, and if there were cases in which the authorities had refused to act in accordance with this provision, it must be because their attention had not been sufficiently directed to it. He regretted that the Act was not in more extensive operation, but he trusted that the discussion which had now taken place and the opinions expressed in the course of the debate might have a beneficial effect, and he should advise his hon. Friend not to press his Motion if he received, as he hoped, an assurance from the Government that it would use its influence to promote a more genial action on the part of local authorities in accordance with the provisions of the law.

MR. O'REILLY said, that the declaration contained in the Motion was that the intention of the Prison Ministers' Act had not been carried out; and the question was, what was that intention? The intention was to afford to all prisoners equal facilities for spiritual instruction and religious worship. The Act was said to be permissive; but how? Was it that the magistrates were to exercise unlimited discretion? He believed not, but that the meaning of the permission was, that they were to introduce the Act wherever they found its operation necessary; that certainly was the sense in which all the speakers on the subject of this Bill, including the present Home Secretary, understood the permission. The meaning was that the Act should be put in force wherever the number of prisoners rendered it necessary. The present Home Secretary said he would have preferred the Act to be so far compulsory that whenever it was necessary it should be put into operation on the authority of the Executive. In certain prisons, such as Durham, Preston, Manchester, and other places, it had been put in force with most satisfactory results, but he could mention several instances in which the number of

Roman Catholic prisoners was so considerable as obviously to suggest the propriety of appointing a minister of that persuasion to instruct them; but no such appointment had been made. There were not fewer than thirteen cases of this description in which there had been an entire failure in carrying out the intention of the Legislature. But even where there had been an apparent compliance with that intention in the appointment of such ministers, he complained that they were not permitted to see the prisoners long enough to give them adequate religious instruction. The hon. Gentleman mentioned a case that was reported to have occurred in a gaol in Carmarthenshire, a prisoner having complained that the Catholic prisoners were put on the treadmill while the Protestant prisoners were attending morning prayer. This statement was admitted by the Governor of the gaol, but his answer to it was that the Catholics received a fair compensation in being taken off the treadmill during the visits of the Catholic priest. The prisoner who had made the complaint added to the Governor's statement that, while morning prayer occurred regularly six days a week, the Catholic priest only visited the gaol occasionally. He did not believe there was more than one man in the House who would justify such a state of things—subjecting Catholic prisoners to the treadmill because they declined to attend Protestant prayers. He hoped that the right hon. Gentleman the Secretary of State for the Home Department would endeavour to the utmost to carry out the intentions of the Legislature.

MR. NEWDEGATE said, that if hon. Gentlemen looked abroad they would see the effects of the Papal system on the social condition of many States. The power of the Papacy was exercised through the priesthood. He was convinced that this Motion, which was put forward as a question of charity, was only part of a system of organized agitation on behalf of Romanism. If the alteration now urged on the Government were made, he was confident that no permanent satisfaction would be given to the Catholic clergy. Since the passing of the Prison Ministers' Act the demands of the Catholics on the Middlesex magistrates had been gradually increasing. It had been avowed by Dr. Manning that the Romanists were aiming at a complete Establishment of Romanism, but an Establishment without endowment, because this would be an Establishment

separate from, and therefore beyond the control of the State, but still having the full force of law. It was complained by the Romanists that the Roman Catholic prisoners did not desire the attendance of their priests; and, in the name of religious liberty, forsooth, this Ultramontane agitation sought to make it compulsory on the magistrates to authorize the visitation of the priests at all times. Allusion had been made to the Middlesex magistrates. Complaints were made that the Roman Catholic priests were allowed by Middlesex magistrates to attend a prisoner only when there was no objection on the part of the prisoner himself. That might be an old-fashioned rule; but it was the rule of religious liberty. It was matter of complaint that the priest was not admitted to see the prisoners at all times and at all hours, to permit this would render effectual prison discipline impossible. It was the intention of the Act that the magistrates should exercise their discretion as to the time and the manner in which prisoners should be visited; and it was now proposed that the magistrates should be deprived of this discretion in this matter, and that the whole discretion should be transferred to the priests. In other words, it was proposed to transfer the discretion from the magistrates to priests appointed by Dr. Manning. He trusted that the Home Secretary would recollect that it had formerly been the opinion of the House that the law with regard to this subject had been sufficiently relaxed for the purpose of affording religious liberty to the Roman Catholics, but it had not been the intention of Parliament, nor was it a purpose of the Prison Ministers' Act, to favour the object of those who desired the practical and uncontrolled establishment of Roman Catholic religion in this country.

MR. WALPOLE said, that when the Prisons Discipline Act passed he had expressed an opinion that it was a matter which, if undertaken at all, had better be left to the executive Government, who might be empowered to lay down regulations, leaving the mode of carrying them out to the discretion of the magistrates. As he then anticipated, the regulations contained in the Act had been enforced or neglected in the different prisons, according to the feelings of the various local magistrates. In the great majority of cases the provisions of the Act had been adopted, but in many the intentions of the Legisla-

ture had been defeated. The question, therefore, now was as to the best manner in which it could be insured that every prisoner could be enabled to attend religious worship under the guidance and superintendence of a minister of his own religion. The existing Act of Parliament, which had been proposed by the Government and accepted by the Roman Catholics as a possible solution of this very difficult question, had only been in existence for three years, and therefore it would be rather premature to ask the House to undertake any legislation materially different from the principles of the Act. At the same time, the Roman Catholics were justified in asking that the provisions of the existing Act should be more universally put into force. The hon. Member who had brought forward the Motion said there were two modes of doing this—one was, that the Legislature should lay down fixed regulations in connection with the subject; but this was clearly impossible, because there were so many varieties of prisons, and because it was the policy of the Act to leave the settlement of all these matters to the local magistracy, who from their position and local knowledge might be regarded as the best fitted to judge upon these matters. The other mode was by empowering the Secretary of State to put the regulations into effect. There would be considerable objection to this proposal; but, at the same time, when the attention of the Secretary of State was drawn to any case which would reasonably call upon him to make a representation about it to the magistrates concerned, it was only reasonable that his aid should be invoked. In the meantime, he thought it would scarcely be advisable to go to a division upon the Motion, because, although the operation of the Act had not always been satisfactory, he did not think that the intention of the Legislature had been frustrated. As far as he was personally concerned he should be glad if any case of hardship connected with Roman Catholic prisoners were brought under his notice to draw the attention of the magistrates to the matter.

LORD EDWARD HOWARD said, he thought the question was one of considerable importance, because he believed that the Roman Catholics in many instances had not received that fairness and justice to which they were entitled. He would not say that the rights of the prisoners were withheld from them, but no care was taken to inform them what their rights

were. This, however, had been done in the case of the Roman Catholic prisoners at Liverpool, and the result was that more than double the ordinary number of applications had been made by the prisoners to be visited by the priest. The position of the Roman Catholic prisoners had often been brought before the House, and when the claims of these men were advocated they were met with a variety of objections. It was said, for instance, that the Roman Catholic prisoners had no desire to see the priests, and such a statement was very likely to be true concerning a man at the commencement of his imprisonment. It was barely possible in the same way that a Protestant prisoner was not at first very eager for the society of his minister, but the visits of the priests had upon the Roman Catholic prisoners the same effect as the visits of the Protestant ministers had upon the prisoners attached to their faith. Under the influence of the priest the Roman Catholic prisoner became amenable to improvement and to discipline, while the taxpayer's burdens had a chance of being lightened, because the men were enabled to avail themselves of a chance of reformation which would not otherwise be open to them.

MR. MAGUIRE said, that whilst feeling grateful for the remarks which had fallen from the right hon. Gentleman the Home Secretary, he regretted that he had not taken a bolder course, and spoken in a stronger manner. He entertained the hope, however, that the more the right hon. Gentleman looked at the question the more desirous he would be of carrying the law into effect, and that he would, if necessary, obtain additional powers in order to control those incorrigible bigots the Middlesex magistrates. All that was required was that the same state of things should exist in this country as existed in Ireland. In the county and city gaols of Cork there were, of course, a larger number of Catholics than of Protestants, but a Protestant chaplain was engaged for the Protestant prisoners. The amount of reformation effected amongst the prisoners was very large, and the result was that there was no country in the world in which at the present moment there was less crime than in Ireland. If the religious system was allowed to have its influence in this country the effect would be the same, and the number of Catholic prisoners in the gaols would be reduced. The poverty of the Irish poor led them into temptation,

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and there were thus large numbers of Roman Catholics in prison, though, perhaps, not generally for crimes of any particular enormity. He had used the words "incorrigible bigots," and was prepared to justify the use of those words. There were 800 prisoners in the gaols in Middlesex. In two of the prisons the law had not been put in force, and in the other three it was inoperative; and it was surely the most short-sighted policy, as well as the most wanton and flagrant injustice, to debar the unfortunate prisoners of the means of moral improvement. Wherever the improved system was carried out it had proved beneficial, not only to the prisoner, but to the discipline of the gaol. The same influence could not be exercised by a Protestant clergyman over Catholic prisoners, because they did not believe in him, or in his faith.

THE O'CONOR DON replied, and said, that he did not intend to press his Motion to a division, after the discussion which had taken place. At the same time, he expressed his regret that the right hon. Gentleman the Home Secretary had not spoken more decidedly on the question. The distinction which the right hon. Gentleman had endeavoured to lay down was, in his mind, a distinction without a difference. The right hon. Gentleman said that the object of the Legislature in passing the Act was that the Roman Catholic prisoners in gaols should receive a certain benefit, and yet that the Legislature meant to leave the granting of that benefit to the discretion of the justices.

MR. WALPOLE said, that what he meant to convey was—the Legislature no doubt intended to leave it to the justices to put the Act in operation, and that the object of the Act was to give relief to the Roman Catholics.

THE O'CONOR DON still maintained that this was a distinction without a difference; because, if the magistrates did not exercise the power which Parliament intended them to exercise, the object for which the Act was passed was not carried out, and the intentions of the Legislature were defeated. He hoped that during the recess the right hon. Gentleman would give the subject his best consideration. He felt satisfied that the more the right hon. Gentleman considered the subject, the more likely would he be to come to the conclusion that it was a subject on which the Government were called on to take some action; and that if the magistrates

did not put the Act into operation, some other means should be resorted to for securing that object. The right hon. Gentleman would, he hoped, be prepared with some proposal on this subject next Session. Meanwhile, he begged leave to withdraw the Motion.

Motion, by leave, *withdrawn*.

PUBLIC INCOME AND EXPENDITURE.

MOTION FOR RETURNS.

MR. GLADSTONE said, he rose to move for the Returns of which he had given notice. These Returns were of a remarkable character, and it was only just to the individuals who had been engaged in the preparation of them that some notice should be taken of the labour they had undertaken. This country by the possession of these Returns would be placed in a situation in which no other civilized country had ever been in, for they would give an account of the net income and expenditure with a continuous balance-sheet without an interval from the year 1688 to the present time. The first gentleman who had been engaged in the preparation of the Return was Mr. Dwight, of the Treasury, who had a very extensive acquaintance with the records of the department. An idea of his labours might be gathered from the fact, that it was only at a recent period that the financial operations had been reduced to a unit system—that the old system was constituted of a vast number of separate accounts; each tax having been a separate tax with separate charges—and that it was only since the time of Mr. Pitt that they had been formed into one consolidated system. Unhappily Mr. Dwight died, and another gentleman of the Treasury, Mr. Chisholm, had to carry on the preparation of the Return. A third gentleman, whose name he had also to mention, was Mr. Anderson, whose devoted attention and indefatigable industry had given him a high place in the Civil Service of the country. The result of the investigations of these gentlemen would form a bulky document, perhaps of two folio volumes; but as several hundred pages were already in type, he trusted the Return would be in the hands of Members at the commencement of the next Session of Parliament. It would form an important record of the general financial history of the country, and he

thought it would be interesting to the House to know that so important an undertaking was to be completed, and also by whom the labour had been performed.

Motion *agreed to*.

Accounts ordered, “of the Net Public Income and Expenditure of Great Britain, in each financial year from 1688 (the period of the Revolution) to the 5th day of January 1801 (the period of the Union between Great Britain and Ireland), and of the other Receipts into and Issues from the Exchequer, distinguishing the amounts raised by creation of Debt, and the amounts applied to the reduction of Debt; showing also the Balances in the Exchequer at the beginning and end of each year :”

“Similar Accounts of the Net Public Income and Expenditure of Ireland (1688 to 1800 inclusive):”

“Accounts of the Gross Public Income of Great Britain, deducting Drawbacks, Repayments, &c., and Bounties of the nature of Drawbacks, and of the Gross Public Expenditure, including payments out of the Gross Income in its progress to the Exchequer for national objects and for the collection of the Revenue, for each financial year from the 5th day of January 1801 (the period of the Union) to the 5th day of January 1817 (the period of the Consolidation of the Revenues of Great Britain and Ireland):”

“Similar Accounts of the Gross Public Income and Expenditure of Ireland (1801 to 1816 inclusive):”

“And, similar Accounts of the Gross Public Income and Expenditure of the United Kingdom, for each financial year from the 5th day of January 1801 up to the present time :—To which Accounts shall be appended Abstract and Subsidiary Accounts, and Notes explanatory of the Financial transactions included in the said Accounts.”—*(Mr. Gladstone.)*

VETERINARY SURGEONS BILL.

(Mr. Holland, Mr. Newdegate.)

[BILL 121.] COMMITTEE.

Order for Committee read.

MR. NEWDEGATE said, it was not his intention to press the measure during the present Session, but he was anxious to remove some misapprehensions which had arisen with respect to it since the second reading. The veterinary profession had of late years grown into importance, and was rapidly advancing under its present organization; but it was necessary to draw a distinction between the old Royal Veterinary College at Camden Town, of which the right hon. Gentleman, the Speaker, and himself had been Governors for the last twenty years, and which might be regarded as the *Alma Mater* of the rest, and the Royal College of Veterinary Surgeons, to which the Government of Sir

Robert Peel in 1844 granted the power of issuing diplomas, and against which the opposition of some of the Members from Scotland was directed. The part which the late Professor Dick had taken with respect to the Royal College of Veterinary Surgeons and the College at Edinburgh was a matter of history; the Professor had received a memorial signed by seventy-one practitioners, all of them formerly his pupils, urging upon him that by attempting to invalidate the charter of the Royal College of Veterinary Surgeons, which was granted in 1844, and obtained mainly at his instance, he was inflicting a serious injury on the profession, and re-establishing a system of rivalry and jealousy between the schools which had been found by experience to be most injurious to the profession. Now that Professor Dick was dead a misunderstanding had arisen, and Members for Scotland were under the impression that the hon. Member for Evesham and himself in introducing this Bill had some design to do an injury to the Scotch profession. He assured those hon. Gentlemen that there was not the slightest intention of taking any unfair advantage of the Scotch schools. It only needed the Sign Manual of Her Majesty to change the name of the school in Edinburgh, and when that school had changed its name it would stand on precisely the same footing as the Royal Veterinary College at Camden Town. It was provided by the charter granted to the Royal College of Veterinary Surgeons that if new schools should grow up and obtain the Sign Manual they should stand in the same position as the previously existing Colleges, and that there should be an uniformity of diploma as regarded the quantum of attainments required from all candidates for diploma in whatever colleges or schools, or by whatever means they might have attained the requisite proficiency. He hoped the Government would give an assurance that the *Alma Mater* of the profession, as represented by the Governing Body, should have a fair hearing before any alteration took place; and he hoped the right hon. Gentleman who represented the Education Department would give an assurance that during the recess nothing should be done with respect to the existing charter for granting diplomas to prejudice the case as it now stood.

MR. CORRY said, there was so much discrepancy in the representations he had

Mr. Newdegate

received with regard to this Bill from both sides of the House that it was not easy for a person not conversant with the subject to arrive at a conclusion. He was glad the hon. Member did not intend to press the measure this Session. He would give the hon. Gentleman his assurance that nothing should be done during the recess to prejudice the case, and that no charter should be granted to the Scotch college to grant diplomas.

MR. M'LAREN said, he thought this was one of the most extraordinary Bills ever brought before the House, and he was sorry that the right hon. Gentleman had been rash enough to give a pledge that nothing should be done during the recess to grant a charter for the establishment of a college for Scotland and not for Edinburgh alone, though £40,000 had been bequeathed by a public spirited man for that purpose. He could only characterize the Bill as one to "repeal the Union," inasmuch as it would fine and stigmatize as an impostor every man who practised as a veterinary surgeon in Scotland or Ireland, no matter what his qualifications, if he did not hold the diploma of the London College.

Order discharged: Bill withdrawn.

COMPULSORY CHURCH RATE ABOLITION BILL—[BILL 143.]

(*Mr. Gladstone, Sir George Grey, Mr. Milner Gibson, Mr. Attorney General.*)

SECOND READING. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Amendment proposed to Question [18th July], "That the Bill be now read a second time," and which Amendment was,

To leave out from the word "That" to the end of the Question, in order to add the words "no scheme for the total, or partial, or absolute, or qualified abolition of Church Rates will be satisfactory to this House which does not contain some legal and certain provision for supplying any deficiency which may ensue from such scheme, in the funds applicable to the maintenance of the fabric of the Church,"—(*Mr. Neate*),

—instead thereof

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate resumed.

MR. HUBBARD said, he approached this question with a sincere desire to treat it with the utmost liberality, and with a

most cordial regard for the interest and feelings of the Dissenter; but it was impossible not to see that the House could never arrive at a just decision upon the subject unless it had the case truthfully before it. If he was rightly informed, the parishes in which church rates were no longer levied were small in numbers, but great in wealth and importance; while there was a large number of parishes, though they were of diminished population, in which church rates were levied, the inhabitants being satisfied that those rates should be continued. In places where the Dissenters were in the majority there could be no interest in respect to such Bills as this, because the question had been disposed of by the vote of the majority. Did the agitation proceed then from places in which church rates were levied? He thought not, because in these places the majority, at least, were satisfied that the rates should continue. It was true that in many of those parishes there might be a small number of Dissenters; but he believed it was not so much from them as for them the demand came that church rates should be abolished. If it were the case that the Dissenters were unwilling to accept the proposition contained in the Bill of the Solicitor General, it ought to be for some well-defined reason; but they had heard no reason at all given. In the absence, therefore, of any alleged reason, he must endeavour to find one. Some years ago there was a proposition to exempt Dissenters from the payment of church rates on their signing a declaration that they were members of a religious communion other than that of the Established Church. The hon. Baronet who was then Member for Tavistock, and leader of the movement against church rates (Sir John Trelawny), objected to that proposition, on the ground that many of those who desired exemption were members of no religious communion. The following year, with the concurrence of the noble Lord the Member for Stamford, and in order to meet that objection, he brought in a Bill which would have given an exemption to any person who signed a declaration that he did not conform to the Church of England. Again, that was objected to, on the ground that it would be "ticketing" the Dissenters, and they did not choose to be ticketed. In the Bill of the Solicitor General even that difficulty was avoided, because all it required of any one who objected to pay church rates was an

intimation to the churchwardens that he desired to be exempted. Nothing could be more simple and inoffensive than such a mode of claiming exemption, but they were told by the hon. and learned Member for Richmond (Sir Roundell Palmer) that even that would not be satisfactory to the Dissenters. It was true that the most carefully prepared method of exemption that could be devised was open to formidable objections. One objection naturally was that to make any exemption from payment of a rate was a violation of principle, and another objection was that any process of exemption tempted those who were niggard to save their money and to throw a greater burden upon those who were liberal. That was a formidable objection no doubt, and another equally true was that in many instances churches would be left entirely unprotected. He knew instances in which the whole property belonged to the Dissenters, and of course if the property of Dissenters was exempt from church rates no church rate would be levied in those parishes, and it would fall upon the clergy and poor parishioners to raise the means necessary to maintain the fabric, assisted probably by some fund which Churchmen would probably inaugurate. In any system of adjustment, therefore, Churchmen must make considerable sacrifices; still, such was his desire for a settlement of the question that he would be willing to face all the difficulties in order to offer those who considered themselves aggrieved an acceptable proposition. Now, what were the reasons why Dissenters would not accept the terms which Churchmen were prepared to offer? The hon. Member for Birmingham had told them distinctly, "that this was a struggle for supremacy between Churchmen and Dissenters." It might be said that the hon. Member was an extreme man; well, then, what were the words of Mr. Miall, the champion of the Nonconformists? Mr. Miall said, "the entire separation of Church and State was the real object of the Dissenters." But, if that was not enough, he would quote the sentiments of the real author of the Bill. The right hon. Gentleman the Member for South Lancashire told the House that in this matter he had consulted the hon. Member for Stoke on the one side and Mr. Morley on the other. Now, Mr. Morley he took to be an eminent exponent of Nonconformist sentiments; upon matters of trade and business his opinions

were remarkably intelligent and sound, and he, for one, regretted his absence from the House. Addressing a meeting of the Liberation Society last year Mr. Morley said he would have the Committee act in the spirit of the remarks made by the Rev. T. Binney, twenty-seven years ago, on laying the foundation stone of the Weigh-House-Yard Chapel, when he said—

“It is to me, I confess, a matter of deep serious religious conviction that the Established Church is a great national evil, that it is an obstacle, to the progress of truth and godliness in the land, that it destroys more souls than it saves, and that therefore its end is most devoutly to be wished for by every lover of God and man.”

He had heard a great deal about Romish intolerance, but he had never heard a sentiment more intolerant or atrocious than that which he had just quoted. He did not believe that these were the sentiments generally entertained by the Dissenters of this country. The Wesleyans, for instance, did not wish to see the Church of England degraded or destroyed. No doubt many who belonged to that portion of the Nonconformist body would be glad to be relieved from church rates, but they had no wish to be relieved by a process that would be destructive to the Church of England. Now, what was the difference between the Bill of the Solicitor General, and that before the House? The former carried to its full extent the principle of religious liberty; the Bill which answered the requirements of the Nonconformists would establish religious equality. While the one was in harmony with the legislation of the country, the other was absolutely incompatible with the Constitution. Religious equality we could not have while the statute book and the Constitution remained as they were. What was called the supremacy of the Church he would rather call, with the late Sir Robert Peel, its predominance. If it was intended to destroy the connection of Church and State, let them get rid of shams, false pretences, and false issues, and let a Motion be made at once for the repeal of the “Act for the Limitation of the Crown.” In virtue of that Act the Sovereign of this country must be a member of the Church of England. That Act requires that as an essential antecedent to his coronation the Sovereign receive the Holy Sacrament according to the Ritual of the Church of England. And that religious act of the Sovereign is at once the religious profes-

sion of the nation, and the sign of the pre-eminence of the Established Church. If that pre-eminence is disputed, let the malcontents attempt to repeal the Act on which it rests. In the matter of mere pecuniary rights there must be some few points upon which there could be no equality. The Sovereign must be of the Church of England, and her Civil List was provided out of the taxation of the country. The very chaplain of that House was paid out of the Consolidated Fund. These were points upon which the Church enjoyed a pre-dominance, and, unless they were prepared to destroy every one of the links which connected Church and State, it would be useless to destroy that which depended on the maintenance of Church rates. He contended that the proposition embodied in the Bill of the Solicitor General contained all that the Dissenters had a right to ask, and all that Churchmen were entitled to remit. For so much he was prepared to go, but not for a Bill which sought to sever one of the ties that united Church and State together, and tended most seriously to endanger both the civil rights and religious liberty of the people of this country. He could not, therefore, vote for the Bill, and if as he believed there was an understanding that the second reading was to pass without a division, he should be compelled to absent himself when the question was put from the Chair.

Mr. HENLEY begged to move the adjournment of the debate.

Mr. GLADSTONE said, he hoped the right hon. Gentleman would not press his Motion to a division. The question was one of great importance, and an understanding had been arrived at that this was to be the last stage considered during the present Session. For his own part, he certainly should persist in asking the House to read the Bill a second time, and the matter could be disposed of more conveniently at the present sitting than on some future occasion, when, perhaps, it would stand in the way of Government business.

Mr. SELWYN said, he was entirely unable to appreciate the motives leading his right hon. Friend the Member for South Lancashire to press on this Bill, and he hoped the right hon. Gentleman (Mr. Henley) would persevere with his Motion. Had the measure for the total abolition of church rates failed to pass the second reading there might be, with some persons, an object in persisting with this Motion.

The Bill was said to have been introduced as a compromise, but, instead of exhibiting anything like a spirit of concession, as far as the interests of the Church were concerned, it was more objectionable than the Bill of the hon. Member for Bury St. Edmunds. Not one of those who had consistently advocated the continuance of the national rates, he believed, had been consulted with regard to the Bill, and it was, in point of fact, regarded by them as more objectionable than the total abolition of church rates. Much vexed and troublesome questions were sometimes got rid of by suggestions unexpected and altogether novel. But the proposal to abolish the compulsory power of enforcing church rates had not even the merit of freshness, for it was neither more nor less than the proposal made over and over again by the hon. Member for Birmingham, who certainly never thought of advancing it as a compromise, but only as a further mode of obtaining the end which he had in view. The Bill was one in any case that ought not to receive a second reading without very full discussion; and to press it forward a stage knowing that it must ultimately be abandoned could only be with the desire of gaining a questionable advantage.

MR. NEWDEGATE said, he also should support the Motion for the adjournment of the debate. He trusted the right hon. Gentleman the Member for South Lancashire would not place him in the painful position of having to leave the House rather than remain as appearing to assent to the second reading of the Bill. This Bill would not only abolish church rates, but it would break up the present parochial system. He appealed to the hon. Members on the Liberal side of the House whether they were prepared to destroy the principle of self-government in this respect.

Question put, "That the Debate be now adjourned."—(*Mr. Henley.*)

The House divided:—Ayes 64; Noes 108: Majority 44.

Question again proposed, "That the words proposed to be left out stand part of the Question."

MR. HENLEY begged to move that the House do now adjourn.

MR. SPEAKER said, it was not competent for the right hon. Gentleman himself to make that Motion after the last Motion which he had made.

COLONEL NORTH said, in that case he would make the Motion for the adjournment of the House.

Motion made, and Question proposed, "That this House do now adjourn."—(*Colonel North.*)

MR. GLADSTONE must say that it was with very great regret that he found that method of opposition resorted to. Often and often when sitting on that (the Treasury) Bench had he and his Friends discouraged Motions of a similar character coming from behind them, and urged that when it was for the convenience of the House that a debate should proceed it should not be sought to arrest it at such an hour, or even at a much later one (a quarter to one), and he thought it was the duty of the Government to follow that example on the present occasion. It should be remembered that this Bill had been accepted by Gentlemen who but for their acceptance of it would have long ago carried to the third reading a measure of their own, but who had refrained from doing so in the expectation that nothing would be done to prevent the House from giving its judgment upon the present Bill, and he therefore appealed to the Government, if they did not think the debate could now be conveniently continued, to assist him in fixing the resumption of it for Thursday at twelve o'clock.

MR. HENLEY said, he had been in the House since twelve o'clock at noon, and he could not undertake at that time of the night to discuss this Bill, as he felt it necessary to do at considerable length. He had been present on every occasion when the Bill had been before the House; it had always been brought forward at a late hour, when there was no chance of getting a fair discussion. He had just heard for the first time that there was any understanding between the right hon. Gentleman and those who had charge of the other Bill on that subject; and he believed that there were numerous Gentlemen on that (the Ministerial) side who knew nothing about it. The last remark of the right hon. Gentleman proved the entire complicity there was between the supporters of the present Bill and the advocates of total abolition, and he hoped the country would take notice of the fact as showing the real nature of the right hon. Gentleman's proposal. For his own part, he disliked ten thousand times more than doing away with church rates the machinery which the

right hon. Gentleman had most ingeniously contrived to sow discontent, disunion, and heartburning throughout the parishes of the country. He hoped, therefore, that the hon. Member would persevere in his Motion for the adjournment.

MR. SELWYN said, he was at a loss to know the reason for pressing the Motion for the second reading of this Bill, when it was evident that neither of the Bills on the subject of church rates could pass this Session. Only those who desired total abolition would gain by this measure, which, in fact, he regarded as the worse proposal of the two.

MR. BERESFORD HOPE said, the Bill, on the back of which his name appeared, would not be forced, and he trusted that the right hon. Member for South Lancashire would rest satisfied with what progress he had already attained, and would not press his measure further during the present Session.

LORD JOHN MANNERS said, he regretted the tone which the right hon. Gentleman opposite had adopted on that occasion, and must say, after the prolonged sittings they had had that day, he thought the proposal to adjourn that debate at a quarter to one o'clock was a very reasonable one. The second reading of the Bill had been moved at four or five o'clock on a Wednesday afternoon. The discussion had been resumed at five minutes past twelve o'clock last night, and yet the right hon. Gentleman contended that it was the duty of the Government to terminate the discussion. [MR. GLADSTONE: To let it go on.] At a quarter past one! The right hon. Gentleman should recollect that the Government even now had not moved the adjournment of the House. It was proposed by an independent Member, and he appealed to both sides of the House whether, after the speech of the right hon. Member (Mr. Henley), the Government could refuse to accept the proposal for the adjournment. The question was too important to be treated in this way, nor could it in this manner be discussed satisfactorily either to the House or to the country. With respect to the Bill of the hon. Member for Bury St. Edmunds, he would remind the House that the second reading had been already agreed to, and that the Committee was fixed for that morning. He could not, therefore, see that any inconvenience would result, the Bill of the hon. Member being taken at the morning sitting, from

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the debate being now adjourned. Apart from this, he had himself had no opportunity of expressing his opinion on the Bill; other Members of the Government were in the same position, and he must say it was one that had failed to satisfy the members of the Church of England, who had decidedly declared against it.

SIR GEORGE GREY said, he wished to remind the noble Lord that no answer had been given to the Question of his right hon. Friend as to whether the Government would be prepared to afford facilities for the resumption of the debate on some future day. He must also call his attention to the fact that the Leader of the House had spoken on the second reading of the Bill, and had given a pledge to the effect that the Government would not vote against it.

SIR STAFFORD NORTHCOTE said, that if, as he believed was the case, the Government were pledged through their Leader not to vote against the second reading of this Bill, that pledge would of course be redeemed. He understood, however, that his right hon. Friend the Chancellor of the Exchequer, while making that promise, announced that he was not prepared to assent to the principle of the measure. For his own part, he could not assent to it, and he had only to add that he was afraid it would not be possible for the Government to set apart a day for resuming the discussion.

MR. HUNT said, he should support the Motion for the adjournment of the debate, as the Bill was not like that for the total abolition of church rates which had already been frequently discussed. It was an entirely new and a very important measure, and it was not fair to ask hon. Members to proceed with it at that hour of the night, especially when it was taken into account that the House was to meet at twelve o'clock to-morrow, and that there was to be a morning sitting on the day after, as well as on Friday and Tuesday next. This being the case, he could only recommend the right hon. Gentleman who had charge of the Bill to take the best opportunity he could find of proceeding with it. As at present advised, he entertained to the Bill the most serious objection, and he could not see what the right hon. Gentleman hoped to gain by pressing on the second reading when he proposed not to go beyond that stage this Session.

MR. CARDWELL said, that Wednesday, the 1st of August, was an open day,

and his right hon. Friend would assent to the adjournment of the debate till that day.

Motion, by leave, *withdrawn*.

Debate further adjourned till Wednesday next.

COMMON LAW COURTS (FEES AND SALARIES) BILL.

Bill "to make further provision respecting the Fees payable in the Superior Courts of Law at Westminster, and in the Offices belonging thereto, and respecting the Salaries of certain Officers of those Courts," *presented*, and read the first time. [Bill 240.]

House adjourned at a quarter
before Two o'clock.

HOUSE OF COMMONS,

Wednesday, July 25, 1866.

MINUTES.]—NEW MEMBER SWORN—Sir Graham Graham Montgomery, baronet, for Peeblesshire.

PUBLIC BILLS—*Resolutions in Committee*—Landed Estates Court, &c. (Ireland) [Salaries].

Resolutions reported—Fortifications and Works. *Ordered*—Fortifications and Works*; Oysters Cultivation (Ireland).*

First Reading—New South Wales and Van Diemen's Land Government* [242] [Lords]; Oysters Cultivation (Ireland)* [243]; Fortifications (Provision for Expenses)* [244].

Second Reading—Parishes (Scotland) Act (1848) Amendment* [232].

Committee—Public Libraries Act Amendment (*re-comm*) [241].

Report—Public Libraries Act Amendment (*re-comm.*) [241].

Considered as amended—Fees (Public Departments)* [223].

Third Reading—Inland Revenue* [209]; Colonial Branch Mints* [215]; Tramways (Ireland) Acts Amendment* [149].

Withdrawn—Landlord and Tenant (Ireland) [190]; Sea Coast Fisheries (Ireland) [147]; Finsbury Estate [97]; Charitable Donations and Bequests (Ireland) [201]; Tenure and Improvement of Land (Ireland) [130].

PUBLIC LIBRARIES ACT AMENDMENT (*re-committed*) BILL—[BILL 241.]

(*Mr. William Ewart, Mr. Dunlop.*)

COMMITTEE.

Order for Committee read.

Motion made; and Question proposed, "That Mr. Speaker do now leave the Chair."

Bill considered in Committee.

(In the Committee.)

Clauses agreed to.

MR. CHEETHAM moved a new clause to the effect that Libraries and Museums established under the Acts named in the Bill be exempted from rates.

Clause (Libraries and Museums exempted from rates,)—(*Mr. Cheetham*,)—*brought up*, and read the first time.

MR. EARLE objected to the clause, as introducing a new principle.

MR. CHEETHAM said, that was not the case, for the words of the clause were taken from the existing Act.

MR. AYRTON hoped that the clause would not be pressed. The general question of exemption from rating required consideration; and that general question ought not to be embarrassed by the creation of another special exemption by exceptional legislation.

LORD NAAS testified to the inconvenience which arose in Ireland from these special exemptions from rating.

MR. POWELL trusted that the President of the Poor Law Board would be able next year to introduce a Bill dealing with the whole subject of the exemption of charitable institutions from rating; but he agreed that an exceptional clause like this was objectionable.

MR. McLAREN supported the clause, thinking that as these museums and libraries were themselves to be supported out of the rates, it would be a cumbrous proceeding to render them liable to payment of rates.

MR. AYRTON said, that the force of that argument was much weakened by the fact that the area of rating had lately been changed from the parish to the whole union, many parts of which might not share in the benefits of these institutions.

MR. WALPOLE thought the objection valid; the effect of the exemption would be to throw a burden on other parts of the union besides that in which the museum or library existed. He thought it would be the best course to withdraw the clause.

MR. HENLEY thought that the Government would soon be obliged to take the whole question of rating into consideration with a view of settling the doubts as to the exemptions claimed by certain institutions. After the decision of the House of Lords in the Mersey Docks case it had become necessary to deal with the question as a whole. He should certainly vote against the proposed clause, because of the inconvenience of introducing another statutable exemption. He also thought

that the class of property affected by the Bill had no very strong case for claiming exemption from rates.

MR. NEATE said, he quite agreed that the whole subject of rating must immediately come under revision. He was, however, afraid that the effect of any general measure on the subject would be to extend the area of rating rather than to limit it; he was, therefore, desirous that the institutions in question should have the advantage of exemption before the enactment of any general measure, and he should, consequently, vote in favour of the clause.

MR. GATHORNE HARDY said, he would remind the Committee that an attempt was made to introduce a clause of this sort into a Bill some years ago for the purpose of exempting fine art and certain other institutions from the payment of rates. On that occasion he (Mr. G. Hardy) felt it his duty to oppose the proposition, and it was ultimately rejected by the House. It appeared to him that there was still greater reason why the present clause should be rejected on the grounds stated by his right hon. Friend. It should be recollected that a great change had been recently made in the law, whereby, instead of parish rating, there was now established a union rating; and these institutions, however beneficial they might be to the particular parishes in which they were situated, were probably of little advantage to the union generally. Whatever was done upon the subject of rating ought, he thought, to be done by a general measure. Instead of wishing to increase the present list of special exemptions he was much more inclined to repeal them, and place the entire subject on a broader and more satisfactory basis. He hoped the House would not sanction the clause.

MR. GILPIN said, he was wholly opposed to the establishment of any additional exceptional legislation, at a time when the whole subject must be taken into the consideration of the Government.

Motion made, and Question put, "That the Clause be read a second time."

The Committee *divided*:—Ayes 10; Noes 54: Majority 44.

Bill *reported*; as amended, to be considered *To-morrow*, and to be *printed*. [Bill 241.]

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LANDLORD AND TENANT (IRELAND) BILL—[BILL 190.]

(*Sir Colman O'Loughlen, Mr. Gregory.*)

SECOND READING.

Order for Second Reading read.

MR. GREGORY said, that at this period of the Session it would be idle for him to attempt to proceed further with a Bill of this magnitude; but in the absence of the hon. and learned Baronet the Member for Clare (Sir Colman O'Loughlen), who had drawn the Bill, he hoped he would be allowed to make a few observations respecting its objects, with a view to their being considered by all those who took an interest in the subject during the approaching recess. The Bill proceeded upon the principle that in order to encourage the application of capital and labour to the cultivation of the land in Ireland it was expedient to give tenants a more secure occupation of their holdings than a mere tenancy at will or one from year to year, and its object was to discourage, as far as possible, such holdings, and to hold out inducements to landlords to give leases to their tenants. It proposed—as had been proposed in the Bill of the late Chief Secretary for Ireland—that in every case where there was no written contract between the landlord and tenant, the law should presume that there was an agreement for a lease. In other words, it was proposed that for the future a tenancy of agricultural land from year to year could only be created by an agreement in writing. In the case of the absence of any such written contract any tenancy of agricultural land created after the passing of the Bill should be deemed and taken to be a tenancy under an agreement for twenty-one years. In order to induce landlords to give these leases, discouragements to a certain degree were thrown in the way of the continuance of this system of yearly tenancy. For example, it was proposed that any such tenancy created after the passing of the Bill should entitle the tenant to deduct from his rent one-half of the county cess. It was further laid down in the Bill that in respect to yearly tenancies the landlord should not be entitled to distrain for rent. But the great point on which the Bill turned was to be found in the 11th clause, which enacted that in case the landlord should eject his tenant for any other cause than that of the nonpayment of rent the tenant should

be entitled to compensation. That was no new principle, inasmuch as it was one that had always been recognized in the compensations paid by railway companies, who not only paid the landlord for the property in fee, but also compensated the tenant when it was necessary to take land or premises occupied by the latter. Those were the main provisions of the Bill. It should also be remarked that all these provisions were prospective. On the other hand, in order to avoid any confusion or litigation that might arise from extending this Bill to every kind of minute holding, it was proposed to exempt from its operation all occupations under £4 a year. Now, this measure was intended to apply to a state of things which in his opinion did not exist in any other country that could be called civilized. In Prussia there was no such thing known as yearly tenancies or tenancies at will. All the land there was held under leases of longer or shorter duration. In England there were no doubt a large number of tenancies at will; but those holdings were upon a totally different foundation to what they were in Ireland. If a landlord in England evicted his tenant the latter suffered no wrong in respect to improvements, inasmuch as they were generally made by the landlord himself. The reverse, as a rule, was the case in Ireland, where the tenants, at the cost of their own labour and money, effected improvements on their land. There they were frequently evicted from their own improvements, to which their landlords had not contributed probably one farthing. Amongst the many measures introduced from time to time for the advantage of Ireland none had proved more beneficial than the Incumbered Estates Court. This Court had had the effect of introducing a new and solvent proprietary to replace the old insolvent class that formed a considerable portion of the landlords of Ireland. By this there was effected great improvement in the general condition of the country. But as far as the condition of the tenantry of Ireland was concerned the operation of the Incumbered Estates Court tended not to improve it. Though the old proprietors were often of a needy and spendthrift character their sympathies and interests were more or less identified with their tenants; whereas the new proprietors having purchased their estates in those Courts in the way of mercantile transactions had no particular attachment to or sympathy with the old tenantry. They immediately

set about raising their rents, consolidating their farms, without any regard to the long standing or exertions of the existing tenants. He believed that this insecurity of tenure in Ireland was detrimental to the landlord himself, in tending to lower the value of the land, and to create agrarian outrages throughout the country. It encouraged the demand for fixity of tenure and compulsory valuation. It confirmed the occupying tenant in his belief of possessing an inherent right to the soil of which the law unjustly deprived him; and it was precisely in the case of properties where tenants had held in undisturbed possession from generation to generation on tenancies at will, that this right to the soil was believed in, and actually pleaded in Courts of Justice. His hon. and learned Friend the Member for Clare had framed this measure with no idea whatever of superseding the Bill of the late Chief Secretary for Ireland; but as for his (Mr. Gregory's) motives for allowing his name to be put on the back of the Bill, he had done so for the very purpose of superseding that Bill. He was afraid that the Bill of his right hon. Friend, if passed, would have been productive of an endless amount of litigation and ill-feeling between landlords and tenants. The provisions of this Bill would be free from that objection. He had not proceeded in this matter from a mere desire of popularity, but had introduced it solely for the benefit of the country. Everything he had was derived from land in Ireland. He moved to discharge the Order for the second reading of the Bill, with the distinct pledge on the part of his hon. and learned Friend the Member for Clare and himself that it would be introduced next Session at the earliest possible moment.

Motion agreed to.

Order discharged: Bill withdrawn.

SEA COAST FISHERIES (IRELAND) BILL.

(Mr. Blake, Mr. Brady.)

[BILL 147.] SECOND READING.

Order for Second Reading read.

MR. BLAKE, in moving the second reading of the Bill, said, that as the Session was then so far advanced, and there were some portions of the Bill which might involve controversy, especially those clauses removing nearly all restrictions on trawl-fishing—thus assimilating the Irish to the English fishery law—he would not

ask the House to consent to pass the Bill in its entirety. There were thirty-four clauses altogether in the Bill, every one of which he believed to be desirable, but he was willing for this Session to give them all up except two, the 3rd and 29th clauses. If even these were passed, he believed they would, if properly carried out, not only arrest the fearful decline that was going on in the fisheries, but also give a stimulus to that branch of industry calculated to raise it to the position it ought to occupy. The third clause proposed to combine the sea coast with the inland fisheries under one administration, making it as much an independent department as any other. The 29th clause proposed to extend the provisions of the 10 *Vict.* to the Act which would enable the Commissioners of Public Works to advance loans for the cultivation of oysters, the building of piers, and also for the building and repairing of fishing vessels and boats, and the purchase of fishing gear, &c., on satisfactory security being given for the repayment. In order to show the utility of passing these clauses he would lay before the House a brief statement of the actual condition of the fisheries, and the manner in which they had declined for the last twenty years. He would quote from the Report of the Royal Commissioners appointed to inquire into the fisheries of the United Kingdom. They stated that there was a great falling off in the number of boats and men employed along the coast. In the year 1830 there were 13,119 vessels of all classes, and 64,771 men and boys employed in the trade. In 1836, when the stimulus of bounties or loan funds was withdrawn, the number of vessels fell to 10,761, and the men and boys to 54,119. In 1845, immediately before the famine, the number of vessels was 19,888, and the men and boys 93,073; in 1848 (after the famine), the number of vessels fell to 16,932, and the men and boys to 70,111, whilst last year the number of vessels was but 9,300, and the hands had fallen to 40,946. This showed a diminution within the last twenty years of 10,583 boats and of 52,127 men. The Commissioners added that the numbers given for 1864, reduced as they were, still appeared to be large as compared with the produce of the fisheries indicated by the railway returns and the supplies in the principal markets. The Commissioners recommend that all Acts of Parliament which profess to regulate or restrict the

modes of fishing pursued in the open sea should be repealed, and that unrestricted freedom of fishing be permitted hereafter. The Report of the Royal Commissioners was brought down to 1864, and detailed the state of things up to 1865. The Report from the Irish Fisheries Commissioners just issued enabled him by a little calculation to ascertain the exact state of the fisheries up to the present moment. That Report, he was pained to say, exhibited even a sadder picture than the preceding account, as it appeared from it that in 1865, as compared with 1864, there had been a decrease in the year of 311 fishing vessels and boats, and 3,026 men and boys. The numbers now stand 8,989 vessels of all classes, and 37,920 men and boys, as against 19,883 vessels and 93,073 men and boys in 1845, so that in round numbers the vessels and boats had decreased to one-half, and there was only one-third of the men and boys left. In addition to deaths from famine and emigration having caused such a decrease in those following fishing pursuits, another great reason was the increased poverty of the people preventing them not only from buying new boats and gear, but even from keeping the old ones in repair, and in consequence many a stalwart fellow willing and able to fish had to abandon the calling. He had seen hundreds of instances of this around various parts of the coast, and had no doubt, if enabled to do so, thousands would be found to follow the avocation with advantage to themselves and the country. He did not advocate, or even wish, that anything should be given to them as a gift, but that they should give satisfactory security, and be made to repay every shilling. He believed at the time Government advanced loans to fishermen, they were in the end repayed within a few hundred pounds of what they had advanced. There was a society in Dublin established he believed by the excellent Society of Friends for assisting poor fishermen. They had only £2,000 or £3,000 at their disposal, the residue of some charitable fund. It was generally nearly all lent out, did a vast deal of good as far as it went, and he heard a short time ago from the Secretary, that they hardly ever made a bad debt. As the House was aware, great improvements had lately taken place in the cultivation of oysters. Twenty times as much could be produced in Ireland as at present. To encourage their cultivation he proposed to allow the 10 *Vict.* to be ex-

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tended, so as to enable persons entitled to borrow money for the improvement of their land, to obtain loans for oyster culture. By giving security they could now get advances for drainage, subsoiling, trenching, &c.; irrigation, embankments from sea or river, enclosing and fencing, reclamation of waste lands, farm roads, clearing lands, farm buildings, scutch mills, labourers' dwellings. Why should they not be allowed to carry on their improvements below high-water mark, and plant oyster beds on giving the same security for re-payment? The return would be likely to be larger than from any other kind of outlay. In a report of a lecture on the Irish Fisheries, by Mr. J. Hoare, which appeared in a leading journal (*The Irish Times*), he saw that a gentleman purchased a tract of land adjoining the sea for £100. During ten years he expended from £10 to £15 a year on it in cultivating oysters, and he sold it lately for £24,000. As he had already stated, he was of opinion that it would be desirable to separate the Fishery Department from the Board of Works. He wished to speak of the Board of Works with the greatest respect; but he thought they had as much work on their hands as they could manage without being burdened with the fisheries. The Inspecting Commissioner of Fisheries, Mr. Barry, speaking of the Board, said—

"The truth is their hands were so full that it was with extreme difficulty that those engaged in the Irish sea fisheries could obtain their co-operation."

The Royal Commissioners, in speaking of the Board, remark—

"The fisheries of Ireland are also legally under the control of a Board, which possesses almost unlimited powers; but it is the practice of the Board to exert their powers as little as possible, and only under pressure from without."

In conclusion, he hoped the noble Lord representing the Irish Government (Lord Naas) would take the suggestion he had offered into immediate consideration, and if he would not consent to allow the two clauses to pass which he wanted, then it was to be hoped before the close of the Session he would introduce some measure himself to arrest if possible the further decay of their fisheries. The Chancellor of the Exchequer had on a late occasion spoken some encouraging words with regard to Ireland, and left it to be inferred that his Government would do their best to stay emigration by endeavouring to develop the industrial resources of the

country. He believed it would be impossible for him to select a more hopeful field for exertion in that way than in promoting the fisheries, or one likely to yield more immediate, larger and permanent results, and involving less risk and trouble. To no one more than to the present Chief Secretary for Ireland was credit due for the passing of the Inland Fisheries Act of three years since, and which had been already productive of so much advantage. The improvement of the sea fisheries was an object of far greater importance, and he trusted the noble Lord would use the influence with which his high position invested him, by an earnest endeavour to place this great national resource in the prosperous position it might be made to occupy.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Blake.*)

GENERAL DUNNE said, he hoped the noble Lord the Chief Secretary for Ireland would not interfere and alter the present regulations with reference to trawlers. The Government were in a difficult position relative to that subject, there being two Reports—that of the Royal Commissioners, and that of the Board of Works—which were diametrically opposed to each other, and it would therefore be necessary for the Government to use great caution in dealing with them. The proposed transference of the control of the fisheries from the Board of Works, he thought, would be advantageous, and anything that would develop the resources of the oyster fisheries would be beneficial. No branch of industry could be more beneficial aided by loans than the Irish sea fisheries, and he believed that they would be fully repaid and that the Exchequer would suffer no loss.

Mr. MONSELL said, he entirely approved of the removal of the superintendence of fisheries in Ireland from the Board of Works; but he thought that it would be unwise at this late period of the Session to legislate upon the subject. Negotiations were now going on between England and France for the regulation of sea fisheries, and when those negotiations had resulted in a convention it would be necessary that there should be some general legislation upon the subject, under which he trusted that the Irish fisheries would be placed under the same regulations as those of England and Scotland, and that the

fishermen would be taught to rely upon their own exertions, and not upon any system of protection.

LORD NAAS said, that no man was more qualified than the hon. Member for Waterford (Mr. Blake) to speak on a subject to which he had for many years devoted his attention. He had sat with the hon. Member upon more than one Committee which had derived considerable advantage from his knowledge of the subject. He must say he thought that the hon. Gentleman had exercised a proper discretion in not going on with the Bill, seeing that it contained many important enactments on which a great diversity of opinion existed, and which the House could not accept without very careful and ample deliberation. The hon. Gentleman himself proposed to press two clauses only. The first of these related to the control of the Irish fisheries, which it proposed to withdraw from the Board of Works, and transferred to a separate Commission. He (Lord Naas) had never concealed his opinion that the whole constitution of the Fishery Commission was very defective. It was a mere offset from the Board of Works, which was wholly independent of the Irish Government and under the control of the Treasury. If the Fishery Commission were to be remodelled, it would be better to place it under the Irish Executive; but he did not think that it would be wise to come to any decision as to the body to whom their direction should be intrusted until the Royal Commission, which he believed would conclude its labours in a week or two, had made its Report. More than that, it would, as the right hon. Gentleman the Member for Limerick (Mr. Monsell) had pointed out, soon become necessary for the Government to take into consideration the whole question of the fisheries of the United Kingdom; and he thought that it would be better to leave this matter of the management of the fisheries of Ireland to be dealt with by a general measure, than to make it the subject of special legislation. His own individual opinion was that a very large alteration in the constitution of the Irish Fishery Commission ought to be made. The hon. Gentleman proposed in the 29th clause to make loans for many objects connected with the Irish fisheries—for making oyster-beds, for the building of piers, dredging of harbours, erection of curing houses, the repairing of boats, and the purchase of fishing gear. It was ques-

tionable whether industrial undertakings of the latter character were benefited by a system of loans. The hon. Gentleman's proposal seemed to partake of the old system of bounties which had been found to be injurious to every system to which it had been applied. He doubted whether the purchase of implements and the repair of boats for carrying on the fishing would be beneficial to the fishery interest itself, or would be favourably considered by the House of Commons. For these reasons he was afraid he could not promise the hon. Gentleman to take up these clauses. The Government, however, were fully aware of the immense importance of this question. Among the undeveloped resources of Ireland there were none greater or more important than the fisheries, not only because of the stores of cheap and wholesome food which might thus be gained for the use of the people, but because of the amount of employment thus provided for the fishermen, from which body the Royal Navy and the mercantile marine were largely recruited. Attempts were made to establish elementary schools to teach navigation, and the Government would do what it could to make them more useful to the people. The late Government had introduced a Bill on the subject of the oyster fishery, which had gone up to the other House of Parliament, and which was intended to cure a defect in the law, and he had already given notice of his intention to introduce a Bill on the subject of licences for oyster beds. He agreed that legislation on this subject next Session was absolutely necessary. There was an enormous amount of valuable information at the disposal of the Government, so that they would be in a condition to take up the question at a very early period.

Motion, by leave, *withdrawn*.

Bill *withdrawn*.

FINSBURY ESTATE BILL—[BILL 97.]

(*Mr. Ayrton, Mr. Locke.*)

COMMITTEE.

Order for Committee read.

MR. AYRTON took occasion to explain that its provisions—which had, he said, been much misrepresented,—were based not on any general principle applicable to

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the whole country, but on specific grounds, having reference to the metropolis alone. The Church in London was formerly endowed with a large extent of land which now formed part of the area of the metropolis, and a good deal of that property had, he regretted to say, by the countenance of the ecclesiastical authorities on the one hand, and lay persons of influence and station on the other, been alienated from the Church, so as to be no longer available for the maintenance of its ministers. There were two or three fields, however, which were fortunately not so appropriated in the parish of Finsbury, which, owing to the extension of the metropolis, had become covered with houses; and the Bill proceeded upon the principle that the monies resulting from the increased value thus created should be spent, in the first instance, in the relief of the spiritual wants of the inhabitants of London, whereas those funds had hitherto been made available by the Ecclesiastical Commissioners to meet the spiritual necessities of the whole kingdom. It was said, indeed, that the metropolis had been so benefited by the action of the Commission that the proposal contained in the Bill was unreasonable; but when it was borne in mind that the Commissioners were deriving from metropolitan property an income of £52,000 a year, and that up to the 1st of April, 1865—the date of the last Returns on the subject—they had laid out in contributing to the wants of the metropolis only some £19,400 a year, he did not think the House would be disposed to regard it in that light. Under the circumstances of the case, it appeared to him that the poorer classes of the metropolis had the best claim upon the property in question, and that their spiritual necessities ought to be provided for out of it in preference to those of the country at large. He had intended to press the Bill through all its stages this Session, under the belief that if it were not passed immediately the funds might be appropriated by the Commissioners in such a way as to render it impossible to accomplish the object which he had in view. He had, however, within the last few days, received an assurance from the right hon. Gentleman the Home Secretary that nothing would be done with the property before the middle of next Session, and that ample opportunity would thus be afforded for again discussing the question before it was too late. Under these circumstances he should move that the Order

for going into Committee on the Bill be discharged.

Order discharged: Bill *withdrawn*.

CHARITABLE DONATIONS AND BEQUESTS (IRELAND) BILL.

(*Mr. Blake, Mr. Synan.*)

[BILL 201.] SECOND READING.

Order for Second Reading read.

MR. BLAKE, in moving that the Bill be read a second time, expected, when he explained the defects in the present Act relative to charities, and the losses which were consequently incurred by the poor, that the House would concur with him that legislation was imperatively called for. The preamble of the present Act stated that it was expedient that the pious intentions of charitable persons should not be frustrated by the concealment or misapplication of their bequests. It was manifestly the intention of the Act, that money left for benevolent objects should be duly administered. Unfortunately, however, the powers of the Board were inadequate for the purposes intended. They were authorized to sue for the recovery of charities which might be concealed, withheld or misapplied, but they had no power to originate inquiries, and could only be set in motion at the instance of other persons. It unfortunately happened, too, that a fraud must have been actually committed before active steps could be taken to prevent further misappropriation. The Commissioners, moreover, could not interfere to protect a charity fund where a life interest intervened, or compel it to be placed in proper security. If an estate were about being sold on which a charity had a claim, no measures could be taken to protect the interests of the poor if the annual payments had been regularly made before. The Commissioners were obliged to carry out the wills of testators literally, making no allowance for change of time or circumstances; thus, in the case of Jeremy Hall's charity at Limerick, they were precluded—according to a will made 150 years ago, when money was much more valuable than at present—from giving a schoolmaster and mistress more than £10 a year each, and in consequence the school would have to be closed. Mr. Blake then read, at some length, extracts from a pamphlet by Mr. Gernon, one of the Secretaries of the Board, the evidence of Mr. Hercules M'Donnell before the Endowed Schools

Commission, and a portion of the Report of the Commission, to show the defects in the law, and proceeded: The requirements to render the law effective might be classed thus:—1. Power to interfere where a charity fund was in danger of being lost. 2. Power to look after the securities in which charity funds were placed. 3. To sue by civil bill for small amounts. 4. To accept charitable trusts from persons anxious to make the Board depositories. 5. To accept compromise when all could not be got. 6. To advise trustees of charities as to the best mode of fulfilling their trust. In order to render the Board more efficient the quorum should be reduced; it was often found difficult to get a meeting, as would be seen by the letter Sir Robert Peel addressed to the Master of the Rolls, and the list of abortive meetings for the last year. It was most desirable, in order to insure meetings, and to add to the efficiency of the Board, to make the present Secretaries paid Commissioners. They were gentlemen of the highest character and abilities, and gave every one satisfaction. Some additional outlay would be required for the effective working of the Board; the whole expenses would not, however, exceed £3,000 a year, which ought not to be considered too much, when the English Commission cost £18,000. The Bill which he had introduced would, if passed, meet all the requirements he had mentioned; and he believed would be the means of saving the poor from much loss, through the cupidity or ignorance of trustees. He should not, however, at this period of the Session, object to withdraw the Bill if the noble Lord the Chief Secretary for Ireland would give him an assurance that he would himself introduce a measure dealing with the subject early next Session.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Blake.*)

Mr. SYNAN said, that the constitution of the body by whom charitable bequests were administered in Ireland was undoubtedly defective. He suggested that there should be paid Commissioners, as was provided by the Bill. There was a small charity in the city of Limerick with which he was connected which remained to this moment unadministered, because the existing Commissioners refused to render themselves liable for the costs which an application to the Court of Chancery would

Mr. Blake

involve. In accordance with the provisions of the charity to which he referred, which dated from 1687, a sum of £10 was to be devoted to the payment of a schoolmaster; but it was quite manifest that so small a payment was totally inadequate to the requirements of the present day. A further sum was left for the purpose of releasing poor debtors from prison; but the law on the subject of imprisonment for debt had since been entirely altered, and the Charity Commissioners had no power to divert the monies thus bequeathed to the accomplishment of some useful end. The object of the Bill was, under those circumstances, to bring the Commissioners into more immediate connection with the charity, and to give them power to deal with it without wasting the funds in applications to the Court of Chancery. There were now a great many charities at a standstill in Ireland, and he therefore hoped the Government would take the subject into their serious consideration, paying, above all things, due regard to the religious feelings and habits of the Irish people, and abstaining from attempting to extend to Ireland the Acts in force in this country, because any such attempt would only tend to arouse feelings of hostility.

Mr. MONSELL considered that great caution ought to be employed in legislating on this subject, while at the same time the differences between the present state of the law in England and Ireland showed the necessity of introducing some fresh legislation upon it.

Mr. PIM said, that unless the matter should be properly taken up the best thing that could happen would be the dissolution of the Board. He did not believe that the English Act could be adapted to Ireland, but had no doubt that a measure could be framed which would work usefully. If any measure was brought in it ought to be introduced by the Government and not by a private Member.

Mr. M'LAREN observed, that power was taken by the Bill for the appointment of two paid Commissioners, the charge of whose salaries was to be defrayed by the Consolidated Fund, and he objected to the appointment of paid men to do that which might very well be done by unpaid men.

LORD NAAS said, the question was a very important one, and had been frequently considered by Parliament. The Commissioners were of opinion that if their duties and powers should be increased they would be unable to discharge

them. It was quite evident that great evils existed in Ireland from the want of a proper control over charities. In many instances funds intended for specific purposes had been diverted to others, or had been left in abeyance. He did not think that a Bill on the subject ought to be introduced unless it was likely to receive a very general approbation from all parties in Ireland; but if he could see his way to the construction of such a measure he should be happy to assist in the settlement of the question.

Motion, by leave, *withdrawn*.

Bill *withdrawn*.

TENURE AND IMPROVEMENT OF LAND (IRELAND) BILL—[BILL 130.]

(*Mr. Chichester Fortescue, Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland.*)

SECOND READING. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Amendment proposed to Question [17th May], "That the Bill be now read a second time;" and which Amendment was,

To leave out from the word "That" to the end of the Question, in order to add the words "this House, though desirous of simplifying the method of securing to tenants compensation for outlay made in permanent improvements, is of opinion that, in any measure relating to the Tenure and Improvement of Land in Ireland, it is expedient to maintain the principle affirmed by the Act of 1860—namely, that compensation to tenants should be secured in respect of those improvements only which are made with the consent of the Landlord; and that the provisions as to the Improvement of Land in Ireland contained in the Measure of Her Majesty's Government would operate injuriously on the position of holders of small farms in that Country,"—(*Lord Naas*),

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate *resumed*.

MR. CHICHESTER FORTESCUE said, that when listening to what fell from his hon. Friend the Member for Galway county (Mr. Gregory) in withdrawing his Landlord and Tenant (Ireland) Bill, he was surprised to hear him state that, while his own Bill was most unobjectionable and efficient, the Bill of the late Government was highly objectionable and almost revolutionary. There were many things which he approved in the Bill of the hon. Member, and it was founded on the same principle as the Bill now under consideration—namely, that it was just and ex-

pedient that the general law of the land should be put on a righteous footing, leaving, at the same time, to parties the freedom of individual contract. He therefore could not conceive that those who approved the principle of the Bill of the hon. Member for Galway could disapprove the principle of the Bill of the late Government. In consequence of an answer given by the noble Lord the Chief Secretary for Ireland, to a question asked the other day, declining to take charge of this Bill, he and the Members of the late Government, in communication with the leading supporters of the measure, had come to the conclusion that it would be unwise and futile to continue during the present Session the attempt to carry the Bill, and therefore he would move that the Order for the second reading should be discharged. He was not, however, prepared to make that Motion in perfect silence, for he had something to say as to the Resolution moved by the noble Lord as an Amendment to the Motion for the second reading of the Bill, and also with respect to something which had been said with respect to the character of the Bill by a noble Lord in another place. The present Bill proceeded on a principle different from that on which former attempts at legislation on the subject had for many years been founded. The Bills introduced in former years were founded on the principle that the tenant should have the right of calling on the landlord to execute required improvements himself or to consent to their execution, and if the landlord refused assent, the tenant, subject to the adjudication of some tribunal or authority, was to have the right to make the improvements in spite of that dissent, and charge the landlord for them. The Bill of Lord Derby in 1845 contained compulsory powers of that nature, and notwithstanding the violent opposition of many distinguished Members of his own party the principle received the support of the Earl of Devon, the head of the Irish Land Commission. The Resolution proposed by the noble Lord the present Chief Secretary for Ireland properly applied, therefore, to former Bills, and not to the Bill of the late Government, which was founded on a different and more practical principle—namely, that it was right that the general law of the land in Ireland should be put on a wise and just foundation, and brought into accordance with the facts of the case and the

dictates of natural equity. The Bill created by law implied contracts between landlord and tenant in the absence of special contracts to the contrary, and proposed to introduce into the law a custom, as it were, of the country, regulating the relations between landlord and tenant, on a principle analogous in character to that which prevailed in England. ["No, no!"] Hon. Members meant no doubt that this Bill would go beyond any customs prevailing in England, and he admitted that that was, as it ought to be, the case, for in England the strict letter of the law between landlord and tenant was tempered in a thousand ways for the benefit of the tenant—by the hereditary ancestral confidence between landlord and tenant, by the action of an efficient public opinion, by the wealth and power of the body of tenants, and, above all, by important agricultural customs prevailing over the country. None of these things were to be found in Ireland, where they were most wanted. Under these circumstances, the late Government proposed the present Bill with the view of introducing into Ireland for the protection of tenants something in principle like the customs which prevailed in England, though applied to more permanent improvements, and to put the general law on a more satisfactory footing, leaving at the same time perfect freedom of contact between man and man. He believed that this Bill would go far to ensure to tenants their just rights. With such a conviction the Government had introduced the Bill. It was their belief that sooner or later such legislation must take place. It was with surprise that he had heard the Bill described elsewhere by an high authority connected with Ireland, as founded on a principle almost sufficient to create a revolution in that country, because it was one invariably put forward by those who sought to make the people rise against the Imperial Government—namely, the principle of the redistribution of land. Such vague and excited language could hardly be answered by argument, but could only be met by protest and by explaining the nature of the Bill. It was his firm conviction that those were not revolutionists who proposed remedial legislation for Ireland, and that what had a revolutionary tendency in Ireland was the disposition to resist every attempt to put the tenant on a fair and right footing. He had stated last winter upon a pub-

lic occasion in Dublin that it was not enough to take strong measures to put down Fenianism, but that it was the duty of the Legislature to dry up the sources of sedition, and to cut away the elements of discontent and disaffection, while enforcing the law for the preservation of order. Though circumstances compelled them now to propose the withdrawal of the Bill, the Government were convinced that it was founded on the principles of wisdom and justice; and he believed that some such measure must be introduced and passed if good relations between England and Ireland were to be maintained. It was further the conviction of the late Government in introducing the present Bill that by such legislation they would not only conciliate the feelings of the people in Ireland towards the Imperial Government, but also the feelings of that great Irish colony which exercised so much influence on another Government beyond the Atlantic. It was well known that nothing stood so much in the way of cordial relations between England and the United States as the hostility of the Irish colony in America to the English Government; and the House might depend upon it that every sincere attempt made to conciliate the people of Ireland would act on their countrymen in America and tend to improve the relations of England with a nation in reference to which it was most important to be on a friendly footing. These were the ideas with which the Bill was introduced, and in withdrawing it he reserved to himself perfect freedom as to introducing it again in the next Session. Those with whom he had the honour of acting would consider, when the proper time arrived, what it would be their duty to do on this subject for the interest of Ireland. That would depend mainly on the course taken by the present Government, with whom now rested the responsibility, and whose conduct with reference to this great question would be looked to most anxiously. He would now propose that the Motion for the second reading and the Amendment be withdrawn.

LORD NAAS said, he should only say a few words, as he had on a former occasion addressed the House at great length on the subject. His principal object in moving the Amendment to which allusion had been made was to elicit from the House an opinion as to the principle on which legislation with respect to this subject should proceed. In terms, the Amendment was

almost precisely the same as a Resolution moved in the Select Committee of last year, and accepted by Her Majesty's then Government. That Resolution was submitted to the Committee by himself, with the full concurrence of the then Secretary for Ireland and the right hon. Gentleman the Member for Oxford. His Resolution contained a principle from which he thought the House ought not lightly to depart; and if legislation could be submitted to the House not antagonistic to that principle, very useful legislation, he thought, might be founded upon it. Looking to the course which this question had taken for many years, and the failures that had taken place, he felt that until some principle was laid down by the House on the subject it would be fruitless to expect any legislation at all upon it. He was far from thinking that considerable inducement to improvement might not be held out by legislation—he had never held any other opinion than that; but he did think they ought in any legislation upon this subject to consider what they were likely to pass, and he did not think they were likely to pass through that House—certainly the other House would not pass—any measure by which compensation would be given for improvements effected on property not only without the knowledge but contrary to the wishes of the proprietors. Now that principle was to a certain extent departed from in the right hon. Gentleman's Bill. By the 29th clause the landlord would be placed in this position, that if any improvement was about to be made to which he objected he would be obliged to interfere, and say to his tenant, you must sign a certain contract or you must not go on with it. He did not believe that the Bill, if passed, would be largely taken advantage of; but to whatever extent it was brought into operation it would certainly be to the disadvantage both of the landlord and the tenant. The great object of legislation should be to endeavour to bring about a better understanding than was said now to exist between landlord and tenant. His object in moving the Resolution was to show that the Bill would, in a great measure, interfere with the interests of the landlord; but he believed it would interfere still more with the interests of the tenant, and he thought it would be extremely difficult to get over that objection. He believed that a better feeling was springing up between landlords and tenants, and there was no disposition on the part of

landlords in general to prevent tenants from making improvements under special contracts, or to grant them compensation for such improvements. Where the tenant had any desire to improve, in ninety-nine cases out of 100 he was not only permitted to do so, but obtained direct encouragement from the landlord to do so. Surely the persons most interested in the improvements being made were the landlords themselves. His right hon. Friend had stated that the customs which prevailed in England with regard to compensation to tenants were altogether unknown in Ireland; but he forgot that in a great portion of Ireland—the province of Ulster—the custom of tenant right existed, and was more generally recognized than anything of the kind known in England. Now he was informed if the Bill of the right hon. Gentleman passed it would very much interfere with the custom that prevails in Ulster. With regard to the future of this question it was impossible for him to give any pledge to the House. He was as desirous as any Member could be to support or introduce any measure that might have for its object the securing to the Irish tenantry compensation for improvements really beneficial to the land. He quite admitted that many cases of injustice were committed, and he should be most happy if he could see his way to some legislation in order to prevent them; but any measure, of which the tendency was to create litigation and create ill feeling between landlord and tenant, would have a far more disastrous effect on the tenant than upon the rights of the landlord. He could assure the House if it were possible to undertake a measure which should provide the securing of compensation for *bonâ fide* improvements made in land without interfering with what he believed to be the just rights of property, it should have his most hearty concurrence; and if the present Government could contrive such a measure they would feel it their duty to submit it for the consideration of the House.

MR. GLADSTONE said, he thought the noble Lord was perfectly right in not holding out any expectations on this subject unless he felt a reasonable assurance that he would be able to realize them. He must, therefore, commend the fairness and frankness of the noble Lord, who did not at present see his way to the production of a measure such as he described.

LORD NAAS: I did not say that. I

said I should have been happy if I could have seen my way to such a measure.

MR. GLADSTONE said, he did not pretend to quote the language of the noble Lord. He was very glad the noble Lord did see his way, although he understood him to say he did not. ["No, no!"] At all events, the noble Lord could give them no pledge; but if he believed he did see his way to any measure of improved legislation on this subject, it was his duty to tell the House that he meant to propose it. At all events, the noble Lord said he did not think it possible to arrive at any satisfactory conclusion on this subject unless on the basis of some principle which should be pretty generally assented to; but the noble Lord had not enunciated on his own part any such principle, and had given them no light whatever as to the principle which, in his opinion, should form the basis of a measure. The Bill of his right hon. Friend (Mr. C. Fortescue) on the other hand did stand on a principle perfectly distinct and clear—that of supplying in the law of Ireland that equity and justice on this subject of which in the present state of the law there was great lack. The noble Lord had referred to what was known as Ulster tenant right; but he ventured to say nothing was more contrary to equity and justice than that in any country the courts should, in a hard and naked manner, refuse to recognize any right or title whatever in the tenant and cultivators of land to compensation for any description of improvement which he might have been the sole means of effecting. That was a state of the law neither compatible with wisdom nor justice. It was hardly compatible with pure humanity. Let him compare the state of things in Ireland with that of England. In England improvements were largely, constantly, and, as a general rule, effected by the capital of the landlord, yet the humane and happy state of the law, not satisfied to depend on the landlord, embodied and enforced to a very considerable extent the principle of compensation to tenants for improvements made without the consent of the landlord. ["No, no!"] He affirmed this as a matter of fact. He affirmed it from knowledge and experience. ["No, no!"] The custom, he granted, prevailed variously in different parts of the country. ["No, no!"] What said Lord Derby on this subject. He said—

"In England the right was secured not only by law, but by the custom of the country, which was

Lord Naas

equivalent to law. That right was capable of being pleaded in a court of law, and compensation was awarded for improvements made not only with the consent of the landlord, but if made without asking his leave for a single one of them. That custom, which had the force of law in England, applied to various improvements and outlays of a very limited duration. In certain parts of the country the tenant was entitled to compensation for using bone-dust as manure, though that might not produce an effect upon more than two or three crops. Notwithstanding that, however, and even though the landlord should not have sanctioned the expenditure, he would be compellable, by the custom of the country, to make compensation. Take another case of a more exclusive character—that of drainage. In a great part of the south of England, where there were large quantities of copse wood and faggot wood, nothing was more common than to drain with that faggot wood. The tenant—even the tenant-at-will—never asked the opinion of his landlord whether he should drain a particular field—he drained it. The work might last twelve, fifteen, or twenty years; but it was not permanent, though durable. And yet, without asking leave of the landlord, the tenant being a tenant-at-will, and being ejected by his landlord, would summon him for compensation, and the custom of the country would compel him to pay the tenant. But that was neither the law nor the custom in Ireland; and he asked their Lordships to apply that by law in Ireland which by custom had the force of law in England."—[3 *Hansard*, lxxi. 1140.]

That declaration was made by Lord Derby when he spoke as the organ of Sir Robert Peel's Conservative Government in 1845. He was himself distinctly aware of cases in which sums of money had been paid as compensation to tenants-at-will for improvements of land which the landlord had in no respect approved, and to which he had given no consent in any terms whatever. He referred to this in illustration of the strong contrast that existed between the state of the law in the two countries, which established, he thought, the great necessity for legislation on the subject. The noble Lord (Lord Naas) said the custom of tenant right existed in a considerable part of Ireland; but one great objection to the Bill of his right hon. Friend was that if it came into operation it would interfere with that custom. [Lord NAAS: I said I had been so informed.] But, judging as well as he could from the authority of Lord Dufferin and others, as to the custom of tenant right in Ulster, it was by no means so perfect as to constitute a desirable normal state of the relation between landlord and tenant; and it would, in his estimation, form no objection to a general measure, remedying a gross and glaring mischief if it did at the same time modify that system of tenant right which already existed in some parts

of Ireland—it should rather be an additional argument in its favour. He certainly should be very glad if the noble Lord, seeing his way on this subject, should be able to produce a Bill that was likely to bring about a material improvement. There had been so many abortive attempts to deal satisfactorily with the question that every fresh attempt exciting a great deal of expectation, and its failure producing corresponding disappointment in Ireland, he should be glad if, notwithstanding the discouraging tone of the noble Lord's speech, the Councils of the Government, for it was only by the Government that the subject could be treated in a thoroughly satisfactory manner, should result in the production of a satisfactory measure. The noble Lord had failed to state any principle of a determinate character on which he intended to proceed. The principle of the Bill of his right hon. Friend (Mr. Chichester Fortescue) was founded upon justice; and, in the absence of any measure being propounded by the Government, it would be the duty of the House to consider whether attention should not be solicited to a measure similar to that of his right hon. Friend, which he (Mr. Gladstone) should have been glad to see passed during the present Session. Meanwhile, his right hon. Friend reserved to himself the right of introducing a measure next Session with similar provisions and having a similar effect.

Mr. HENLEY said, he was very unwilling to enter into this debate, but it was impossible for him to remain silent after some statements which he had just heard from the right hon. Gentleman. The ex-Chancellor of the Exchequer had endeavoured by means of rhetorical management to convey an impression as to what the noble Lord (Lord Naas) said, totally different from the fact. He confessed he was a good deal surprised at what had fallen from the late Secretary for Ireland with reference to his own Bill—showing, at all events, that the subject was not quite so simple as had been represented by the right hon. Member for South Lancashire, and winding up with the somewhat curious declaration that the question did not concern Ireland only, and the peace and contentment of the whole United Kingdom, but it also materially affected our good relations with the United States. If this was really a Bill of such grave import, involving our friendly relations with the United States, he must confess

his astonishment that it should have been brought forward at a time when the discussions on Reform occupied the whole attention of Parliament, and when it was scarcely possible, even apart from the change of Government, that it could pass during this Session. The ex-Chancellor of the Exchequer had endeavoured to fasten on the noble Lord (Lord Naas) an opinion which he certainly did not express. His noble Friend said he should be very glad to see his way to the settlement of this question, and the right hon. Gentleman tried to fasten on him the admission that he did not see his way. That might be a rhetorical mode of dealing with the subject; but it was not quite fair play. On a question of such enormous difficulty they could not expect—it would not be fair to ask—the noble Lord to give a distinct pledge to the House as to what the Government, who had only just acceded to office, would do six months hence. Then the right hon. Gentleman said that the Bill of his right hon. Friend the late Chief Secretary for Ireland was clear in principle, and supplied a fearful lack of equity and justice in Ireland; but, after all, the principle was not announced; and that was the whole question. The right hon. Gentleman (Mr. Gladstone) had, curiously enough, referred to a speech delivered by Lord Derby some twenty years ago, with reference to the custom which he said prevailed in this country, to give compensation for certain improvements without the consent of the landlord; and he endeavoured to deduce from it an analogy for which he had no sufficient authority. But the right hon. Gentleman should have remembered that all these matters had been investigated by a Committee which sat three years afterwards, and of which he (Mr. Henley) was a member. Where was the candour of the right hon. Gentleman's statement? The custom did prevail in different counties, with respect to drainage improvements and manures, but the right hon. Gentleman endeavoured to apply that to the state of things in Ireland with reference to buildings. To show the disingenuousness of the statement, buildings were the chief thing for which compensation was looked for; but, in point of fact, there was no such right either by custom or law in England in regard to buildings. The agricultural tenant in England was placed on the same footing as the tradesman—he might put up a building with the consent of his landlord,

and if he did he must be paid for it or he could remove it. What had been stated by the right hon. Gentleman was calculated to convey a wrong impression to the people of Ireland. The statement of the right hon. Gentleman was not a candid statement. This was a very difficult question; and he (Mr. Henley), for one, had always wished that the law on the subject should be the same in both countries. He could not pretend now to give an opinion on the subject of this Bill, for it was some time since he had looked into it, but he could not sit still without protesting against the statements of the ex-Chancellor of the Exchequer, which he repeated were very much calculated to mislead.

MR. CLIVE said, he would put it seriously to the right hon. Gentleman the Member for South Lancashire, whether he could show that an action would lie against any landlord in this country for compensation for alleged unexhausted improvements—in the shape of drainage, for example. There was no doubt a custom, in certain parts of the country, that uncompensated improvements might be recovered from the incoming tenant; but was there any mode of compelling the landlord to compensate the tenant for improvements in drainage? He had a good deal of experience on the subject in three different counties in Ireland. He was a large employer of labour, and had a very numerous tenantry, and he must be allowed to say that the statement which had been made by the right hon. Gentleman (Mr. Gladstone) was entirely at variance with the facts. He did not believe that Lord Dufferin would have agreed to that part of this Bill which related to improvements effected without notice to the landlord. The evidence he had given on the subject was of a contrary tendency. He sincerely hoped the noble Lord would, in any measure he might introduce, avoid that part of this Bill. As to the present measure drying up the sources of sedition, that might be a good oratorical expression, but in the present instance it had no meaning whatever.

MR. SULLIVAN contended that the relations of landlord and tenant in Ireland were in a most unsatisfactory condition, improvements made by the occupiers being, in many cases, confiscated by landlords. With regard to a remark of the right hon. Gentleman opposite (Mr. Henley), he thought that the late Government were not open to the observation that they

Mr. Henley

had brought in this Bill so late in the Session that it was impossible that it should pass. He would remind the House that the Bill was introduced as early as the 30th of April, and that but for the opposition offered by the noble Lord the present Chief Secretary for Ireland, a decision would certainly have been obtained on it more than a month since. The principle laid down by the noble Lord in the Amendment which he moved to the second reading was, that a tenant should not be entitled to compensation unless his landlord had consented to the improvement—a condition which would render the Bill nugatory—indeed useless. A measure, based upon such a principle, could never be accepted by the Irish people as a settlement of the question. Even Lord Derby, in 1845, suggested the application of the English agricultural customs to Ireland. His right hon. Friend (Mr. Gladstone) had been charged with applying this suggestion to buildings when reference was made by Lord Derby only to drainage and similar works; but the fact was, that his right hon. Friend made no mention of buildings; he simply quoted Lord Derby's words as they stood. The Bill of the late Government did unquestionably amply secure the tenant in getting compensation for money laid out in buildings, and no Bill would be worth anything that did not do so. At present the state of things in the two countries was widely dissimilar; for, whereas in England improvements were chiefly made by the landlord, in Ireland they were generally undertaken by the tenant, and it was quite clear that even Lord Derby's opinion was in favour of entitling the tenant to compensation in all such cases. His right hon. Friend was not open to the imputation of disingenuousness preferred against him by the right hon. Gentleman (Mr. Henley). The Bill, indeed, had been opposed on the ground that if it passed landlords would compel their tenants to bind themselves not to exercise the right it gave them; but if the relations of landlord and tenant in Ireland were in such a condition as that objection implied, then he must say that the sooner Irish farmers gave up their occupation and betook themselves to another country the better. He was convinced that, though the Bill was about to be withdrawn, its principle would sooner or later be adopted by Parliament.

SIR FREDERICK HEYGATE, as the representative of a district where tenant

right was the custom of the country, said, he could not be regarded as antagonistic to the extension of that system to the rest of Ireland. There was a great difference, however, between Lord Derby's Bill of 1845 and the present measure, for in the former notice of an intention to carry out improvements was required, Commissioners were deputed to inquire into their propriety, and the landlord had the opportunity of objecting. Lord Derby's Bill, therefore, practically required the consent of the landlord to the improvements. In the Bill brought in by the late Government, and now about to be withdrawn, the consent of the landlord was dispensed with altogether. The passage which had been quoted from Lord Derby's speech in 1845 mentioned the variety of customs prevailing in different parts of this country, as an English landlord had no knowledge of the description of compensation which had been alluded to by the right hon. Gentleman (Mr. Gladstone). In the county in which he resided, compensation was given to the outgoing tenant merely for seeds sown, manure put in, and the general state of the land. The noble Lord was quite right in declining to pledge himself to deal with so complicated a question. In the North, the tenant possessed a kind of goodwill in the farm, which acted beneficially to all parties, and he already occupied a better position than that in which the Bill would place him, and would view with jealousy any attempt to fix his relations with his landlord by statute. He supposed the Bill had been brought in with some idea of stopping the emigration from Ireland. He deplored the emigration which was going on, but it could not be arrested by measures of this character, for wages were rising in every other country, and it was not to be supposed that the holder of a small farm would remain in a state of semi-starvation in his native land when brighter prospects invited him across the sea. Indeed, the ratio of emigration from the North, notwithstanding the existence of a form of tenant right, was last year greater than ever, and small holdings were gradually being converted into large ones. The hon. Member for Westminster (Mr. Stuart Mill), in a previous debate, had justified this Bill upon the ground that the circumstances of Ireland were very extraordinary. He also said that the rent demanded in Ireland was a great deal higher than that paid in England; but he seemed to forget that the Irish acre was

larger than the English acre; and, perhaps, he did not bear in mind that in Ireland the landlord paid half the poor rates. He also said that the condition of the Irish farmers was so miserable that it was necessary there should be exceptional legislation for them. He (Sir Frederick Heygate) had been over a great part of the country, and was speaking from his own experience; and he believed that, except where the holdings were exceedingly small, the occupiers, as a rule, were well off and contented, as was proved, indeed, by the fact that there was hardly an instance of a tenant farmer having taken part in the Fenian movement. The true remedy for emigration consisted in the extension of trade and commerce, which was steadily going on; and he objected to the Bill as infringing the rights of property, and as antagonistic to those laws of supply and demand which could alone regulate the populousness and prosperity of a country. He was very glad that this Bill was to be withdrawn.

MR. BRADY observed, that since the operation of the Incumbered Estates Act, the land sold under it had been surveyed, and also let, according to the measurement of the statute acre, and therefore the correction of the speech of the hon. Member (Mr. Stuart Mill) was uncalled for.

MR. J. STUART MILL explained, that he had made no comparison of the value of land per acre in England and Ireland. Either, therefore, he must have ill expressed himself, or the hon. Baronet must have attributed to him remarks made by some other Member.

MR. BRADY said, he thought that the discussion which had taken place upon the withdrawal of the Bill of the late Secretary for Ireland would be received in that country with feelings of the deepest regret. The agricultural interest in Ireland would view that withdrawal as the death-knell of their hopes; especially when they received the accompanying information that the noble Lord the present Chief Secretary for Ireland had declared that he did not intend to bring forward any measure on this important subject next year. [Lord NAAS: I never said anything of the kind.] The noble Lord certainly stated that he was not prepared to say he would bring forward any measure on this subject in the next Session—that if he thought he could frame a measure that would meet with the approbation of the House generally, he should be willing to undertake the

task; but, feeling such a result to be almost hopeless, he declined to give any pledge on the subject. Every Englishman who visited Ireland must admit that the state of that country was not to be paralleled by any other civilized nation on the face of the earth. He (Mr. Brady) was surprised that the unfortunate tenantry could pay even their present rents. The land was badly cultivated, and did not produce one-half that it could be made to do. The cause of all this was the insecurity of the tenure in that unhappy and misgoverned country. He had been informed lately, by a man of undoubted veracity, of the following facts:—The individual in question was the holder of a small farm of twenty-five acres, having received it from his father, who had been fifty years in possession. Immediately on the death of his father, the son set to work to improve the land, and having laid out the little money he was possessed of in effecting that object, he thought he was all right, but not so; for in less than three years his rent was raised 5s. an acre; and, within comparatively short periods of time, he subsequently received three other notices, each one informing him of a further rise of rent, and all in consequence of the valuable improvements which he had made by his own labour and money, wholly independently of the landlord. Now he (Mr. Brady) believed that to be a very general practice in Ireland. Surely such a state of things would not be tolerated in this or any other country; and he hoped that the present Government would see the necessity, on the grounds of justice as well as of common humanity, of directing their attention to the unsatisfactory state of the relations between the landlords and tenants in Ireland, with the view of proposing a remedy for this evil, which, so long as it existed, would be the fruitful source of misery, discontent, and disaffection in the sister country.

MR. WHALLEY said, he did not understand it to be the opinion of the late Government that to give tenants compensation for improvements made without the consent of the landlord was calculated to remove any existing evil, or to improve the agriculture of the country, or that the Bill would do more than exhibit to the world that Parliament was acting from fear of those who had taken up the question of tenant right as nothing more than a professional agitation. Political exigencies apparently induced the late Govern-

Mr. Brady

ment to bring forward the Bill, but he regretted that the right hon. Gentleman (Mr. Gladstone) had thought fit to speak in its favour. It was true, indeed, that he sheltered himself under the authority of Lord Derby, by quoting the opinion of that noble Lord, and that he seemed to guard himself against expressing concurrence in it. He attributed the different customs which prevailed in this matter to the difference of circumstances; for a custom was the embodiment of the interests of the particular locality where it existed, and, instead of regulating the relations of landlord and tenant by Acts of Parliament, the wisest policy was to allow customs to spring up spontaneously, adapted to the wants of each district. He hoped that many Members on the other side of the House would sacrifice party obligations, and would co-operate with him in opposing measures of this kind, to which the Liberal party had mistakenly committed themselves; and he contended that, even if such a Bill passed, it would be inoperative, for Irish occupiers did not possess the capital necessary to enable them to take advantage of it. This measure had been taken up by the Roman Catholic priesthood as being a most efficient means of agitation.

MR. NEWDEGATE said, he wished to offer some observations in respect to the customs regarding landlord and tenant supposed to prevail in England and Ireland. In 1848, after communicating with Lord Derby, he had moved for the appointment of a Committee to inquire into the customs regarding the tenure of land, and the right hon. Gentleman the Member for Oxfordshire (Mr. Henley) was a Member of the Committee. The question of custom having been again raised in the course of this debate, and having ascertained that there was a great demand for the evidence taken before the Committee he had referred to, he (Mr. Newdegate) should certainly take an opportunity of moving that that evidence be re-printed. So far from anything like an uniform custom prevailing throughout England, hon. Members would find that the custom in England varied in almost every county, but the characteristic of English agricultural customs was this—that they had all originated in contracts between landlord and tenant. It was proposed to legislate upon this subject for Ireland. No analogy would be drawn between the customs in England and the legislation now proposed for Ireland. He was in a condition to state

that so far from the people of this country departing from the system of contract, with a view to the enlargement of the custom, the disposition of the tenantry now was to revert to the practice of direct and specific written contracts of agreement with their landlords, instead of relying upon custom. In respect to what were called "emblemments," an Act was passed in 1860, which placed the agricultural tenant in the same position as a trading tenant. By that Act the tenant might erect a building if he pleased, and might remove it before the expiration of his term, or of his lease; but any claim for compensation respecting it must depend upon his agreement with his landlord. He referred the right hon. Gentleman the Member for Louth (Mr. Chichester Fortescue) to that Act, to the Report of, and to the evidence taken before, the Committee of 1848, which would show what the law and custom of England and Wales were in respect to land tenure.

MR. MAGUIRE said, he would take advantage of a few minutes left him to say a word or two in reference to a subject which was admitted to be of the very greatest importance to the Irish people. Now, so far from the measure proposed by the late Government being a wild or revolutionary scheme for handing over the property of the country from one class to another class, it was, in his opinion, one of the most moderate and the most Conservative measures that could be conceived. He would not attempt to enter into its details, for the time would not admit of such analysis; but he would simply state that its main scope and object was to facilitate the making of contracts between landlord and tenant, and to bring about, by inducement rather than to enforce by compulsion, the granting of leases to the tenantry of Ireland. What was required above all things in that country was the protection of a lease, inasmuch as it was admitted on all hands that the vast body of the Irish tenants held their land by the worst because the most precarious of all tenures—tenancies at will; and the main object of the measure was to induce landlords to grant such leases as would of themselves afford a fair protection to the industry of the tenant. Surely, that was not a wild or revolutionary proposal. The right hon. Gentleman the Member for Oxford (Mr. Henley) represented the Bill as if it proposed that the tenant could raise all manner of costly buildings in opposi-

tion to the desire of his landlord, and then insist on compensation. That was not the intention of the Bill. The Irish Members who had taken an active part in promoting the question, and bringing it to its present stage, were not unwilling that buildings of an important character should be made the subject of special agreement between landlord and tenant; but as to ordinary improvements, including drainage, which was most required in a humid climate, the object of the Bill was to enable the tenant to make them without let or hindrance—to place no restriction whatever in his way. If, however, such improvements were not proved to be of such a nature as to increase the yearly value of the land, no claim for compensation could arise. The object was to unloose the energies of the Irish farmer by offering him every possible inducement to exertion. And what would be the necessary result of a system of freedom and protection such as the Bill sought to establish? No benefit alone to the tenant, but to the owner, the estate, the community, and the country. And this was the revolutionary scheme which aroused the fierce opposition of the party opposite! Why, instead of aiming a deadly blow at the whole measure, did not the noble Lord (Lord Naas) allow it to go into Committee, in which he could have proposed what he believed to be necessary precautions against any attempt at the confiscation of landlord property? Why did he not rather seek to improve than to destroy the Bill of the late Government? The measure was brought in quite early enough for the purposes of legislation; but the noble Lord and his Friends sought the destruction of the measure not only out of hostility to its liberal concessions and justice, but in their desire to embarrass the Government. That was not statesmanship. The speech delivered by his right hon. Friend the Member for Louth (Mr. Chichester Fortescue) was in the highest degree creditable to his good feeling and good sense. There was not a word in it that would not be endorsed by every man who knew anything of the real state of Ireland, or who was not blinded by class prejudices. It was idle to pretend that the disaffection which existed in Ireland was not traceable to local causes; and of all the causes which led to a sense of insecurity, to a feeling of discontent, and to periodical outbursts of disaffection, the state of the relations between tenant and landlord was the most marked

and the most active. When the right time came, which it would probably do before the Session was over, he would be able to prove that one of the wisest measures which any Government could pass was one for the security of the tenant—for giving him that interest in the soil which would compel him to defend the peace of the country against every attempt to disturb it. A good land Bill would be a measure of the wisest and soundest policy, Conservative alike in its character, and objects, and in its results. The question could not remain where it then was. It should be settled, and that speedily. If, to use the cant of the day, disaffection was to be “stamped out,” it could be only by passing laws which would content and satisfy the people; but until a policy of justice and conciliation was established, it would be impossible to bring about real tranquillity or real happiness in the country—in a country, the state of which was discreditable to England, to which for sixty-six years it had been surrendered, and by which it had been ruled with complete and almost irresponsible authority. What were the present Government about to do? Let them have the courage to deal boldly with this fundamental question. Vague assurances would not suffice. A distinct policy was what would alone suit the occasion, and meet the emergency of the moment. Before the Session closed the Government should make up their minds as to the course they were determined to take; and instead of indulging in phrases which might be interpreted differently at both sides of the House, and which would bewilder the people of Ireland, they should speak out in language clear, simple, and easy of being understood. The late Government had a policy, and the Bill now about to be withdrawn through no fault of theirs was an illustration of that policy of wisdom and conciliation; and if the present Government desired to hold office, and hold it with honour, they should legislate in that spirit, and in no other.

Mr. ACLAND said, he should be extremely sorry that the Government would have their difficulties increased by its going to the world that there was a law prevailing in England which they were unwilling to extend to Ireland. The general law of England and Ireland in this respect was the same—namely, that the freehold of the land belonged to the landlord, and in the absence of any special arrangement, either from the peculiar cir-

cumstances of the contract or from custom, that the improvement of the land at the expiration of the tenancy belonged to the landlord. Mr. Pusey's anxiety always was that English tenants ought to be put into a better position in order that English agriculture might prosper. In dealing with this question for Ireland, it would be well to consider how far the circumstances of England and those of Ireland were the same, and whether it was practicable to apply the general principle of the English law to the present state of circumstances in Ireland. The object of this Bill was to facilitate and encourage the formation of contracts between those on the spot who knew their own circumstances and how to deal with them. On that ground he should have been disposed to support the Bill. Ireland could not claim any advantage on the English law which the latter did not possess.

SIR GEORGE BOWYER said, he did not think that the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone) had treated the noble Lord opposite with perfect fairness. The right hon. Gentleman said that the noble Lord had not laid down any principles upon which the question should be dealt with; while in real truth the noble Lord had stated most distinctly that the tenant ought to be secured compensation for the improvements, due regard, of course, being had to the rights of the landlord. As an English landlord, he had been much surprised at what the right hon. Gentleman had stated upon the supposed authority of Earl Derby. But the words used by Earl Derby did not bear the interpretation put upon them by the right hon. Gentleman. The question really was whether the Irish tenant was to be entitled to compensation for improvements made either with or without the consent of his landlord. He should strongly oppose the passing of a measure introducing such a principle into England; there were, however, exceptional circumstances in Ireland which might render it beneficial to give the tenant a power of making improvements in defiance of the opposition of his landlord. He thought that the Bill of the right hon. Gentleman the Member for Louth met this necessity very fairly, and he regretted that it could not become law during the present Session. The right hon. Gentleman the Member for South Lancashire had acted unfairly towards the noble Lord opposite when he endeavoured

Mr. Maguire

to fix him with opinions which it was well-known were most unpopular in Ireland. He must, however, press upon Her Majesty's Government the necessity for dealing with this question themselves, and dealing with it immediately, for if they declined to do so they would raise great distrust in Ireland, and Irish Members would feel compelled to oppose them. The people of Ireland expected that this question should be settled, and settled it must be. Her Majesty's Government should not defer the matter until next Session, but should in the course of the present Session, if not lay a Bill relating to the subject upon the table, at all events lay down some practical principle upon which the matter should be dealt with.

MR. CHICHESTER FORTESCUE said, that the principle of the measure was simply that in the event of the parties not entering into a specific contract the tenant should be entitled to compensation for the improvements he had made upon the property.

MR. DARBY GRIFFITH called attention to the flagrant misrepresentation which had been made by the right hon. Gentleman the Member for South Lancashire with reference to what fell from Earl Derby in 1845 on this subject. Hon. Members frequently made statements in that House, and when they expected to be answered they were in the habit of leaving their seats. The right hon. Gentleman had followed that example in the present instance. All he would say was that the right hon. Gentleman had entirely misrepresented the real meaning of Earl Derby.

Amendment and Motion, by leave, *withdrawn*.

Bill *withdrawn*.

FORTIFICATIONS AND WORKS BILL.

Resolutions *reported*;

1. "That, towards providing a further sum for defraying the Expenses of the construction of Works for the Defence of the Royal Dockyards and Arsenal, and of the Ports of Dover and Portland, a sum, not exceeding £350,000, be charged upon the Consolidated Fund of the United Kingdom; and that the Commissioners of Her Majesty's Treasury be authorized and empowered to raise the said sum by Annuities, for such a term not exceeding thirty years; and that such Annuities shall be charged upon and be payable out of the said Consolidated Fund."

2. "That the said Commissioners of Her Majesty's Treasury be authorized to direct the

payment to the Governor and Company of the Bank of England, out of the said Consolidated Fund, of the sum of £300, for the management of the Contributions to be received by the said Governor and Company in respect of the said Annuities."

Resolutions *agreed to*:—Bill *ordered* to be brought in by Mr. DODSON, General PEEL, and Mr. HUNT.

Bill *presented*, and read the first time. [Bill 244.]

OYSTERS CULTIVATION (IRELAND) BILL.

On Motion of Lord NAAS, Bill further to promote the Cultivation of Oysters, and to amend the Acts for that purpose, *ordered* to be brought in by Lord NAAS and Mr. HUNT.

Bill *presented*, and read the first time. [Bill 243.]

House adjourned at ten minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, July 26, 1866.

MINUTES.]—PUBLIC BILLS—*First Reading*—

Land Drainage Supplemental (No. 2)* (224); Overseer of the Poor (Small Parishes)* (225); Parochial Buildings (Scotland) Act Amendment* (226); Colonial Branch Mints* (227); Tramways (Ireland) Act Amendment* (228); Inland Revenue* (229); Court of Session (Scotland)* (230).

Second Reading—British Columbia* (213); Rochdale Vicarage (204); Land Tax Commissioners' Names* (179); Militia Pay*; Drainage and Improvement of Lands Act (Ireland) Provisional Order* (217); Public Works, Harbours, &c.* (219); Public Works Loans (Ireland)* (220); Paupers (Scotland)* (223); Oyster and Mussel Fisheries (212); Foreign Jurisdiction Act Amendment (165).

Committee—Oyster Bed Licences (Ireland)* (205); Consecration of Churchyards (No. 2) (193).

Report—Consecration of Churchyards (No. 2) (231); Ecclesiastical Commission (232).

Third Reading—Standards of Weights, Measures, and Coinage* (150); National Gallery Enlargement* (171).

Richard Baron Cremorne in that Part of the United Kingdom of Great Britain and Ireland called Ireland, having been created Earl of Dartrey of Dartrey in the County of Monaghan—Was in the usual manner introduced.

The Right Honourable Sir Edward George Earle Lytton Bulwer Lytton, Baronet, having been created Baron Lytton of Knebworth in the County of Hertford—Was in the usual Manner introduced.

Sir William George Hylton Jolliffe, Baronet, having been created Baron Hylton of Hylton in the County Palatine of Durham and of Petersfield in the County of Southampton—Was in the usual Manner introduced.

THE REFORM LEAGUE AND THE HOME SECRETARY.—QUESTION.

THE EARL OF SHAFTESBURY: Seeing the noble Earl the First Lord of the Treasury in his place, I take the liberty of asking him a Question. There have appeared upon the walls in various parts of the metropolis and upon the Park gates a very long and grandiose proclamation signed "Edmond Beales." I shall be glad to know from the noble Earl, Whether the contents of that proclamation are correct, and whether it contains an accurate statement of what has taken place between the Reform League and the Home Secretary?

THE EARL OF DERBY: I am very much obliged to my noble Friend for the opportunity he has given me of disabusing your Lordships and the public with regard to the communications which have taken place between the Council of the Reform League and Her Majesty's Government within the last twenty-four hours. After the discussion in the House of Commons the other night, the Council of the Reform League communicated with my right hon. Friend the Home Secretary, stating that they had heard with great satisfaction the statement made by him last night as to the state in which he conceived the law to be, and were gratified by the conciliatory tone in which he had spoken; and stating that they were very anxious to have the opportunity of conferring with him next day, if he would receive a deputation. In consequence of this request my right hon. Friend, about two o'clock yesterday, received a deputation of the Council of the League, who expressed their great regret at the scenes which had taken place in Hyde Park. Of course, they had their own view of the matter as to the violence used by the police. That was not a question which it was necessary to discuss; but they expressed a great desire to do everything in their power to put an end to these outrages and to prevent any further damage being done in the Park, and they represented to my right hon. Friend that, if they were allowed to go into the Park without interference by the police or the military—without any demonstration of force by the

authorities—they thought that they might be able to persuade those people who were still doing more or less mischief in the Park to retire quietly to their homes. Some conversation took place, which, as far as I can understand, is very accurately reported in *The Times* of this morning; and certainly, after reading the terms of the understanding and the proposal made by my right hon. Friend, I must say that nothing can be more directly opposed to the statement in the placards to which my right hon. Friend has referred, than what actually did take place. What my right hon. Friend did state was this—

"If you will assure your friends that the Government will give you every opportunity of trying the legal right, and facilitating the determination of that right, and that they ask of you in the interim not to insist on that right until it is determined one way or the other; that in the meantime you will convey to your friends that the Government wish to meet them in the fairest and frankest manner, as to the opportunities they may have of discussing public questions, in places which are recognized as places where the police would not be ordered to interfere;—if you will only do that, I think I see the solution of the present difficulty. In that case I will undertake to say that, unless any mischief arise to-night, unless any disturbance be created, unless property be attacked—which it is my duty to defend—there will be no demonstrations of either military or police."

The conditions, therefore, were that they should be permitted to address their friends who might be remaining in the Park to induce them to withdraw, and that every facility should be given them to try, if they were disposed, the legal right of the public to admission into the Park at all times and for all purposes. Every facility for the trial of this right was to be given upon the condition that in the interim there should be no attempt made to insist upon the exercise of the alleged right. This conversation took place between two o'clock and half past two. My right hon. Friend the Home Secretary acted entirely upon his own responsibility and without communication with his Colleagues. Between four and five o'clock he informed me of what had taken place. I then expressed to him my doubts whether the influence of the Council of the League would be sufficient to effect the object they had in view, but I quite agreed with him that they should be permitted to try. Certainly, nothing could be greater than my astonishment when I found a placard posted up all over the neighbourhood of Hyde Park, stating directly the reverse

of that which my right hon. Friend had said ; not that in the interim no attempt should be made to insist upon the supposed right, but, on the contrary, setting up an agreement between the Government and the Council of the Reform League, and proposing to hold a Reform meeting in Hyde Park at six o'clock on Monday evening next. My right hon. Friend was just as much surprised as I was. The fact is that, after the deputation left him, Mr. Beales and one or two more personally returned to ask my right hon. Friend whether he would consent to a meeting being held in the Park on Monday night next. My right hon. Friend gave the only answer he could—namely, that the question was one of far too much importance for him to take the responsibility singly of coming to a decision upon it. He also said that, in order to prevent the possibility of mistake on so important a matter, the request must be made in writing, and that after he had had an opportunity of consulting his Col-leagues an answer should be given in writing. This was between two and three o'clock. About half past six my right hon. Friend received from Mr. Beales a letter, of which I have a copy—

“The Reform League.

Manhood Suffrage and the Ballot.

8, Adelphi Terrace, London, July 25.

“Sir,—I am requested by the Council of this League to most earnestly press upon you the advisability and even urgent necessity—as the most effectual means of putting an end to the dangerous state of exasperation now existing in the public mind—that you will offer no opposition to the meeting proposed to be held by the League in Hyde Park, on Monday afternoon next, at six o'clock ; such meeting to be held on the general subject of the Elective Franchise and Reform, and to be without prejudice in any way to the decision of the question in Parliament or in a Court of Law as to the abstract right of the people to meet for political discussion in that or any other Park, the Council of the League undertaking on their part to do everything in their power to preserve the peace and prevent any act tending to riot or disorder.—I am, Sir, with the utmost respect, your obedient humble servant,

“EDMOND BEALES, President.”

“The Right Hon. Spencer Walpole.”

To that letter, up to the present time, no answer has been returned. Yet within half an hour of the sending of that letter a placard was posted all over the Park intimating that the Secretary of State, on the part of the Government, had given his consent to the holding of a meeting at six o'clock on Monday next. One of the members of the deputation was Mr. Holyoake, and having seen the placard, Mr. Holyoake this morning came to the Home Office to

repudiate, in the strongest terms, Mr. Beales' proclamation. He perfectly understood Mr. Walpole to decline to sanction any meeting in the Park, and to ask that any application for that should be made in writing. He spoke to many Liberal Members last night, and also to Mr. Beales when the proclamation was being posted. There is, therefore, on the part of one of the deputation themselves, on the part of one of those who asked for the meeting, a distinct repudiation, and a declaration of the absolute falsity of the placard. My right hon. Friend thought it necessary to refer this question to his Col-leagues, and I hope that your Lordships will approve the answer, not yet sent, but determined upon by Her Majesty's Government. Her Majesty's Government have directed Mr. Walpole to acquaint the Council of the League that they have no disposition whatever to interfere with a meeting held in any proper place for the purpose of discussing Reform or any other political question ; but that it is impossible they can give their sanction to the holding of a meeting for that purpose in any of the Royal Parks ; at the same time, they are quite ready to give the Council or any other person every facility for trying the alleged legal right ; but, in the meantime, it is impossible for Her Majesty's Government to sanction that which they believe to be a violation of the law. It is added that if they desire to hold an open-air meeting no objection will be raised to their meeting, as on former occasions, on Primrose Hill ; but a meeting in any of the Royal Parks will not be sanctioned. That is the answer which will be given ; and I hope the good sense of the leaders of this movement, after fully considering all the consequences of their action on Monday last, the serious damage done, the alarm excited in the minds of quiet persons, the injury which has been done, not to property only, but in some cases to persons also, and the impossibility of their being able to answer for the conduct of those who do not belong to them, but who follow in the train of a monster procession, will show them that they are incurring very serious and grave responsibility. If, after the warning which has been given—after the voluntary offer to permit a meeting upon Primrose Hill, they persist in that which we believe to be a violation of the law, they must be held responsible for all the consequences which must follow from such a reckless course of procedure.

ROCHDALE VICARAGE BILL—(No. 204.)

(The Earl of Chichester.)

SECOND READING.

Order of the Day for the Second Reading read.

Moved, "That the Bill be now read 2^a."
—(*The Earl of Chichester.*)

THE EARL OF POWIS trusted, that when in Committee, their Lordships would see that a clause was inserted in it empowering the Ecclesiastical Commissioners to make provision for the appointment of two or three curates to assist the Vicar of Rochdale. Such assistance would be absolutely necessary, if the vicar's labours were to be fruitful. Much had been said respecting the large amount of detail work with which the Ecclesiastical Commissioners were saddled. He thought it would be better if estates were managed by local trustees, subject to the examination of the Commissioners, in the same way as charity trustees managed estates under the supervision of the Charity Commissioners.

Motion agreed to : Bill read 2^a accordingly, and committed for To-morrow.

CONSECRATION OF CHURCHYARDS

(No. 2) BILL—(*The Lord Redesdale.*)

(NO. 193.) COMMITTEE.

Order of the Day for the House to be put into Committee read.

LORD REDESDALE, in moving that the House should resolve itself into a Committee, said, that he had been in communication with the Archbishop of Canterbury in respect to the measure ; and, as the most rev. Prelate had raised objections to a portion of its provisions, he did not mean to proceed further with it until the Members of the right rev. Bench should have an opportunity of stating their views upon the subject.

THE BISHOP OF LONDON said, that he and his right rev. Brethren had felt much obliged to the noble Lord for having taken up the subject. It was, no doubt, very desirable that the expense of consecrating additions made to churchyards should, as far as possible, be diminished. But the question was one of a complicated nature ; and, without entering into its details, he would state that a very large portion of the expenses were incurred not in connection with the performance of the ecclesiastical rite, but from the difficulty of proving the title to the ground, and then transferring it for the purpose. He had ascertained

that in the diocese of London the mere consecration charge did not amount to more than £14 10s. within the limits of the metropolis, and £18 for those districts lying beyond the metropolitan radius. The Members of the Episcopal Bench were anxious that the expense should be as far as possible reduced, and any means that the noble Lord could devise would be favourably considered by the right rev. Bench ; but he doubted whether the present Bill would provide the best mode of attaining that object.

LORD STANLEY OF ALDERLEY remarked, that his information led him to believe that the expenses of consecration often amounted to £70. He knew of no valid objection to the Bill, and would be glad to hear from the right rev. Bench on what grounds they opposed its progress.

EARL BEAUCHAMP observed, that the principal expenses in connection with consecrations arose from the investigation of title ; but he did not see anything in this Bill to meet the case of a complicated title. He thought it would be better to defer legislation till they could pass a measure of a more comprehensive character.

THE EARL OF KIMBERLEY said, he did not see why their Lordships could not proceed with the consideration of the Bill, and hear any objections which the right rev. Bench might have to urge. It appeared to him to be a very simple and effective measure.

LORD REDESDALE remarked, that his first Bill was certainly of a more simple character, inasmuch as it merely declared that any addition made to a churchyard should be considered to form part of it without any further consecration ; but he had felt bound to meet the objection that it would seem to institute a consecration by Act of Parliament. The present Bill was directed to meeting legal difficulties, and in no way interfered with episcopal authority. He would ask their Lordships to go into Committee on the Bill, with the understanding that the objections of the most rev. and right rev. Prelates should be considered before the measure was passed.

THE BISHOP OF LONDON should be quite ready to enter into the difficult questions which, in his opinion, would arise on the preamble and other parts of the Bill ; but he thought it would be a wasting of their Lordships' time to do so. He might observe, however, that in the preamble things were taken for granted which, so far from being at all settled, were the subject of grave question. Again, he did not

think the Bill afforded sufficient security that ground to be added to churchyards would be conveyed in perpetuity. This was an important point, because the expense of consecration depended, on a very large degree, on the investigation of title.

THE EARL OF POWIS said, that if it were intended to dispense with consecration in any case, the language used upon that point ought to be most explicit.

LORD REDESDALE said, the preamble of the Bill very clearly explained the intention to which the clause subsequently gave effect. The principle was clearly established, that any additions to a consecrated building became likewise consecrated by the mere fact of being attached to the original edifice. The principle, he thought, was one which might still more fairly be applied to ground than to buildings.

Motion agreed to ; House in Committee ; an Amendment moved, and negatived ; Bill reported without Amendment ; an Amendment made ; Bill to be read 3^a on Monday next ; and to be printed as amended (No. 231).

OYSTER AND MUSSEL FISHERIES BILL.

(No. 212.)—(*The Earl of Belmore.*)

SECOND READING.

Order of the Day for the Second Reading read.

THE EARL OF BELMORE explained that the object of the Bill was to further the formation and maintenance of oyster and mussel fisheries on the shore of the bed or sea or estuaries. The Bill authorized the Board of Trade on a memorial presented by any person or persons to make an order for a several fishery of that kind. The fishery having been established, the Bill made provision for its preservation, for enforcing the rights of the undertakers, and for the reservation of the rights of others that might be injuriously affected. A Commission which had sat upon the subject had recommended the adoption of those provisions. The Bill also provided remedies for all persons whose rights should be affected, and, on objections being made to the Board of Trade, that Board might send down inspectors to hear complaints, which would certainly be a much cheaper means for redressing such grievances than those hitherto in use.

Bill read 2^a, and committed to a Committee of the Whole House To-morrow.

ECCLESIASTICAL COMMISSION BILL.

(No. 232.)—(*The Earl of Chichester.*)

REPORT.

Amendments reported (according to Order.)

THE EARL OF DERBY observed, that as there were certain clauses in this Bill which would lead to a great deal of controversy in another place, in order to facilitate other clauses, to which no objection could be taken, he moved that the Report be now received with the omission of the clauses he had first adverted to.

Further Amendments made.

THE EARL OF DERBY said, that with regard to Clause 25, he believed that the noble Earl opposite (the Earl of Chichester) intended to move an Amendment. He hoped, however, that he did not propose to strike out the whole of the clause, seeing that it had been very carefully considered by the Select Committee. Its object was to enable the Commissioners to raise the salary of certain officers connected with the Cathedral.

THE EARL OF CHICHESTER said, he would not detain the House by again stating to their Lordships the objections he entertained to this clause. He moved that after the words "minor canon" the words "schoolmasters and organists" should be struck out, as well as that portion of the clause following "vicars choral and lay clerks."

LORD TAUNTON held that Cathedral schools were very useful, and that nothing should be done to discourage the schoolmasters. They were as much entitled to consideration as other officers.

THE EARL OF CHICHESTER observed, that the clause in question was no part of the original Bill, and had been introduced by the Select Committee against the desires of those best informed on the subject. The pupils of the cathedral schools were to a large extent choristers, and the masters had been provided for by the Commissioners, who had shown no desire to stint them.

EARL BEAUCHAMP said, that the officers proposed to be excluded by the Amendment while they remained in connection with the Cathedral ought to be amply remunerated. Had the clause been compulsory there might have been some objection to it ; but, as the Commissioners were to be given discretionary power, he hoped the clause would be agreed to.

THE EARL OF POWIS said, that the clause had received the approval of two most rev. Prelates, and one right rev. Prelate, as well as that of the noble Earl lately at the head of the Government. It appeared to him that the noble Earl (the Earl of Chichester) had struck out certain classes of officers from the clause in a most capricious manner, for, besides schoolmasters he proposed to erase organists and choristers. He trusted the noble Earl would not persevere in his Motion.

THE EARL OF DERBY said, the Ecclesiastical Commissioners were empowered by this clause, if they should think fit, out of the income of the Cathedral to make adequate provision for all those persons who were essential for the proper services of the Cathedral. He could not understand how the Commissioners could decline to take this discretion upon themselves, and as the clause had been sanctioned by the Select Committee, he hoped the noble Earl would not give the House the trouble of dividing.

THE EARL OF CHICHESTER said, his objection was that after the Commissioners and the Chapter had agreed between themselves to make sufficient provisions for all these different officers, then Parliament should step in and say that out of the funds which had already been devoted to another purpose further provision should be made for the same object.

THE EARL OF DERBY said, the clause merely provided that when the Ecclesiastical Commissioners were in receipt of any income accruing to the Dean and Chapter, they should be at liberty out of such income to make adequate provision for these various officers. There was nothing compulsory here. At present the maximum salary of the minor canons, who did nearly all the work, was £150. Now, why should not the Commissioners be free to exercise their own judgment in giving remuneration to those persons who were required for the proper service of the Cathedral?

Amendment (by Leave of the House) *withdrawn.*

Clause 27 (Cathedral and Collegiate Chapters may prepare new Codes of Statutes) *struck out.*

Bill to be read 3^a *To-morrow*, and to be *printed* as amended (No. 232.)

Earl Beauchamp

FOREIGN JURISDICTION ACT AMENDMENT BILL—(*The Lord Chancellor.*)

(NO. 165.) SECOND READING.

Order of the Day for the Second Reading read.

THE LORD CHANCELLOR said, this was a Bill introduced by the late Government. Under the Foreign Jurisdiction Act, Her Majesty was authorized to exercise any power or jurisdiction which she possessed in countries out of her dominions in the same way as if that jurisdiction had been acquired by cession or conquest. It was considered important to confer an appellate jurisdiction upon the High Court of Bombay in cases arising at Zanzibar and other places; but it was doubted whether that jurisdiction could be given. The late Law Officers of the Crown thought that the Foreign Jurisdiction Act did not give this power, and the Bill was consequently introduced. He thought they were right in this opinion, and therefore moved the second reading of the Bill.

Motion *agreed to*; Bill read 2^a accordingly, and *committed* to a Committee of the Whole House *To-morrow*.

House adjourned at a quarter before Seven o'clock, till *To-morrow*, half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, July 26, 1866.

MINUTES.]—SUPPLY—*considered in Committee*—CIVIL SERVICE ESTIMATES.

WAYS AND MEANS—*considered in Committee.*

PUBLIC BILLS—*Ordered*—Dockyard Extensions.*

First Reading—Dockyard Extensions* [246];

Extradition Treaties Act Amendment* [247]

[*Lords*]; Law of Capital Punishment Amendment* [248] [*Lords*].

Second Reading—New Zealand Guarantee*

[225]; Bills of Sale Act (1854) Amendment*

[235]; Oysters Cultivation (Ireland)* [243];

Fortifications (Provision for Expenses)* [244];

New South Wales and Van Diemen's Land Government* [242] [*Lords*].

Committee—Poor Law Amendment [221]; Naval

Discipline* [231]; Aberdeen Provisional

Order Confirmation* [237]; Inclosure (No. 2.)*

[238]; Railway Companies' Securities (*re-comm.*)* [151]; Parishes (Scotland) Act (1844)

Amendment* [232].

Report—Poor Law Amendment [221]; Naval

Discipline* [245]; Aberdeen Provisional Order

Confirmation* [237]; Inclosure (No. 2.)*

[238]; Railway Companies' Securities (*re-comm.*)* [151]; Parishes (Scotland) Act (1844)

Amendment* [232].

Considered as amended—Public Libraries Act Amendment* [104].

Third Reading—Fees (Public Departments)* [223], and *passed*.

Withdrawn—Poor Law Officers Superannuation (Scotland)* [66]; Elections (Returning Officers)* [161]; Sale and Purchase of Shares* [189].

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

NAVY—THE ROYAL DOCKYARDS.

RESOLUTIONS.

MR. SEELY rose, pursuant to Notice, to call attention to the general administration and to the accounts of Her Majesty's dockyards, and to move certain Resolutions thereupon. He said, that when on the 16th of June, in the last Session, he brought forward a Motion on this subject the noble Lord (Lord Clarence Paget), the then Secretary to the Admiralty, said it would be impossible to follow him through an array of figures on matters of detail. The Admiralty had since published their reply in two Returns, Nos. 465 and 465-I. He (Mr. Seely) had disputed the reasons, excuses, &c., given in 465 and 465-I for the discrepancies, and it was arranged in the House early this Session, after a discussion on the subject, that his Secretary, in conjunction with the Accountant General of the Navy, should investigate the matters opened up by his speeches, and the Admiralty published replies, 465 and 465-I, thereto, and that disputes should be settled by some independent accountant named by any Gentleman on the Treasury Bench. This agreement had been summarily violated by the Admiralty removing the books under investigation, and he had, therefore, determined to bring the details and particulars before the House. He had stated last Session from the Returns laid before Parliament that at Chatham boats were fitted out at half the rate book price, while at Portsmouth they cost double the rate book price, or four times as much in one dockyard as at another. In No. 465-I the Admiralty explained that there was an error in the accounts at Chatham, the cost of fitting given in printed accounts being the cost incurred in fitting during the year only, the rate book price being for completely fitting the same boats. And with regard to Portsmouth, as a kind of excuse for its excess cost, there was a

vague allusion to a variance of local practice in treating as part of the cost of building at one yard what was entered as expense of fitting at another, though it was not stated that this was applicable to Portsmouth. He wanted to get the cost of completely fitting twenty-five boats at Chatham so as to compare with the rate book price of completely fitting the same twenty-five boats, so as to compare cost at Chatham with cost at Portsmouth. The Admiralty would not give this Return, but he obtained the account of the boats fitting at Devonport. He wanted the cost of fitting each of the eighty-five boats fitted at Portsmouth, with the rate book price of the same. The Admiralty said, "it was not possible to ascertain from the manufacturing accounts as prepared the cost of fitting each of the eighty-five boats fitted at Portsmouth, &c." The books were then asked for by his Secretary, and he found it was quite possible to obtain the cost of each, and the following startling results appeared:—At Devonport, fitting eight twenty-eight feet cutters cost £6 8s. 1d. each, the rate book price being £9 16s. 0d. each; and six twenty-five feet cutters cost £6 5s. 0d. each, rate-book price for fitting being £7 10s. 0d. each; and the balance sheet from Devonport has against these cutters the remark that "the rate book prices for fitting appears to be too high." Notwithstanding this, at Portsmouth fitting a thirty-two feet galley cost £100 13s. 4d., the rate book price (that is, the price it ought only to have cost in fitting) being only £7 17s. 4d., whilst a new thirty-two feet galley, completely built and fitted, should have only cost £31 9s. 4d. Fitting a thirty-four feet cutter cost £93 8s. 7d., the rate book price being only £11 18s. 0d., whilst a new boat completely built and fitted should have only cost £47 12s. 0d. Against these two boats the Portsmouth balance sheet remarks that "they were fitted for an Admiral, and defects made good." Notwithstanding that the cost of fitting was in each case £100 13s. 4d. and £93 8s. 7d., the charge made for fitting these boats to the ship was only £7 17s. 4d. and £11 18s. 0d. (the rate book price). At Devonport, a twenty feet gig cost in fitting £3 4s. 8d., rate book price £4 17s. 6d.; at Portsmouth fitting a twenty feet gig cost £17, rate book price £4 18s. 4d.; and a thirty feet gig cost £47, rate book price being £7 7s. 6d. At Devonport in the same year twenty-two fourteen feet

dingies in all had been fitted at an average cost of £2 10s. 7d. each, rate book price being £3 3s. 0d. each, whilst a fourteen feet dingy at Portsmouth cost in fitting £14, rate book price being likewise £3 3s. 0d. In the return of the Portsmouth boat-houses for 1862-3 it appeared that the excess of cost above the rate book price for building boats was as £765 to £490, being an excess above the rate book price of 50 per cent, or £275; and for fitting boats £1,593 as against £799, or an excess above rate book price of 100 per cent, or £794. The Admiralty stated that the accounts for 1863-4 showed a better result, and that the difference of fitting boats at Chatham and Portsmouth was in that year inconsiderable. The instances adduced for 1863-4 showed that at Chatham the cost of fitting twenty-five boats was 10 per cent below the rate book price, while at Portsmouth the cost of fitting forty-four boats was $17\frac{1}{2}$ per cent above the rate book price, and $27\frac{1}{2}$ per cent above the Chatham rate. However, in 1863-4 there were some striking examples of excessive cost, as, for instance, a twenty-six feet barge costing in fitting £73 16s. 9d., when it should only have cost £23 8s. 0d. &c.; but if the cost of fitting appeared to have lessened in that year the cost of the repairs of boats appeared frightful; for instance, he found that a thirty feet cutter had been repaired at a cost of £110, but which if new built and fitted would cost only £42. A twenty-two feet gig had cost in repairs £58, which new built and fitted would cost £21; and three twenty feet gigs had cost £90, which if new would cost £58. The returns of the Portsmouth boat-houses for 1864-5 were next examined. It appeared that the eighty-three boats repaired at a cost of £5,685 had better have been burnt, for the dockyard people might have bought newly built eighty-three boats of the same size for about the cost incurred in repairing them. One cutter had been repaired at a cost of £66, which if new built and fitted would have cost £30. There were several similar instances. The small amount of new work as compared with the increasing cost of repairs was worthy of attention. In 1862-3 the charge for new work for Portsmouth boats was about the same as repairs. In 1863-4 the new work cost £1,346, and the repairs £4,375. The hon. Member cited other figures to show the enormous cost of repairs at all the yards compared with the new work

done, the amount in 1864-5 and 1863-4, being very much more than that of 1862-3. When the examination had proceeded thus far the books were removed, and the Admiralty refused to allow any further investigation of the manufacturing accounts, although an arrangement was made publicly in the House of Commons between the then Secretary for the Admiralty and himself that the necessary facilities for continuing the investigation should be afforded. Touching upon the question of the cost of forging, the hon. Member then went into a series of elaborate details, proving that the Admiralty accounts were wrong upon the showing of the Admiralty themselves, and that the system of forging in the Royal dockyards was most wasteful and extravagant; and yet the Admiralty Committee actually recommended that the Admiralty should begin the manufacture of shoes for the navy and half-boots for the Royal Marines! The hon. Member proceeded to justify his computations as to the excess of offal timber. The Admiralty admitted an excess of offal, more than should have been made according to Admiralty data, of 146,724 cubic feet, the difference between the value of this offal as offal or timber, or timber converted, being a loss reckoned as timber of £28,803, and a loss reckoned as conversion of £37,290; but the Admiralty even in this admitted they had compared amount of offal that should be made from "contract timber (that is, rough and sided) only"—with the offal that was made by them from "contract and reserved timber, thick stuff and plant"—so that if offal for like timber were compared it would be found, as he had stated last Session, that the excess quantity of offal made in 1862-3 was about 200,000 cubic feet, and that the difference in value between this as offal and timber was £37,000, and as conversions £50,000. On the subject of English elm conversions he had adduced figures to show that while at Devonport the cost was 186 per cent above, at Sheerness it was 26 per cent below rate book price, or a difference of 212 per cent according to Admiralty printed accounts. The Admiralty in 465-I gave long explanations, their defence being that their own accounts of cost were erroneous, and that the real difference was not so great as their published accounts gave, and that this erroneous method would be discontinued in future. During the investigation, on being asked for correct accounts they wrote—

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"The real cost of English elm conversions at Sheerness and Devonport according to the present (that is corrected) method, &c., would be at Sheerness about 30 per cent less than rate book, and at Devonport about 12 per cent more than rate book, or a difference between the two of about 42 per cent."

Thus the difference on Return 454 is 212 per cent, and the real difference with corrected accounts only 42 per cent. Fancy accounts of conversions of timber of which ships are built wrong by 170 per cent, and then ask how the accounts of cost of ships, &c. can be correctly given? Lord Clarence Paget on the 6th of March, 1865, told the House that he should not be satisfied until he was able to lay upon the table a regular capital and current account with reference to the navy, and the Accountant General stated that in future there would be shown the extent and value of the works executed and the amount of the expenses with which they should be charged, in accordance with the principles of account observed in the commercial world. In order to ascertain what the ships of the Royal Navy cost, as compared with what the country could buy them for, there ought to be an account from each dockyard, showing the money they received and the work they produced for it. This was not impossible; for in the army manufacturing establishments for 1864-5 it was really done. Three and a half per cent was charged for capital and plant; 5 per cent for depreciation of buildings, and 10 per cent for machinery. He prayed the attention of the First Lord of the Admiralty to this subject of the accounts of the navy. He would have an opportunity during the recess of weighing his (Mr. Seely's) suggestions and of satisfying himself whether the Admiralty could not produce a balance sheet such as the War Office produced for the army manufacturing establishments. The navy accounts might be classed under five or six heads. The Navy Estimates gave the money voted for the past and coming year. The second account under the head "Navy statement of savings and deficiencies upon the grants for the navy," gave the money voted and the money expended. The third, under the heads of "Dockyards and Factories," gave the cost of the manufacturing operations, the articles made for ships, and the timber converted for ships for each yard. The fourth called "Labour Charts" for the navy, gave the materials—namely, the timber and articles, at the rate book price, and the labour cost for

each ship and each yard, and the totals. The fifth called "Navy Dockyard and Stock Valuation and Expenditure on Ships, &c.," gave the supposed total cost of building and repairing ships. In this, however, at present the salaries, rents, repairs, incidentals, and interest were all lumped and divided *pro rata* among all ships. None of the accounts gave all the money had by each yard for ships, nor all the money spent in each yard on ships, and the result was that the economical dockyard had to bear part of the cost of the extravagant yard, while the latter was relieved from a portion of its acts of extravagance. Such a system went far to diminish the desire of the authorities in any yard in favour of economy and the avoidance of waste. The hon. Member next called attention to the manner in which the Admiralty had applied the principle, that their accounts ought to be made out in accordance with the system of account adopted in the commercial world. He had on a former occasion stated that items were omitted to the extent of about 40 per cent which ought to be added to the cost of our ships. Practically the Admiralty had admitted that he was correct, for about 35 per cent had since been added in the latest published account—namely, those for 1864-5. The Admiralty, however, in this account said that 3 per cent interest on the cost of production in labour, material, &c., should be charged "in the nature of a rent to cover interest on capital and depreciation of plant in the establishments where the works are carried on." This Admiralty interest of 3 per cent in 1864-5 on "final productions" was £46,398. Now, he should show that this was nothing like the amount the real interest would come to. Let the House compare this with the principles observed in the commercial world. The private trader charged 5 per cent on capital, 10 per cent depreciation on machinery, and 5 per cent on building. The army did the same. The Admiralty accounts gave the value of the stores, April 1864, at £5,029,126, and the plant at (say) £2,000,000, being a total of £7,029,126. Interest upon this sum at 3 per cent would amount to £210,873, but the Admiralty only put down for interest and depreciation the sum of £46,398, leaving a sum of £164,475 not charged. Now if the House thought fit to pay 40 per cent or any other sum more for the ships of the Royal Navy than they could be bought at private yards, let them at all events do it with their eyes

open. Then, nothing was charged in this estimate for pensions to artificers, but that really formed a part of wages, because the Admiralty expected to get the work done at less wages in consequence of the pensions. This item of pensions amounted to £74,607, so that these two items of interest and pensions gave to be added to the cost of ships for 1864-5 the further sum of £239,000. The 35 per cent already added by the Admiralty to their accounts of cost should, in fact, be 50 per cent. To show that this estimate was not overstated, the hon. Member went over the accounts of the navy, and made them out in the same form and manner as the army manufacturing establishments of 1864-5, contending that the total charge for interest and depreciation of plant made out on this method instead of £46,398 should be £605,115. For instance, the accounts made out as the army manufacturing accounts for interest would be as follows:—

Navy Stores, 1st April, 1864....	£5,029,126
“Semi-manufactured Stores” as Army, Ships, building spent on to 1st April, 1864, say.....	2,000,000
Returns to Store and Work in hand, £290,087, say.....	200,000
Working Capital—namely, one- fifth of Annual Expenditure— that is, £2,500,000 for 1864-5 one-fifth	500,000
Land (?) say nil	
Plant, Buildings, and Machinery	2,000,000
Total.....	£9,729,126
3½ per cent on £9,729,126, is..	£340,518
Depreciation as Army, 5 per cent on Buildings, say £1,200,000	60,000
10 per cent on Machinery £800,000 say	80,000
Total interest and depreciation if reckoned as Army.....	£480,518
Admiralty have reckoned only..	46,398
That is 3 per cent on final productions, £1,546,600.	
To be added for interest and de- preciation.....	£434,120
“Superannuations,” Artificers..	74,607
Do. Clerks and Foremen, £83,846, say	50,000
Or I add only £239,082, and should add	£558,727

The amount voted for new works, building, machinery, and repairs for the last eleven years reached the enormous sum of £6,242,029, being a yearly average of £567,457. The hon. Member then adduced examples of the excess of the cost of Admiralty ships. The *Frederick William*, of seventy-four guns, for instance, had

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cost £281,691, instead of £134,453, or more than double what she would have cost if built at a private yard. It might be said that the work of the Royal Dockyards was superior to that of the private yards, but the Controller of the Navy, Admiral Robinson, at the launch of the *Northumberland*, said—

“I bear most willing testimony to the excellence of the workmanship. I am not going beyond my province when I say that the skill of trained artificers and the care and judgment of a first-rate manager have produced a work that may be equalled, but cannot be surpassed.”

The expenditure in repairs was equally excessive, for several ships had cost more for repairs than they would cost new in private yards. The *Brisk* had cost £43,498 in repairs, and could be built for £49,321. The *Cadmus* had cost in repairs £65,800, and would cost new £68,278. Instances were next adduced of the excess of the cost of produce in dockyards and steam factories over the rate book value, and these the hon. Member followed up by cases of omission of the rate book price. He protested against this mode of putting the Admiralty accounts before the country. These were calculations to delude, whereas the Government and a public department ought to put the truth before the country whatever might come out. He must now detain the Committee for a moment with regard to the price of cold blast pig iron, and the course pursued in paving the workshops, roadways, &c., at the dockyards with iron ballast. He had endeavoured to ascertain the value of the iron used, and if he had fallen into error the right hon. Baronet (Sir John Pakington) was partly to blame, because he had offered to go through all the points of his case before bringing them forward publicly, so that the facts might be ascertained and placed beyond dispute, and then the House would have nothing to do but to come to a judicial decision in the matter. The hon. Member for Oldham (Mr. Platt), who employed about 5,000 hands, told him that £5 per ton might fairly be put down as the value of all the iron in the yards used thus as paving—and if so, the cost of such paving is £4 7s. 0d. per square yard. He feared he was open to the charge of having taken away a portion of the public stores, for he had brought away a sample of it and sent it into Staffordshire. The ironmasters said universally it was a metal of the highest quality, and when they knew it was at least fifty years old they

said "at that time they did not know how to make bad iron." They said it was cold-blast iron, and easy of conversion in the puddling furnace. He could have disposed of any quantity at fully £4 per ton, and the opinion of the best judges was that it would turn out to be worth from £6 to £7 per ton. The account stood thus:—The Admiralty paid in 1815 109s. per ton at the east yards, and at the west yards 108s. per ton for this cold blast pig iron used then for ballast for ships, and it was now worth at the yards 105s. per ton. About 31,000 tons had been employed in paving the yards and building walls, and the value of the iron and the cost of laying he estimated at £172,273. The best paving and brick walls would have cost £19,577, being a loss by the employment of this iron of £151,696. The 4,214 tons in stock now being laid down at 105s. per ton would amount to £22,120, and the proper materials to only £2,500, being a loss of £19,620, and making a total loss of £171,316. While the Admiralty had been wasting this valuable iron they had been purchasing from year to year cold blast pig iron. As well as he could make out there had been bought from 1860 to 1866 1,768 tons of Blaenavon pig iron at £6 10s., making £11,498 for melting in the foundries of the yards, while during that time more than 1,768 tons of this cold blast pig ballast bought before 1815 had been sold by the authorities at £2 7s., being a loss of £7,339. Adverting to the price of anchors, the hon. Member remarked that the Admiralty appeared to have been very liberally inclined to their contractors. From the year 1859 to 1864 they had bought 25,400 cwt., at a cost of £60,330. According to the calculation he had made last year the market price for these anchors would have been £36,458, so that the country had lost no less than £23,872 during these few years by these Admiralty payments to Brown, Lennox, and Co., of 70 per cent above the market price. He wished now to call attention to a graver matter. On the face of the Return from which he took the above facts there was, to say the least of it, something very suspicious. From the year 1842 to 1849 the price paid by the Admiralty for Brown, Lennox, and Co.'s anchors of 20 cwt. and less was 26s. per cwt. From 1849 to 1853 the price of these anchors was rather less, being 25s. 11d. During these years there was no great quantity of

small anchors used. He was now speaking of anchors of 20 cwt and less. In the years, however, from 1854 to 1858 a large number of small anchors were required. Not less than 2,071 anchors of all sizes were bought during that time. Of these, 1,574 anchors were 20 cwt. and less, which were wanted for the gunboats, &c. In 1854, the price of these 20 cwt. and less rose from 25s. 5d. to 33s. per cwt. In 1855 the price rose to 36s.; in 1856, to 40s.; in 1857, it was 40s.; in 1858, 40s. In the year 1854 there were 37 anchors bought; in 1855 the number rose to 524; in 1856 no less than 788 were bought; in 1857 the number fell to 211; and in 1858 it further decreased to 14, after which the price for 20 cwt. and less was lowered again to 26s. per cwt. This Return might admit of explanation, but he said that, on the face of it, there was something exceedingly suspicious in the fact that these small anchors were advanced in prices just in those years when large quantities of them were required. The large anchors during this period were not increased in price even by Brown, Lennox, and Co., but remained as before; and, as there was no advance in the market price of the country, he asserted that this great increase of price for this largely increased quantity of small anchors supplied ought to be explained. It could not be contended that the price was advanced because a large demand suddenly arose, because the greatest quantity the Admiralty required in any one year was about 1,000 tons, and there were at least twenty makers in England who could each make 2,000 tons in any one year of these anchors. That could not, therefore, be the ground for raising the price. The calculations he had made showed that since the date of the contract for anchors enjoyed by Brown, Lennox, and Co., about £170,000 of the public money had been paid to these individuals over and above the market price of anchors. With regard to the pig iron ballast it was sheer waste. If the Admiralty paved their yards with iron, nobody gained by it, but no doubt what the country lost by the arrangement with Brown, Lennox, and Co., those individuals gained. When, last year, he brought this subject forward, Lord Clarence Paget said—

"On the question of anchors and cables, I will say that there can be no doubt that we pay higher for our anchors than others do. But this is no

new subject. I have said, and say again, that I look on anchors and cables as of the first importance to the existence of ships and the lives of their crews, and therefore that anything like mere buying in the cheapest market must be detrimental to the public service."—[3 *Hansard*, clxxx. 384.]

Now, how stood the fact? The Queen's yacht was supplied with one of Trotman's anchors, not made by Brown, Lennox, and Co., but by Hawks, Crawshay, and Co.; so that the life best beloved and most dear to the realm was intrusted to an anchor not made by this favoured Admiralty firm. The fine vessels of the Peninsular and Oriental Company were all supplied with Trotman's anchors, made by Hawks, Crawshay, and Co. The Cunard steamers were also supplied with Trotman's anchors, made by various firms. So was the Great Eastern. When these great public companies and the Queen's yacht were supplied with Mr. Trotman's anchors, made by different makers and not by this favoured firm, he maintained that to throw away £170,000 of the public money in comparatively a few years upon such a pretext as that put forward by Lord Clarence Paget was trifling with that House and with the country. In the Report of the Anchor Committee appointed by the Admiralty themselves, and including the greatest and most competent authorities who could be found, it was set forth that of 1,567 anchors made by Brown, Lennox, and Co., 196 failed under proof, or 13½ per cent, while of 87 anchors made by Hawks, Crawshay, & Co. (all that were proved of these makers) only seven failed under proof, or only 8 per cent. The anchors made by Hawks and Crawshay for the East India Company were of the Admiralty pattern, and were tested by the Admiralty officers in just the same manner as the Admiralty anchor, with the result above given. If he were not afraid of wearying the House he would read the Report of the Anchor Committee. This Report, dated February 1, 1853, was unanimously signed by the following distinguished naval officers:—Admiral Sir W. Stopford, Admiral Charles Hope, Admiral Sir G. R. Mundy; by the two master attendants of Portsmouth and Sheerness dockyards; also by the Chairman of the General Shipowners' Society, and five other experienced members of Lloyd's, acting on behalf of the mercantile marine. They unequivocally declared the Admiralty or navy anchor to be the worst save one of eight competing anchors,

and wanting in every essential quality looked for in a good and safe anchor. Putting the Admiralty anchor at 1·0 as the standard, the Anchor Committee placed the other anchors as follows:—Aylen, 1·09; Porter's, 1·09; Lennox, 1·13; Mitcheson, 1·20; Rogers, 1·26; Trotman's, 1·28, or 28 per cent superior to the Admiralty anchor. Thus it appeared that the Admiralty anchor was the worst, and Trotman's the best of the lot. He should like to refer on this subject to the evidence given by Captain, now Admiral, Sullivan, before the Select Committee of 1861. He said—

"There has been no objection more strongly felt in the service with respect to the material of the navy than the inferiority of the anchors supplied to our fleet by the Admiralty."

Again, in a letter which appeared in *The Times*, May, 1862, Captain Sullivan said—

"In one surveying vessel in South America we broke one set of anchors in six months. In the Baltic in 1854 most of the vessels of the inshore squadron broke their Admiralty anchors—some as many as two or three out of four."

Captain Sullivan was captain of the fleet under Sir Charles Napier in the late Baltic campaign. He was happy to say he had now got to the end of his figures. The first part of the Resolutions he intended to move—namely, that it was inexpedient to pave the roadways, workshops, and other places in the dockyards with iron ballast—was not unconnected with the third Resolution, for if the Superintendents of Her Majesty's Dockyards possessed a practical knowledge of their business they would not have paved the workshops with cold blast pig iron. The House ought to have in the first place reliable accounts that would really give the exact cost as nearly as it could be ascertained of building ships, but the best accounts would be useless unless the parties who superintended these establishments were active, intelligent, practical men. He had attempted to show that the cost of building and repairing Her Majesty's ships was excessive, and that, notwithstanding, the country had not got the article it wanted or the kind of ship it required. In corroboration of this view he should like to read an extract from a letter written by the late Mr. Cobden and addressed to Captain Coles. It was dated October 30, 1864. Mr. Cobden said—

"I have read Captain Sherard Osborn's report on your turret vessel with the greatest interest. If we were governed in the interests of the great

public instead of the great families, this would involve an instant revolution in our defensive naval force. The old block ships would be superseded with a dozen turret coast-guard ships, and every inland and fixed fortification, except those actually commanding entrances to harbours or great waterways, would be abandoned and destroyed. Instead of which, when I was lately on a visit to Seely, in the Isle of Wight, I found the first sod had been turned for a system of ten miles of military strategic roads to connect vast earthworks and fortifications—all constructed on the assumption that an enemy had landed in force and taken possession of the island. 'What for?' is a question nobody answers. There is Osborne in the meantime quite unprotected, with a neat jetty run out into the sea, quite convenient for an enemy to land its boats' crews to carry off the Queen and Royal family. If you and I and Captain Osborn had the power we could, by a competent outlay of national capital which the nation can well afford, contrive such a coast defence as would make us absolutely unassailable by sea, and the cost of which, after the first outlay, need not be one-third of what we are now spending. My own conviction is, that if our whole fleet was what it ought to be, 30,000 men are as many as you could possibly employ in a time of peace."

He should like, also, to read the substance of a letter written by Captain Campbell, of Her Majesty's ship *Narcissus*, dated Montevideo, the 5th of February, 1866. It was addressed to Captain Coles, and described one of the best specimens of the American Monitors, the *Monadnock*, which was then at Montevideo. The writer said that at half a mile distance from her there was no ship's side to be seen, and as to going into action against a thing like that, the only thing that could be aimed at were a couple of turrets, and if they were stout enough to resist your shot, it was only a waste of time to fire at her. She had two guns in each turret, each gun weighing nineteen tons, and throwing a spherical shot of from 480 lb. to 500 lb. Each turret had its separate little engine to work it. The upper deck was very little above the level of the water—say fifteen or eighteen inches, and there was no gunwale or bulwark of any sort. The difficulty about ventilation was triumphantly overcome. She had six steam-engines solely for the purpose of ventilating the ship below, and the officers declared there was plenty of fresh air. Her officers expressed themselves with the most perfect confidence in regard to her sea-going qualities. She easily kept ahead of the Admiral's ship, the *Susquehanna*—a paddle steamer bigger than the *Terrible*—and the first lieutenant stated that the *Monadnock*, in very bad weather, had

never rolled more than sixteen degrees, and that this was very rare. Captain Campbell added that the French officers there were much struck by the appearance and evident business capabilities of the *Monadnock*, and took a desponding view of the chances of any other vessel against her. In conclusion, the hon. Member said that it was sheer nonsense to send a man to superintend a dockyard who did not understand his business. It was said that a naval officer was required to maintain the discipline of the yard. He would appeal to his hon. Friend (Mr. Samuda), or any other large employer of labour, and ask whether he ever found any difficulty in keeping his hands in order? He doubted, indeed, whether the discipline of the quarter-deck was that which enabled the country to get the best men for the dockyards. He attached no weight whatever to the argument that naval men knew best what was required in a ship. He did not wish to deprive naval officers of their posts if they were fit for them. He would go further, and say that if two men of equal ability and fitness offered themselves—one a naval man and the other a civilian, he would give the preference to the naval man. He did not deny that naval officers, as well as officers of the army, were underpaid; but he would not pay them in the way which took the greatest amount of money out of the pocket of the nation with the least pleasure and profit to the officer. The leaders on both sides of the House had vied with each other in professions of economy, but such professions were of no value unless they bore some practical fruits. Year by year the House of Commons had been squandering money, instead of saving it. Hoping that the facts and figures he had brought forward would do something to bring about a more economical system, he would beg to move the Resolution of which he had given notice.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the course pursued in paving the roadways, workshops, and other places in the Dockyards with Iron Ballast was inexpedient,"—(Mr. Seely,)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

SIR JOHN PAKINGTON said, that so far from having anything to complain

of in the long and very clear statement of the hon. Gentleman the Member for Lincoln (Mr. Seely), he thought the House and the country were greatly indebted to him for the pains he had taken in investigating this subject. As, however, he (Sir John Pakington) had only held his present office for a short period, it would be impossible for him to follow the hon. Gentleman into all the details which he had brought forward, and to give so satisfactory a reply as he might have otherwise done. It was obvious that in order to make the statement which had just been laid before the House the hon. Member must have gone through a great amount of labour in gathering information; and, instead of being disposed to complain of the course which the hon. Gentleman had taken, he was of opinion that the House and the country were extremely indebted to him. There were, however, several parts of the hon. Member's speech on which he desired to make some remarks. He believed that the present statement originated in statements of a similar kind made by the hon. Gentleman during the time when Lord Clarence Paget represented the Department of the Admiralty in that House. The result of those statements was the production of the two papers numbered 465 and 465-I, to which the hon. Member had referred; and, if he rightly understood the hon. Member, his reason for again bringing this subject before the House was that he was not contented with the explanations given in those two papers. He was very glad to see opposite to him three hon. Gentlemen who had, under the late Government, held the position of lay Lords of the Admiralty and been members of the Department to which was intrusted particularly the superintendence of the accounts, and who, consequently, were better qualified than he was to enter into the questions of detail. With respect to the two papers, he could not see that there had been any disposition on the part of the gentlemen who drew them up to conceal the truth, or to meet the Motion of the hon. Gentleman opposite in any way that was not perfectly frank and fair. In the earlier part of his speech the hon. Gentleman had referred to the different prices which prevailed in the different dockyards; but as he (Sir John Pakington) was not previously aware that there was any ground for complaint on this head, he would leave to his hon. Friend opposite (Mr. Childers) to give

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some explanation on the subject. Then the hon. Member for Lincoln (Mr. Seely) had referred to the cost of fitting boats. In some cases he said it was in excess of the prescribed rate, and in others below it. One statement, indeed, was so extraordinary that he (Sir John Pakington) could not help adverting to it, for he thought it must have originated in a mistake. He had understood the hon. Gentleman to state that a twenty-six feet cutter which would cost £30 to build had cost upwards of £60 to repair.

MR. SEELY said, he believed that statement was correct.

SIR JOHN PAKINGTON said, if it were possible for such a thing to occur there must be something which was very seriously wrong, which ought to be explained, and which it was absolutely impossible to defend. There was another question connected with the statement—namely, why a twenty-six feet cutter should cost £30 to build. He was speaking from recollections of another kind, but he had always understood that the cost of a new boat was about a guinea per foot of its length. The hon. Gentleman had next proceeded to advert to the general cost of repairs in the dockyards; but on this point he (Sir John Pakington) must speak with some reserve, on account of the short time he had held his present office, though he might confess that there was no question which more required attention and called for inquiry than that of the cost of the repairs of our navy. During the few days that he had been at the Admiralty the Board had received estimates for repairs so startling in amount that he had reserved them for special inquiry and investigation. In this direction it was not improbable that some considerable saving might be effected. The hon. Gentleman had referred to the professions made on both sides of the House with regard to economy; but there was a very wide difference between economy and judicious outlay, and he did not believe it was desired on either side of the House that under the name of economy there should be any diminution of efficiency. If by economy were meant the prevention of injudicious expenditure, then he might say that no man could go further than he was disposed to go in that direction, for he considered the carrying out of such economy to be one of the first duties of a Minister of the Crown. He could assure the hon. Gentleman most sincerely that he

should feel grateful to him or any other competent authority who gave him such information as would enable him to practise the judicious economy which he admitted to be desirable. Without making a charge of intentional extravagance against the existing authorities of the dockyards, he admitted that in public establishments of that kind there naturally was a tendency towards a greater laxity in regard to expenditure than was to be found in private establishments, where the interests of individuals were concerned. This rendered it the more desirable that whoever was intrusted with the administration of public affairs of this character should watch with great jealousy any tendency to undue extravagance. With an air of ridicule the hon. Member had referred to a proposal for making shoes for the navy and half-boots for the marines. The motive for making such a proposal was that shoes and boots when supplied by contract were too frequently made of bad leather and with bad workmanship; so that, at all events, the object of the proposal was a very laudable one. Then, the hon. Gentleman had complained that the annual Navy Estimates did not enter into details sufficiently to enable the House to judge of the expenditure which was incurred. That was quite true; but he did not think it possible so to frame them as to go minutely into all the items of expenditure. Lord Clarence Paget, however, had done a great deal to improve the Estimates. Indeed, he did not believe that any man who ever held the office of Secretary of the Admiralty had shown more anxiety than Lord Clarence Paget to meet the views of the hon. Gentleman, by bringing all the elaborate items honestly before the House. Then, with regard to what had been said about the expenditure on new works, he presumed the hon. Member was referring principally to the expenditure which was being incurred in extending the dockyards at Chatham and Portsmouth. If so, the only question that could be raised was, whether that expenditure was fair, and whether any money was being wasted. As to the building of our ships of war in private yards, he (Sir John Pakington) might remark that that had been done much more extensively of late years than was formerly the case. As long as our ships were constructed of wood, it did not answer to build them in private yards, because it was impossible to have sufficient security that good sound timber would be used. That difficulty was to a great extent

obviated when iron came into use, and since that time our vessels had been built in private yards to a greater extent than formerly. As to the iron-clad ships built in private yards for Government, so far as his experience went, they did the greatest honour to the constructors who built and finished them. He would now leave this part of the subject, repeating that he desired to see the utmost economy practised in the dockyards. Everybody in early life had heard about cities paved with gold, but this was scarcely more wonderful than the state of things which had been brought under his notice a few days ago, when the hon. Member for Lincoln waited upon him, accompanied by the hon. Member for Stockport (Mr. Watkin) and the hon. Member for Oldham (Mr. Platt). The hon. Member for Stockport stated that some parts of our dockyards were paved with cast-iron—and said, “If you will allow me to take up the existing pavement, and re-pave the dockyards in whatever mode you may prefer, I shall be happy to give you £100,000 for permission to do so.” Well, all he (Sir John Pakington) could say was that if the offer were formally made in writing, and sent in to the Admiralty, it should be seriously entertained, and gravely dealt with. The hon. Gentleman opposite (Mr. Seely), said this pavement was worth £5 a ton, but the hon. Member for Oldham estimated its value at upwards of £6 a ton. After this conversation had taken place, he made inquiries on the subject, and he was informed that this paving had been laid down since the year 1815.

MR. SEELY said, it was bought in 1815, and had been laid down since 1860.

SIR JOHN PAKINGTON said, he understood that this iron was formerly used for the ballast of our men-of-war, and was laid down as pavement under the idea that it would be available at any time for the purpose to which it had been originally applied. In consequence of the great changes in modern shipbuilding, such ballast had become no longer necessary, and the iron in question was disregarded. The matter, however, should be fully inquired into. He might mention that Dr. Percy had declared the iron to be of considerable value; though the dockyard authorities stated that when attempts had been made to sell portions of it on previous occasions it had not fetched anything like the sums alluded to by the hon. Gentlemen opposite. He would, however, promise that the subject should be considered, and

hoped that the iron would be found suited for the sides of our iron-clads. He had listened with surprise to some of the statements which had been made respecting our anchors and cables. No one was more opposed than he was to monopoly, in regard to any of our Public Establishments. Inquiries should be instituted on the subject; but he might remark that it was a primary necessity to have the navy supplied with the best anchors and cables possible. He believed no one denied that Messrs. Brown and Lennox had supplied anchors of the very best quality, and therefore the only question was whether equally good anchors could be obtained elsewhere at a lower price. As inquiries would be instituted, he hoped the hon. Member would not press his Motion on this subject. The remaining Resolution referred to the practice of appointing officers of the Royal Navy to the offices of Chief Superintendants of the Dockyards. He (Sir John Pakington) thought the practice was a judicious one, and tended much to the public service; but it was a question fairly open to discussion, but he thought the hon. Gentleman relied too much on the assumption that because a man was an officer in the navy he could not be conversant with the duties to be performed in the dockyards. He (Sir John Pakington) believed that many naval officers were most competent for this responsible post, and great shipbuilding firms in this country had sought the assistance of those officers to enable them to carry out works to their own profit and advantage. He was quite ready to fully consider the suggestions of the hon. Member, but at present he could give no engagement on the subject. The hon. Member seemed to have forgotten that in every dockyard there was a very competent chief of each particular department within it, and that every day these officers met in a sort of council, which was presided over by the Chief Superintendent, for the purpose of considering and controlling the affairs of the dockyard. It was a mistake to suppose that any injury had resulted to the public service from this system of superintendence; but he repeated that the point was well deserving consideration. The hon. Member had complained of the disadvantage to which the naval force of England was exposed in the Pacific in consequence of the presence of the *Monadnock*, an iron-clad belonging to the United States; and he might have added that the Powers of South America on the shore of the Pacific

were also provided with iron-clad steamers. It was only just to state that the late Administration had taken steps with reference to this, and the *Zealous*, an iron-clad vessel, was about to proceed to the Pacific station. He regretted to be obliged to add that until our navy was strengthened it would be impossible to supply our naval stations with iron-clads to the extent that was desirable. In conclusion, he remarked that he had endeavoured to meet the right hon. Gentleman in a spirit of fairness, and, after the statements he had made, he hoped the hon. Gentleman would not press his Motion.

MR. WATKIN said, he would not depart from the valuation which had been put upon the cold-blast iron ballast by the hon. Member for Oldham (Mr. Platt) and himself; but he thought the right hon. Baronet must have a design upon his (Mr. Watkin's) seat, for he must know that if he made a formal tender to the Admiralty, it would be necessary for him to vacate it. He was satisfied that the right hon. Baronet would not seek to evade the questions that might be asked in reference to his office. The past career of the right hon. Baronet showed that he was not opposed to improvement, and that he possessed moral courage enough to carry out beneficial changes even when they were met by official resistance. Certainly, there could be no reason, excuse, or justification for paving the docks with iron ballast. Everybody must admit that it was one of the most monstrous things to which public attention had ever been directed. The nation was losing in interest alone £7,000 or £8,000 a year in consequence of this property being misused. He trusted that the Government would not be disposed to pooh-pooh the questions raised by the hon. Member for Lincoln, who was anxious to co-operate with them in making the necessary reforms. Naval economy was the horse upon which nautical men usually rode into office at the Admiralty. If the hon. Baronet the Member for Stamford (Sir John Hay) should prove to be as ardent a naval reformer as he was before he accepted office, they had reason to hope that a wise economy and efficient management would be introduced in the dockyards. But however well the different departments might be divided, what they wanted in such places, where enormous expense was being incurred, was what the Americans called "a one man power" to exercise a vigilant and practical superintendence.

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MR. BARING said, inquiry ought certainly to be made respecting the iron paving and the anchors. With regard to the former, it was simply a question of what the ballast was worth at the present time, and what it was worth when first put down. If it were worth £6, by all means let it be sold. With regard to anchors, he believed naval officers, as a body, thought the best anchors were those of the Admiralty, but if that was not the case, then some change ought to be effected. The safety of Her Majesty's ships, however, signified a great deal more than the saving of a few thousand pounds in the cost of anchors, and if our vessels were safe with the present anchors, they need not care much about the statement that a small saving could be made by employing some other manufacturer's. He might call to the remembrance of the House the disastrous storm at Sebastopol during the Crimean war, when not a single ship of the Royal Navy was lost, whereas many merchant ships and war vessels belonging to other nations perished. Some of the discrepancies as to the cost pointed out by the hon. Member for Lincoln were to be explained by the sudden and large increase in the price of anchors in consequence of the large demand caused by the late Russian war. The hon. Member for Lincoln (Mr. Seely) seemed to suggest that there was some malpractice respecting the ordering of anchors at the time when he (Mr. Baring) was connected with the Board of Admiralty—namely, in 1854-6. He courted a full investigation, and if, therefore, the hon. Gentleman really had such a suggestion to make, the proper course to pursue would be to move for a Select Committee to inquire into the subject. For his own part, he was of opinion that there ought to be naval officers placed at the head of the great naval establishments for the purpose of exercising a general control over them. As to the accounts, no doubt the hon. Member had taken great pains to procure information; but it was right that the House should receive some broad reply to the statements which he had made. In the first place, the hon. Gentleman had discussed the accounts of 1862-3; but since then the accounts had been much improved. No Administration, indeed, had paid greater attention to the accounts than that which had just gone out of office. The hon. Gentleman in his first criticisms upon the dockyard accounts compared the castings and forgings in the dockyards with the castings and forgings of his own

establishment at Stamp End, and because the former were much the most costly, inferred that the dockyards were mismanaged. But the articles compared were quite different. The hon. Gentleman's castings were prepared for thousands of agricultural machines of the same kind, whereas the dockyard castings could often be used but a few times of the same description. It was therefore apparent that no proper comparison could be made. Now the hon. Gentleman abandoned this ground of attack, and had compared the casting and forgings in one dockyard with those of another, and showed discrepancies in the price; but these discrepancies simply arose from the way in which the castings and forgings had been classified. They were classified in three or four classes—plain, middling, and so forth; but in each class there were great varieties and differences in regard to expense, so that no proper comparison of cost could be made without going into minute detail. In future, however, the price would be put on each article. The hon. Member had gone on to say that 40 per cent was to be added to the cost of all articles produced in Her Majesty's dockyards in regard to certain incidental charges. Now, this involved the question whether or not we were to maintain great public establishments, capable in time of war of great expansion, for the purpose of supplying the requirements of the fleet. The charges added by the hon. Member were the interest of money on stores in the dockyard and the value of the capital expended on the yards. Now, in theory, no doubt, the hon. Gentleman was right that some such calculation should be made; but he maintained that the hon. Gentleman had no right in drawing a comparison between articles manufactured in Government dockyards and those manufactured in private establishments to add 40 per cent to the cost of the former, unless he were also prepared to say that the country would be satisfied if each of the dockyards were only just large enough for the works carried on there day by day. The House must always recollect that these great establishments were wanted not so much in time of peace as in time of war. The *Northumberland* had been referred to as an excellent specimen of a vessel which had been built in a private yard; but he might remark that in order to launch her it had been necessary to obtain assistance from the Government dockyards. He must be allowed to express his regret at the manner in which the great name of Mr.

Cobden had been introduced in this discussion. He thought that the hon. Member would do well to withdraw his Motion, as the right hon. Baronet the First Lord of the Admiralty had stated his willingness to inquire in the fullest manner into any suggestions he might receive in respect to the naval accounts.

COLONEL SYKES said, the persevering industry of the hon. Member for Lincoln in obtaining information with a view to diminishing the expenditure in the manufacturing departments of the dockyards placed him in the same category as the lamented Mr. Joseph Hume, and he heartily trusted success might attend his labours, and that, like Mr. Hume, he might win the gratitude of the taxpayers in the country. There could be no doubt that the cost of the navy was increasing annually without commensurate efficiency. In the French dockyards stock was taken every year, and we might advantageously adopt that practice. Our dockyards were doubtless more costly than those of France, because wages were higher in this country; but if a comparison were made of the number of persons employed in the French dockyards with the amount of work turned out, it would be found that a much greater proportionable quantity of work was done in the French dockyards than in ours. It was obvious, therefore, that the expenditure in our yards might be diminished. He had been informed that since the present Government came into office the hon. Member for Lincoln had been denied access to the dockyard accounts.

MR. SEELY said, it was the late Government which refused to allow him to continue his investigations.

COLONEL SYKES thought it was to be lamented that those investigations had been discontinued. The refusal implied that discoveries were being made which were not creditable to the Administration. He hoped that in this respect his right hon. Friend opposite would not tread in the footsteps of the late Board of Admiralty.

SIR JOHN PAKINGTON said, he did not wish to receive any credit that was not due to him. A few days ago he had been asked by the hon. Gentleman for permission to renew his investigations; but it was found that such investigations would lead to inconvenience, and therefore the application was refused.

COLONEL SYKES was sorry to hear that, because he thought the public accounts ought to be open to the inspection of any Member of the House of Commons. There

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was one point respecting the navy to which he wished to draw attention. The navy was supplied with cannon and ammunition from the army establishments, and yet these were charged in the Army and not in the Navy Estimates, concealing therefore the real cost of the navy and unfairly swelling the cost of the army. This plan should not continue. In the French Budget, all supplies made to Departments are charged in the Departmental Estimates.

MR. SAMUDA believed that to carry out naval operations successfully there was nothing more important than to possess a clear and actual knowledge of the cost of those operations. He could trace the failure of a number of firms to their inability to ascertain the cost of the works which they were carrying out. When the question was brought forward whether the dockyards should be changed in their character and build iron ships, he suggested that the iron work required for ships should be supplied by private establishments, and the wood work added in the dockyards, and he still believed great advantages would result from adopting this course. The way to get a reformation in the dockyards, would be to appoint a Committee for the purpose of simplifying the accounts. That Committee should be composed of civilians and naval officers; and their labours ought not to terminate until the people engaged in the dockyards knew what each item cost. He differed with his hon. Friend in the statement he made as to anchors; for, in his opinion, it was impossible to arrive at an accurate result in these matters in the way he described. He had been offered finished anchors and cables before now for less money than the raw material alone cost the makers he employed—quality must be taken into the account most carefully, and could scarcely be estimated too highly in all matters connected with shipping, and the difference of 4s. a cwt. or 40s. as referred to, he did not regard as at all important. Great difference was found among even the first-class makers. He believed great advantages would result from the appointment of the Committee he had suggested, and he trusted that no effort would be spared by the Admiralty in carrying out the Amendments which were necessary in the present system.

MR. CHILDERS said, he was sorry that he had not heard the early part of the address of the hon. Member for Lincoln (Mr. Seely). But even if he had, inasmuch as he was not connected with the Admiralty during the last year, it

would be impossible for him to answer offhand all the questions it had been suggested he should reply to. With respect to the Admiralty accounts generally, he thought the House ought to know something of what had been done during the administration of the late Government—how they found the dockyard accounts, what reforms they had made in them, and the position in which they stood at the present time. When the late Government came into office scarcely any account was rendered of the Admiralty expenditure; in fact, in a commercial point of view, no account except a cash account was kept. Before Lord Clarence Paget became Secretary he had called the attention of the House to the deficiency in this respect, and the Board took the matter into hand. The first thing they did was the preparation of the “expense account”—executed on very imperfect principles, he was willing to admit, but still it was an enormous advance on what had previously prevailed. The result was, that from 1860 Parliament had been regularly supplied with information of the amount of money spent on each ship. In 1862 a further step was taken. Previous to that date no accounts were published which could be called the manufacturing accounts of the dockyards; but the Admiralty now prepared and laid before Parliament a Report of the proceedings of each of those establishments. Up to 1863, there had been no annual stock taking, the importance of which commercial men would admit. It was true that there were stock accounts prepared at certain times, for instance, when a new storekeeper was appointed; but nothing in the nature of a proper annual account. In 1864 his predecessor, the hon. Member for Halifax (Mr. Stansfeld), looked into the matter, and from that date there had been prepared a valuation of stock account, showing the stock of all kinds in each of the dockyards at the commencement and the end of each year, and the receipts, issues, and alterations of value. What was done last year the House would allow him to explain, as it concerned business for which he was personally responsible. He conceived, on accepting the office first, that the accounts, although much improved, were too voluminous, and that it was possible to simplify them. Secondly, the accounts of the dockyards were prepared by three separate departments; but he placed them in the hands of one person, and nothing was more

simple than the way in which they were now prepared. Thirdly, he thought it desirable that a complete balance sheet and capital account should be rendered; and when that for the current year was produced he believed that the principles on which it was founded would be considered sound, and he hoped they would not be departed from either by the present or any future Admiralty. It had further been suggested that another thing might be done at a slight cost—namely, that a capital account of the whole of the naval affairs might be prepared, showing not only the capital invested in the dockyards, but the capital actually invested in ships. This was a matter which he would submit to the consideration of his right hon. Friend at the head of the Admiralty. With that exception, he did not think the present accounts could be placed on a more satisfactory footing. The accounts for 1866-7 would be completed on strictly commercial principles; and he hoped the House would pause till they saw the account for the current year before adjudging the late Admiralty to be guilty of shortcomings in reference to the dockyard accounts.

MR. SCOURFIELD observed, that what was wanted at the head of the dockyards was a person of courage, honesty, and impartiality, who would see that all parties discharged their respective duties. With regard to the latter part of the Resolution before the House, he remarked that it was quite the exception, instead of the rule, that Superintendents remained in their offices five years. If the Superintendent, in rank a Captain, became an Admiral, he immediately ceased to be Superintendent.

MR. M'LAREN said, he did not agree with the observations of the hon. Member for Penryn (Mr. Baring) in regard to the letter of Mr. Cobden which had been read that day, believing that that gentleman, had he been living, would have had no objection whatever to the publication of any letter he had written on this or any similar subject. He did not think that the speech of the hon. Member for Penryn was an answer to the speech of the hon. Gentleman who introduced the Motion. With regard to Government contracts, he believed they were frequently supplied by jobbers, who purchased the goods where they could procure them for least money, caring little as to their quality. The best way would be to employ an agent conversant with the article required, and

the Government would be served in the same way as a merchant in China or America would be supplied. The goods would then be selected from the best makers, and be properly examined; and as the character both of the manufacturer and the agent would be at stake, there would be no risk of obtaining an inferior article.

MR. HENLEY said, he had listened with great interest to the account which the hon. Member for Pomfret (Mr. Childers) had given of the reforms which had taken place in the Admiralty accounts. Some few years ago great pressure was put upon the Admiralty for an improvement of the system of keeping accounts, and it seemed that four or five years had been necessary to bring them to the state of efficiency the hon. Member had stated. He must say, however, that he had some doubt as to the practicability of preparing the "capital account" of the whole of the navy which he had alluded to. The hon. Member had also adverted to the difficulties encountered in deciding upon the principles upon which the preparation of the accounts should be based; but if all the ships of the navy were to be valued still greater difficulties would beset those who undertook that task. The report of such a work would form a curious historical document, but he did not think it would possess much practical value. It appeared that one result of the careful preparation of the accounts had been increased economy. He hoped this was the fact; for, spending as we did £10,000,000 per annum, and when it was urged in that House that this country did not keep pace with our neighbours in naval armaments, this was an important consideration. He trusted his right hon. Friend would see that the vast manufacturing establishments connected with the dockyards were conducted, he would not say on the most economical, but in such an economical manner as would insure the required efficiency. This should be always borne in mind, that men-of-war should not be built like ships for other purposes—good enough—they should be built as good as could possibly be done. There was an observation of the late First Lord of the Admiralty (the Duke of Somerset) which deserved to be written in letters of gold, to this effect—that if any misfortune were to happen to this country in a naval engagement through any fault in the ships, a very heavy responsibility would be

thrown upon those who had got them cheaply constructed. Our ships must be built as well as possible, and that could not be done by contract work, which was never executed in the best possible manner. He could not agree with what had fallen from the late Under Secretary to the Admiralty, that no account ought to be taken of the value of the plant. Whether the estimate of the hon. Member for Lincoln was too high was another matter.

MR. BARING explained that what he said was that 40 per cent was too great a proportion.

MR. SEELY: I did not say 40 per cent. ["Divide!"] I will not trouble you, Sir, to put the first or second Resolutions. I shall divide upon the third.

MR. SPEAKER intimated that as it was then ten minutes to four, if the hon. Member pressed for a division the debate must be adjourned. ["Withdraw!"]

MR. SEELY said, he would withdraw the Resolutions altogether.

Amendment and Motion, by leave, *withdrawn*.

Committee *deferred till To-morrow, at Six of the Clock.*

INDIA—FAMINE IN.—QUESTION.

MR. G. R. BARRY said, he would beg to ask the Secretary of State for India, Whether any and what steps have been taken with reference to the present distress occasioned by the famine now prevailing in India, more particularly in Orissa; and what measures the Government propose to adopt to prevent the recurrence of these visitations?

VISCOUNT CRANBOURNE: I am sorry, Sir, I cannot attempt to give anything like an exact account of the measures which the Government have taken to remedy the deplorable famine to which the hon. Gentleman has referred. I am informed that a precise official account is on its way home, which, if necessary, I shall be happy to lay upon the table. But this I can say, that the greatest efforts have been made by the Government to provide grain for those who are not able to provide it for themselves, and their activity is fully equal to the lamentable emergency which undoubtedly exists. With regard to the future, I fear it is impossible to assert that the Government can do very much to prevent a return of the calamity, which depends very much for its mitigation or

Mr. M'Laren

prevention on the state of the seasons. I believe the prosecution of the works in which they are engaged is the only means at the disposal of the Government for that purpose.

METROPOLIS—THE NELSON COLUMN.
QUESTION.

ADMIRAL WALCOTT said, he wished to ask the First Commissioner of Works, as to the present progress towards completion of the four lions destined to perfect and ornament the base of the Nelson Column, and the probable time when this National testimony to the services of that late great and heroic Admiral may attain completion?

LORD JOHN MANNERS, in reply, said, he was happy to be able to state that two of the lions were already completed in bronze, another was on the eve of completion, and there was every reason to hope that by the end of the autumn the four lions would be established in their proper places.

NAVY—COLLISION OF THE "AMAZON"
AND "OSPREY."—QUESTION.

MR. SAMUDA said, he wished to ask the President of the Board of Trade, in reference to the collision of the *Amazon* and *Osprey*, How it is to be explained that the whole of the crew of the *Osprey* has been saved, while the passengers committed to their charge, principally women, have been lost; and if it should appear that this has resulted from an absence of all discipline on the part of the crew at the time of the accident, if he will consider the propriety of framing some legislative enactment with the view to avoid the scandal such occurrences justly caused?

MR. STEPHEN CAVE said, that in the absence of his right hon. Friend the President of the Board of Trade, he would endeavour to reply to the Question of the hon. Member. The unfortunate collision took place at midnight, and not more than from three to five minutes elapsed before the *Osprey* went down. When the master found the danger was so imminent, he rushed into the cabin and roused the passengers, brought them on deck, and placed them in the life boat, into which he went himself with his wife and children. Unhappily the gear of the davits was out of order, and before it could be cleared the *Osprey* went down, taking with her the life boat and

all on board. The master and his wife rose to the surface, and were picked up by the boats of the *Amazon*; but the rest, including two of the master's own children and six women, were never seen again. At the moment the ship was sinking, the crew saved themselves by climbing up the bow of the *Amazon*, which was then over the quarter of the *Osprey*. By the 232nd section of the Merchant Shipping Act of 1854, it was enacted that any master or seaman was guilty of a misdemeanor who, by wilful neglect of his duty, omitted to do any lawful act for the preservation of his ship and those on board. Beyond this it was impossible to go. For a person to neglect his own safety in order to provide for that of others, and he was happy to say that this was no uncommon thing either in the Royal Navy or the merchant service, was a matter which could not be enforced by legal penalties. It was what was technically called a duty of imperfect obligation. The Government, however, did all they could to encourage the performance of acts of this kind by granting rewards, the highest of which was the Albert medal, recently instituted by Her Majesty. It appeared to the Board of Trade that this was not a case for either reward or punishment.

IRELAND—CARLOW LUNATIC ASYLUM.
QUESTION.

MR. PACK-BERESFORD said, he wished to ask the Chief Secretary for Ireland, Is he aware that the gentleman recently appointed Resident Medical Superintendent of the Carlow Lunatic Asylum has taken no Medical Degree, and is not entitled to be designated M.D., and is Mr. Michael Howlett, improperly described as such in the warrant of appointment signed by Lord Kimberley, bearing date 7th July, 1866; and, if so, does it not appear that some misapprehension as to his qualification must have existed; also, if the diploma of Licentiate, granted by the Royal College of Physicians of Edinburgh, constitutes Mr. Howlett a physician in the sense required by the Act, as one of the essential qualifications necessary to the holding of the important and responsible situation of a County Lunatic Asylum in Ireland?

LORD NAAS said, in reply, that he had made inquiries with regard to the qualifi-

cations of Mr. Howlett, who had been appointed resident medical superintendent of the Carlow Lunatic Asylum, and the best answer to the Question would be to read a letter which he had received from Dr. Hatchell, one of the Inspectors of Lunatic Asylums in Ireland. The noble Lord then read the letter, which stated that the diploma of Licentiate of the Royal College of Physicians, Edinburgh, did constitute Dr. Howlett a physician in the sense required by the Act, and though no other medical officer of lunatic asylums held the same qualification, that circumstance did not invalidate the appointment, inasmuch as Dr. Howlett was duly qualified for the service, having both a medical and surgical degree.

ARMY—ARTILLERY—WHITWORTH GUNS.—QUESTION.

MAJOR JERVIS said, he would beg to ask the Secretary of State for War, Whether the attention of the War Department has been called to the incorrectness of the Return respecting Whitworth Guns (No. 291, War Office, 14th May, 1866); and, if so, if he will have a correct Return presented to the House?

GENERAL PEEL replied that some inaccuracies had been discovered in the Return, and when they were corrected there would be no objection to have it presented to the House.

DWELLINGS FOR THE LABOURING CLASSES.—QUESTION.

MR. ALDERMAN LUSK said, he rose to ask the Secretary to the Treasury, When he will lay upon the table of the House the Rules and Regulations under which, by virtue of an Act passed this Session, loans are to be granted towards extending the provision with regard to improved Dwellings for the Labouring Classes?

MR. HUNT, in reply, said, the rules and regulations were not yet framed, but were likely to be completed in a few days, and they would be laid upon the table as soon as possible.

SUNDAY SCHOOLS.—QUESTION.

MR. HADFIELD said, in the absence of his hon. Friend (Mr. Cheetham), he would beg to ask the President of the Poor Law Board, If he has any intention to bring in a Bill, at the commencement of the next Session, to relieve schools set apart for religious instruction upon the

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Sunday from liability to pay parochial and other rates?

MR. GATHORNE HARDY, in reply, said, the subject of exemptions from rating was one which had lately attracted a great deal of attention, and it would receive the best consideration of the Government; but he could not undertake to bring in a measure upon it at the beginning of the next Session.

HABEAS CORPUS ACT SUSPENSION (IRELAND).—QUESTION.

MR. OSBORNE said, he rose to ask the Chief Secretary for Ireland, If Her Majesty's Government intended to bring in a Bill for the further suspension of the Habeas Corpus in Ireland; and, if such be the case, whether they will take into consideration the convenience of Irish Members by naming an early day for its introduction?

LORD NAAS replied, that he was sorry to have to state that it would be the duty of the Government to propose to Parliament a Bill for the further suspension of the Habeas Corpus Act in Ireland for a limited period; and he begged to assure the hon. Gentleman that it was the wish of Her Majesty's Government to introduce that Bill on as early a day as possible, consistently with the requirements of the other business before the House, and that the convenience of the Irish Members would be consulted in the matter.

ARMY—ASYLUM FOR INSANE SOLDIERS AT NETLEY.—QUESTION.

MR. FLOYER said, he would beg to ask the Secretary of State for War, Whether his attention has been directed to the proposed arrangements at Netley for the care and treatment of insane Soldiers; whether, considering that there are at the present time in a private Asylum at Bow 195 male and six female patients belonging to the military service, he considers the proposed provision for sixty patients adequate to the wants of the Army; and whether, in the event of its being considered necessary to provide for a much larger number in buildings under the control of the Government, he thinks that it is wise to make that provision in the grounds of the Hospital at Netley?

GENERAL PEEL, in reply, said, his attention had been called to the building now being erected at Netley, for the care of insane soldiers. It was placed there in

consequence of the Report of the Committee that sat in 1863, on the removal of the establishment from Chatham. It could hardly be called an asylum, because the patients were only placed there for the purpose of observation, and would after a short period be removed to their friends, or to private asylums. Certainly accommodation for only sixty patients would not be sufficient for a lunatic asylum for the whole army, neither was it intended that it should be. The reason for providing accommodation for sixty was that the Committee reported that that was the greatest number placed at one time in the old lunatic asylum at Chatham. The great advantage of having at Netley a connection with the marine establishments, was that the lunatics who came home from abroad could be at once taken charge of there. Another advantage was that the medical students of the hospital at Netley had an opportunity of studying the cases of lunacy in the asylum.

EXTRADITION TREATY WITH FRANCE.
QUESTION.

MR. M'CULLAGH TORRENS said, he would beg to ask the Secretary of State for Foreign Affairs, Whether he is prepared to lay upon the table any Correspondence between the British Government and the Government of France, or between persons authorized by the two Governments respectively, relative to the continuance of the Extradition Treaty, or to a modification of our criminal procedure with regard to Foreigners residing here?

LORD STANLEY replied, that he saw no objection whatever to laying on the table the papers to which the hon. Gentleman's Question referred.

ARMY — COMMISSIONS IN THE ROYAL ENGINEERS.—QUESTION.

CAPTAIN KEARSLEY said, he would beg to ask the Secretary of State for War, with reference to the late award of Commissions in the Royal Engineers to the Woolwich Cadets, If the six prizes (Commissions) referred to by him in his answer on the 16th instant were awarded according to merit (precedence in marks) or on what other principle; and if he will reconsider this subject with a view to a modification of the award, if all the six Commissions were not given according to the number of marks?

GENERAL PEEL said, in reply, that at the period of the last examination to which the hon. and gallant Gentleman referred, there were five vacancies in the Engineers, and they were offered to, and accepted by, the five cadets who stood highest by having the greatest number of marks. The grant of the sixth commission was an exceptional case. The gentleman cadet who stood fifth in the class met with an accident a very short time previous to the examination, having fallen in the riding school and broken his thigh. There was no doubt, in the opinion of the Professors, that but for that circumstance he would have maintained at the examination as high a position as he had held in the class, and thus would have obtained a commission in the Engineers. There was also this in his favour—that an application was made on his behalf by the other cadets of the class themselves, and consequently he was appointed on a sixth vacancy occurring.

METROPOLIS—THE HYDE PARK RIOTS.
QUESTION.

MR. EDWARDS said, he would beg to ask the Secretary of State for the Home Department, Whether, in the present disturbed state of the Metropolis, and a possibility of a recurrence of the disturbances that occurred last Monday and Tuesday, it would not be advisable to enlist special constables to assist the police to protect the Parks, and also the private property of individuals, against the conduct of what are called the "roughs" of the Metropolis?

MR. WALPOLE was understood to say that a few days ago it was deemed advisable that a letter should be addressed to the different vestries of parishes and magistrates in the neighbourhood of the Parks recommending them to call upon all well ordered subjects of Her Majesty to assist the authorities in the quelling of disturbances. He hoped from what had occurred, and from what he had heard, that there would be no necessity of putting such measures in operation. At any rate, they would not be resorted to until they were imperatively called for. He was willing to hope that future disturbances would be avoided.

DANISH SLESWIG.—QUESTION.

MR. DARBY GRIFFITH said, he would beg to ask the Secretary of State

for Foreign Affairs, Whether he knows what portion of the country is intended to be included in the term "Danish Sleswig," which it is proposed that Prussia should cede to Denmark?

LORD STANLEY replied, that he understood there was a proposal that some portion of the Sleswig territory should be ceded back again to Denmark; but he was not able to say precisely what portion of the Sleswig territory was included in that proposal.

PRUSSIAN REQUISITIONS ON FRANKFORT.—QUESTION.

MR. GOSCHEN said, he would beg to ask the Secretary of State for Foreign Affairs two Questions of which he had given the noble Lord private notice—namely, Whether the Government have received any official communication relative to a demand made by the Prussian authorities for a contribution of £2,000,000 in addition to £500,000 already paid from the free city of Frankfort; and, whether the noble Lord can give the House any idea whether there is a prospect of the cessation of hostilities between Prussia and Austria?

LORD STANLEY: In answer, Sir, to the right hon. Gentleman's first Question, I have to say that I apprehend there is no doubt that a demand to the amount named by him has been made upon the free city of Frankfort. I do not know that the right hon. Gentleman desires me to go into further details on the subject. As to the second Question, I understand that the Grand Duke of Baden, with the sanction of the allied Governments, is occupied in negotiating an armistice between the Federal armies and the Prussians; but I am not yet aware of the result of that proceeding.

MR. OTWAY said, that as it had been stated in one of the papers that an application had been made to the British Government by the Senate of Frankfort for its arbitration on that subject, he wished to ask the noble Lord whether that was the fact, and whether Her Majesty's Government have undertaken any such arbitration?

LORD STANLEY: No demand or request has been made to Her Majesty's Government that they should arbitrate in this matter, and as long as the question was one between a German Government and a German population we should have no *locus standi*. I ought, perhaps, to say that

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it has been reported to us that threats have been used by military officers commanding in Frankfort of a very violent character. One of those reports was that it had been threatened, in case payment was not made, to bombard the town and give it up to pillage. I am bound to say that the Prussian Government have strongly disclaimed any such conduct. The accounts are very contradictory, yet it certainly does appear that some language of that kind was employed, but employed, it would seem, without the sanction of high authority. I may add, with reference to the protection to be afforded to British subjects in case of any strong measures being taken against the town, that communications have taken place with the Prussian Government, and the assurances which we have obtained on that head are satisfactory. But the Government of Prussia, I may repeat, deny having ever used or sanctioned any threat of bombardment.

COMPULSORY CHURCH RATE ABOLITION BILL.—QUESTION.

MR. JASPER MORE said, he would beg to ask the hon. Member for the City of Oxford, Whether it is his intention to divide the House on the second reading of the Compulsory Church Rate Abolition Bill?

MR. NEATE said, that before replying to the Question of the hon. Member he wished to make a few observations, and to place himself in order he would move the adjournment of the House. He wished to remind the House of the exact position in which the question stood.

MR. SPEAKER said, he must inform the hon. Member that it was not competent for him, upon the Motion which he had intimated his intention to make, to enter upon the subject-matter of the debate on the Bill, because that debate was set down for a future date.

MR. NEATE said, in that case he would beg to state that he meant to proceed to a division on the second reading of the Bill.

PROPOSED REFORM MEETING IN HYDE PARK.—QUESTION.

MR. OSBORNE: Sir, as some anxiety prevails with regard to a meeting which has been extensively placarded in all public places as being intended to be held on Monday next in Hyde Park, I wish to ask the right hon. Gentleman the Secretary of State for the Home Department

the precise state of the case as to his relation to the Reform League. I wish further to know whether he has granted permission for that meeting to take place in the Park; and, if so, whether he will calm the anxiety of the public mind by stating what precautions have been taken for the preservation of the public peace?

MR. WALPOLE: Sir, my relations with the Reform League are simply the relations of a Secretary of State receiving a deputation from that body with reference to the painful circumstances which have recently taken place in Hyde Park. That is the answer which I have to give to the first Question which has been put to me by the hon. Gentleman. In answer to the second question, which is a very natural inquiry, not only upon his part but upon the part of any Member of this House, I have to state that I think I can show that a misconception of a most extraordinary kind has taken place with respect to the proposed meeting in Hyde Park on Monday next to which he alludes. There are those in this House, and there are others who were present at the interview which I had with the deputation from the Reform League, who know exactly what passed between us. Substantially, the statement on the point which is published to-day in the leading journal of this country is correct. What took place on the occasion was that I intimated to the deputation, after a statement had been made to me of a conciliatory character, that, as the main if not the only question which had given rise to the disturbances which have occurred was the alleged right, or claim to a right, of admission to the Park for the purpose of holding a public meeting, Her Majesty's Government would give every facility in their power for obtaining a legal decision on that question; and that while nothing was in the interval done in assertion, or in the way of an attempt at the assertion, of such a right on the one hand, nothing should on the other hand be done to prevent a determination upon it from being arrived at. It was then stated at the interview that one of the great causes of irritation was what was called the demonstration of large bodies of police, and it was intimated to me that if those large bodies of police were withdrawn from the Park the irritation would cease, and the disturbances come to an end. My reply was that there was, on the part of the Government, no desire to make any unnecessary demonstration either of

the police or military force, and that if the gentlemen who addressed me would express their willingness to give, as far as they could, a guarantee that on the removal of the large bodies of police then in the Park they would themselves go to the Park and induce, at least as far as they were able, the people to retire from it peaceably, I would undertake, on the one hand, to remove all unnecessary demonstrations of large bodies of police, reserving to myself, however, the fullest power of calling out either them or the military force in the event of any danger arising to the public peace; while these gentlemen undertook, upon the other hand, if that were done, to do their best to put a stop to the unhappy and painful disturbances of the last few days. I think I should have neglected my duty if I had not availed myself of such an opportunity of bringing these unfortunate matters to what I hope will be a satisfactory conclusion. It was after this interview that two or three members of the deputation came into my room and asked the question whether the Government would allow a meeting on the subject of Reform to take place in Hyde Park on Monday next. In answer to that question, I distinctly stated that such an application, as it involved considerations of great importance, must be made to me in writing, that I must submit it to the consideration of my Colleagues, and that they should receive a reply to it in writing. It was stated in a placard which was afterwards posted in different parts of the metropolis, that an arrangement had been entered into to the effect that the meeting might take place on Monday with the consent of the Government. Now, I have not from the beginning of these unhappy transactions wished to use any language which might provoke irritation. I will abstain from using any such language even now; but I must say, that a more extraordinary misconception than that of what I said could hardly have occurred. The letter which was to be addressed to me by Mr. E. Beales—I mean the application for permission to hold the meeting—was actually not in my hands until near six o'clock yesterday afternoon, while the notices that the meeting was to be held with the sanction of the Government must have been printed at all events by that time, so that they were printed before it was possible for me to return any answer to

the application. I do not know whether the House would care that I should read the letter which was addressed to me by Mr. Beales. [*Cries of "Yes, yes!"*] Well, his letter, which I received between five and six o'clock yesterday afternoon, is dated the 25th of July, and is in these words—

"Sir,—I am requested by the Council of this League to most earnestly press upon you the advisability and even urgent necessity, as the most effectual means of putting an end to the state of dangerous exasperation now existing in the public mind, that you will offer no opposition to the meeting proposed to be held by the League in Hyde Park on Monday afternoon next at six o'clock, such meeting to be held on the general subject of the Elective Franchise and Reform, and to be without prejudice in any way to the decision of the question in Parliament or in a Court of Law as to the abstract right of the people to meet for political discussion in that or any other Park, the Council of the League undertaking on their part to do everything in their power to preserve the peace and prevent any act tending to riot or disorder.—I am Sir, with the utmost respect, your obedient, humble servant,

EDMOND BEALES, President.

The Right Hon. Spencer Walpole."

That letter shows, I think, as distinctly as words can show, altogether independently of the affirmation I have already made, that the application which was to be made to me in writing was only so communicated to me upon the receipt of the letter, and I must also add that the answer which was to be given by me in writing had not been given at all yesterday afternoon, when the placards to which I have referred were printed. I might also appeal to witnesses who were present at the deputation. [*Cries of "No, no!"*] I thank the House for so readily believing my statement; but, in justice to a most able member of the Reform League, who is known to many Members of this House, and who was present with the deputation—I mean Mr. Holyoake—I must state that, in a manner which reflects infinite credit on him, he volunteered to come to my office to day. I was so busily engaged that I could not see him, but he saw my private secretary, who came into my room immediately afterwards, and told me what had passed between them, when I said—

"The words which you say were used by Mr. Holyoake are so important, let me while they are fresh in your recollection take them down."

The words so taken down are these—

"He came to repudiate in the strongest terms Mr. Beales' proclamation. He perfectly understood Mr. Walpole to decline to sanction any

meeting in the Park, and to ask that an application for that should be made in writing. He spoke to many Liberal Members last night, and also to Mr. Beales, when the proclamation was being posted."

I may add that however unfortunately the misconception arose in the mind of Mr. Beales, I regret that it should have taken place, and I hear that he regrets it too. In order to complete the case I will read the answer which, with the assent of my Colleagues, was returned to the application of Mr. Beales after the first Cabinet Council which could be held subsequent to the receipt of his letter. The answer is as follows:—

"26th July, 1866.

Sir,—I have laid your letter of the 25th inst. before my Colleagues, and I beg to state that, pending the judicial decision (every facility for obtaining which will be afforded by the Government) as to the legal right of holding meetings in the Royal Parks, no permission for such meetings can be given. In the event of its being desired to hold an open-air meeting on the subject of Reform, no objection will be made on the part of Her Majesty's Government to such meeting being held on Primrose Hill. I have, &c.,

S. H. WALPOLE.

E. Beales, Esq."

Thanking the House for the kind way in which they have received this statement, I have now simply, in conclusion, to express my earnest hope that those who were anxious to hold the meeting in the Park, with the view of bringing to a test the legal question involved, will not try to press the assertion of that right further by means of force; but, if they do, then I trust that hon. Members, on whatever side of the House they may happen to sit, will aid the Government in their endeavour to maintain those rights with respect to the Parks which as they have every reason to believe belong to the Crown, and with which they trust no attempt at interference which has not the sanction of the law neither can or ought to be allowed by those who have at heart the sacred interests of peace and order.

MR. J. STUART MILL: Sir, I rise to make a statement which I believe will give satisfaction to the whole House. I have just had an interview with Mr. Beales and several leading members of the League, including all those who were present at the second interview to which the right hon. Gentleman has referred. I have full authority from them to say this, that so far as they are concerned there is no intention of renewing the attempt to meet in the Park. There has

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been no council of the League held, and they are not, therefore, in a position to speak for the League. [*Laughter.*] That ribald laugh might well have been spared. Do hon. Members suppose that Reformers do not mean what they say? I tell them that they do. What I have to say is that these gentlemen regret exceedingly that a misunderstanding should have occurred with regard to the communication made to them by the right hon. Gentleman the Secretary of State for the Home Department. They are perfectly certain that the misunderstanding is in no way imputable to him. The interview left on them the most favourable impression of his feelings, disposition, and character, and there is nothing which they would more regret than to say anything which could in the slightest degree reflect on him. That being the case, it is unnecessary to enter into the circumstances, though I might state something that might, perhaps, account for this misunderstanding. But the misunderstanding having taken place, the same motives which induced them to exert themselves last night so as to prevent what they believed would have otherwise resulted in bloodshed, preclude them from taking any advantage of, or in any way acting on, what is now shown to have been a misconception. Whether they will accept the offer of Primrose Hill, or consider that on this occasion it is better to abstain from meeting altogether, I am not authorized to state, and probably they do not consider themselves authorized to decide on that offer without consulting the council of the League. But, so far as their influence goes, nothing will be done that can possibly afford cause for any further disturbance.

HELSTON ELECTION.—REPORT.

ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Question [19th July],

“That according to the Law and usage of Parliament, it is the duty of the Sheriff or other Returning Officer in England, in case of an equal number of votes being polled for two or more candidates at an Election, to return all such candidates.”—(*Mr. Lowe.*)

Question again proposed.

Debate resumed.

MR. LOWE said, he believed he was the only Member who ought not to speak

on the Motion, because he addressed the House on it on a former occasion. He had waited in the hope that some hon. Member would have had something to say upon the Motion; if not, and as he gathered from the Chancellor of the Exchequer and the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone) that they did not approve of any opinion being recorded on the subject, he had no wish to press the matter forward, and he moved that the Motion be withdrawn. [“No, no!”] He had thought it his duty, as Chairman of the Committee, to bring the matter before the House.

MR. AYRTON said, it was desirable that the Question should be settled, and he thought the right hon. Gentleman's Motion was the only reasonable solution of the matter. It was very desirable that it should be recorded on the Votes of the House.

SIR FRANCIS GOLDSMID considered there was great objection to the House settling the law by way of Resolution. If the law was settled upon the point, as he believed it was, this Resolution was unnecessary; and if the law was not settled it could not be done by Resolution. He approved of the withdrawal of the Motion.

MR. DARBY GRIFFITH remarked that the Bill of the hon. Member for Honiton (Mr. Goldsmid), which took away the ordinary vote of the returning officer, and gave him a casting vote, would have afforded a fair solution to this question.

THE ATTORNEY GENERAL said, he was sure the House would think that the right hon. Member for Calne (Mr. Lowe) had not only performed his duty, but had done a service to the House in bringing this question before them. At the same time, he thought there was great force in what had fallen from the hon. Member for Reading (Sir Francis Goldsmid). This was a question on which there was a law at present, although different opinions might be entertained as to what the law was. For his own part, he held it to be the law that where there was an equality of votes for two candidates there should be a double return; but that opinion might be wrong, and in the present state of matters the law of Parliament should be settled by an Election Committee of that House. On the other hand, if any one thought that the law ought to be made more clear, or that it should be altered, that exposition and that alteration should be made, not

by Resolution, but by legislation. Therefore the course taken by the hon. Member for Honiton (Mr. Goldsmid) in introducing a clause into his Bill declaratory of the law, was the proper course. But it was obvious that such a Bill could not be carried this Session; but as no case could arise in the course of the present Session, he did not see any inconvenience would arise from postponing the matter till next year.

MR. LOCKE said, the Attorney General had remarked that no case could arise before the next Session of Parliament; but he (Mr. Locke) did not regard that circumstance as a reason for not agreeing with the Resolution of the right hon. Member for Calne. On the contrary, he was of opinion that the law regarding elections ought not to be left in doubt. But from the text books it appeared that grave doubts might arise in the minds of returning officers, and that, especially if they looked for advice to *Rogers on Elections*, they might think they were told a returning officer possessed a casting vote. Where was the difficulty of passing this Resolution? He hoped it would be passed, and then there would be a confirmation by the House of Commons of the decision pronounced by the Election Committee over which the right hon. Member for Calne had presided.

MR. GOLDSMID said, his Bill for making the law uniform in the three kingdoms would come on at a later period of the evening. The Resolution of the right hon. Member for Calne he regarded as unconstitutional. If the law was clear it was not for the House of Commons to declare its clearness; if it was not clear, the doubt could only be removed, not by a Resolution of the Commons, but by an Act of Parliament.

MR. PAULL was strongly of opinion that the Legislature never intended to give the returning officer a casting vote. This was clear from the nature of the questions to be asked of every elector before giving his vote—whether he was the person described on the register, and whether he had voted before at the election. It was quite inconsistent with the second of these questions to suppose that the returning officer should have a casting vote. The Resolution of the right hon. Gentleman was therefore a very salutary one.

MR. LOWTHER hoped the House would adopt the Resolution of the right hon. Gentleman.

Question put.

The House *divided*:—Ayes 135; Noes 6: Majority 129.

Resolution *agreed to*.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

RAILWAYS.

MOTION FOR A ROYAL COMMISSION.

MAJOR JERVIS said, he rose to move that an humble Address be presented to Her Majesty praying for a Royal Commission to inquire into the condition of the Railways of this country as regard their ability to fulfil their engagements to the public, having due regard to the interests of all parties concerned. Railway companies were bound to take measures to secure the public safety; but it was well known, and it had been stated on the authority of the Board of Trade, that on even some of the best lines the permanent way had been allowed to get into a condition which rendered it dangerous to travel upon. So long as a railway was under the direction of a Board of Directors some responsibility existed for its proper maintenance, although the Board of Trade, when once a line had been opened, could not enforce any penalties for improper management; but a very unexpected contingency had, however, arisen, for one of the chief lines had been placed under the control of a receiver appointed by the Court of Chancery, and the control of the revenue was thus taken from the Board of Directors. It was clear that with a railway in that position there existed no power which could oblige the Court of Chancery to expend a portion of the revenue on the permanent way, so as to keep it in good order. He believed a proposal had been made to protect rolling stock from seizure, so that the traffic might not be liable to suspension, but in that case there was the more need of securing the safety of the passengers. If the Board of Trade had already sufficient power to enforce this, he should be perfectly satisfied; but if, as he believed, they had not, he hoped the right hon. Baronet (Sir Stafford Northcote) would agree to the appointment of a Commission to investigate the matter, whereby he would obtain the necessary information without rendering

it necessary to give too much publicity to the monetary affairs of the company. As was well known, a line of railway could not be opened without the certificate of the Board of Trade; but after this the Board of Trade took no notice of the line till an accident happened, and then they sent down an inspector, whose duty it was to report, but the Board had no power to enforce the recommendation of the report. When a line fell into the hands of the Court of Chancery, and a receiver was appointed, no money could be expended without an order of the Court. The consequence was that the order of the Master of the Rolls or a Vice Chancellor had to be obtained before any money could be expended on a line so circumstanced. But the Master of the Rolls or the Vice Chancellor could be no judge of the condition of the permanent way; and if they were, there were strong doubts whether, when a receiver was appointed on the part of debenture shareholders, they could pay any portion of the receipts in repairing the permanent way. In such a case what was there to carry on the line? At any rate, he thought that, considering the financial difficulties of some of the principal lines, the House ought not to separate for the recess without hearing the opinion of the right hon. Baronet on the subject.

Amendment proposed,

To leave out from the first word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, praying that She will be graciously pleased to issue a Royal Commission to inquire into the condition of the Railways of this country, as regards their ability to fulfil their engagements to the public, having due regard to the interests of all parties concerned,"—(*Major Jervis*,)
—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. CHILDERS said, he desired to urge on the right hon. Baronet, whose attention had already been directed to the matter, the importance of considering before next Session what could be done. In Ireland a railway company could be wound up, and this he believed had been done in some cases, but in England no such provision existed; consequently all the stores and rolling stock of a company were liable to seizure by the sheriff, and a receiver might be appointed in the interest of the

bondholders, leaving the public to look out for themselves. The origin of the difficulty he believed to be this—that when railways were originally established the idea was that they were to be highways, as it were, upon which everybody was to take his own engines and carriages, paying a certain toll to the companies. Indeed, all railway Acts still contained a schedule of tolls to be paid by private persons. This was the theory; but, as a matter of fact, the traffic was entirely in the hands of the companies, subject to certain regulations by the Board of Trade, and it would be ridiculous for any person to put in practice the right to which he was theoretically entitled. Legislation, however, being based on this assumption, there was no guarantee for repairing the permanent way or for keeping up the proper supply of rolling stock. He was aware that one of the Vice Chancellors had placed the line of a particular railway company in the possession of a receiver, who had power to pay the necessary working expenses out of the gross receipts, and to apply the balance in liquidation of the company's debts; but it was disputed whether it was ever intended that a power so to deal with a railway company should be vested in the Court of Chancery. The question had become so serious that the President of the Board of Trade would be justified in considering whether some measures might not be taken for preserving at once the rights of creditors and the interests of the public. Even if he should not think the appointment of a Commission desirable, he trusted that the right hon. Gentleman would take up the matter himself, and that early next Session he would bring in a measure for taking a railway out of the hands of a company that was involved in permanent financial difficulties, and for protecting the interests of those who had claims upon it.

MR. SCOURFIELD said, he did not see how the appointment of a Commission to consider this question could render insolvent companies solvent. He had often called the attention of the House to the necessity of imposing some stricter conditions upon the Railway Bills passed by Parliament. The root of the present evil was, that Bills were obtained first, and companies founded afterwards; whereas the companies ought to be first of all in existence before the Bills were sanctioned.

MR. SELWYN said, it was a matter much to be regretted that nothing had

been done to carry out the recommendations of a Committee of that House, which had been drawn up after consultation with the noble Lord the Chairman of Committees in the other House, and with the hon. Member for North Lancashire (Colonel Wilson Patten). The root of the evil complained of lay deeper than was usually supposed, and the persons affected by it were not so much the creditors of these companies as the landowners through whose property the line passed, and who were often unable to obtain payment for the land taken from them. In the Court of Chancery that day, no less than five orders had been made against railway companies for payment for land taken for the purposes of their lines. Every case was undefended, the plea of the companies being merely that time might be granted to them to meet the claims, the correctness of which they admitted. In former days, it was required that persons taking compulsorily other people's land should possess the means of accomplishing the project they had in view; whereas, under the present system of merely requiring a deposit from the promoters of a Bill, the money was borrowed for the purpose of complying with the Standing Orders, and a Bill was passed authorizing the construction of vast works by a company that had neither shareholders nor money. It appeared from the evidence taken before the Committee to which reference had been made, that it was usual for a stipulation to be inserted in the contract between the parties promoting the Bill and the bank or the insurance company that advanced the money for the deposit, that the Bill, after it had been read three times by both Houses of Parliament, should not receive the Royal assent without the consent of such bank or insurance company as was first obtained. So that a fourth authority had been introduced in those matters, with whom rested the power to withdraw a Bill which both Houses of the Legislature had, by passing, declared to be a wise and proper measure. In point of fact, the companies that promoted new lines consisted too often, in the first instance, of nothing more than a lawyer, a contractor, and an engineer. They obtained from a compliant Parliament privileges which enabled them to exercise compulsory powers over other people's lands. They made their profits out of the scheme, and the loss fell upon the public. He thought that if, instead of appointing a Royal Com-

mission, the President of the Board of Trade would only bring into force the Resolutions of the Committee to which he had referred, a speedy and effectual remedy would be applied, and the object of the present Motion fully met.

MR. WHALLEY said, he was at a loss to understand in whose interest the hon. Gentleman who had just addressed the House had spoken. They could not be advocating the interests of the public, because persons who constructed a railway conferred a benefit upon the public; and Parliament might well leave it to those who lent money to the promoters of Railway Bills to take effectual means for protecting their own interests. He might, however, point to one grievance under which landowners suffered, which was that they were not permitted to make a line at their own expense over their own land to join that of a railway company without the sanction of the latter. The Report of the Committee of the House which sat in 1863, explained the reason of the diminished value of railway shares and securities—and, in fact, that Report fully accounted for the occurrence of the late panic in the money-market. The question raised by that Report was whether the House would retain within its own hands the administration of its rules or would intrust a competent tribunal to discharge duties which now pressed so heavily upon its members. Of the best authorities upon such a question in that House, six had voted in favour of transferring the consideration of Railway Bills to the Board of Trade, or some other competent tribunal, while seven had voted against the proposition. The Committee of 1863 decided that competition should not be a ground of opposition to a new line before a Parliamentary Committee; but this Resolution was rescinded through the influence of the great railway companies. There was no similar instance of such a Resolution having been rescinded by a Committee after it had agreed to one half of its Report, and this instance was suggestive of the power exercised by the existing companies to prevent the free flow of capital for the construction of new lines. As a consequence, the modern system of financing was resorted to, and it was to this the monetary panic was to be traced. If the Report of the Committee of 1863 were referred to it would afford some valuable practical information on the subject. The evidence before that Com-

Mr. Selwyn

mittee very clearly established one thing—that many towns and districts too poor to construct a railway for themselves, although it was urgently required, had had it constructed for them by the enterprise of promoters of new companies, who, when they had obtained their Act, were able to raise money upon the paper it authorized them to issue. If the company succeeded they made a profit, and a loss if it failed. The House must remember the expense of getting a Bill. He knew of one case in which £75,000 was spent in obtaining a Bill for the construction of only eighteen miles of railway. He maintained that no persons were more entitled to the gratitude of the community than this class of persons—the lawyers, the engineers, and the contractors, who had been the means of making hundreds of miles of railway that but for them would never have been made at all. As much as £3,000,000 had passed through his own hands in this way, to the immense benefit of the district in which the railways, thus rendered possible, were constructed.

MR. GOLDNEY trusted that the House would not be led away by the discussion of our system of railways generally, or of the causes of the panic on the money-market, from the point really at issue, which was whether some means should not be taken to prevent a railway falling into the hands of its creditors, and the consequent stoppage of the traffic. The safety of the public was imperilled by the relations of some railway companies to each other. It was only the other day that an accident happened on a branch of the Great Northern because that and another railway company disputed each other's liability to repair the permanent way, which consequently fell into disrepair, and thus gave rise to the accident.

SIR STAFFORD NORTHCOTE ventured to hope that his hon. and gallant Friend (Major Jervis) would withdraw the Motion, as he did not see that any real object was to be served by the issue of a Royal Commission. At this moment a Royal Commission was engaged in inquiring into the whole question of our railway system and the control that Government ought to exercise over it, in view of the impending expiration of the period fixed by the Act of 1845, which would place the House in a position to deal freely with the subject; and it was obviously desirable to wait for the Report of this Commission, which might be looked for in November or

December. With respect to the powers of the Board of Trade, while the Board had not much power to compel railway companies to set right what was wrong, it had full power to make investigation and examination; and it would do so on receiving a representation from any one, or even of its own motion, if there were reason to suppose that a railway was in a dangerous condition. Thus, if the Board of Trade had reason to believe or was informed that any railway in this country was falling into a dangerous condition, its duty was to inquire how the facts stood; and he could undertake to say that if his hon. Friend knew of any such case, and would call his attention to it, an immediate investigation should be made into it. During the recess the Government would take into consideration the financial and legal position of railway companies, and the mode of dealing with them. At present, a Bill was passing through the House of Lords to meet the case of a possible seizure of rolling stock. That would only be meeting a small part of the subject, and he doubted whether it was expedient to pass such an Act, at all events without some accompanying legislation, because taken alone it would endorse a principle which dangerously affected the security of creditors. The Committee of the House of Lords had also recommended a winding-up Act for railways, and probably it would be desirable next Session to deal with railway companies in some general Act on the subject. It would not be possible at the end of a Session to enter upon the consideration of such a question, but he should make inquiries on the subject, and should be very much guided by the Report of the Royal Commission with respect to it. With regard to the particular line referred to by the hon. and gallant Member, he believed the difficulty had been met by the appointment of a receiver. He had been informed that the matter had not been settled altogether satisfactorily, but there was no such urgency in the case as to render it necessary for him to interfere. He fully admitted the great importance of the question, and he promised that the attention of the Government should be given to it.

MR. HADFIELD thought that the Government should also consider those clauses of the Land Compensation Act with respect to compensation to persons whose property might be lessened in value by the operations of a railway.

MAJOR JERVIS said, that after the statement of the right hon. Baronet the President of the Board of Trade, he should withdraw his Motion.

Amendment, by leave, *withdrawn*.

IRELAND—COURT OF ADMIRALTY.

OBSERVATIONS.

MR. PIM said, he wished to call the attention of the Chief Secretary for Ireland to the necessity of early attention to the reform of the Court of Admiralty in Ireland, and to the want of a summary jurisdiction in respect to differences about freight, demurrage, seamen's wages, and other matters where the amount in dispute may not be large. He questioned whether it was desirable to place the Admiralty Court under the jurisdiction of the Judge of the Court of Probate, and said that it was much feared in Ireland that this would be done.

LORD NAAS assured the hon. Member that the subject would receive the most careful consideration from the Government.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to*.

SUPPLY—CIVIL SERVICE ESTIMATES.

SUPPLY *considered* in Committee.

(In the Committee.)

(1.) £4,970, Purchase of old Gun Metal to be employed in the construction of the National Memorial to His late Royal Highness the Prince Consort.

THE CHANCELLOR OF THE EXCHEQUER: Although I have to make this proposition in the form of a money Vote, I am merely about to ask the Committee to give effect to a rule which was adopted at the desire of the House in respect of "old stores." Formerly any quantity of bronze in the shape of old gun metal might have been given from those stores without the leave of the House; but we have, and very properly, put an end to that system, and I have, therefore, to ask for a Vote of £4,970, the value of old gun metal to be given by the Government for bronze work in the memorial to the Prince Consort. It is necessary to obtain the consent of the House in this way, but the money will not leave the Exchequer, or, if it should, it will be at once paid in again. The right hon. Gentleman then moved a Vote of £4,970 for the purchase from the War

Mr. Hadfield

Department of gun metal to be employed in the construction of the memorial—namely, seventy-one tons at £70 per ton.

MR. AYRTON thought it was desirable the Committee should understand a little more clearly the nature of this Vote. Was it in addition to the £50,000 which the House had voted for the memorial three years ago? On that occasion some hon. Members desired to know what the character of the memorial was to be; but Lord Palmerston stated distinctly that the House were not asked to undertake the work—what they were asked to do was to grant a sum of money to Her Majesty towards enabling her to erect a memorial. As he understood, the House was absolved from all responsibility in the matter, and on that ground they were invited by Lord Palmerston not to enter into any discussion, but to leave the matter in the hands of Her Majesty. As this was the first occasion on which the matter was brought up, he wished to have a clear understanding now whether it was intended that they would have to vote sums of money from time to time for the completion of the memorial?

THE CHANCELLOR OF THE EXCHEQUER: This Vote has nothing to do with the sum of £50,000, which was intended to be the extreme and only sum this House should ever be called on to vote towards the memorial. But at the time that Vote was brought forward, the Government of the day promised that besides the £50,000 a quantity of old gun metal to the weight of seventy-one tons should be given for the bronze work of the memorial; and the noble Lord who was then Secretary for War made a specific promise to that effect. Upon those engagements all the estimates are based; and the work has now arrived at such a stage that the gun metal is required, and the Committee have made a demand for it; and as, under the new regulations which the House had made, I could not allow the metal to be given unless it were first brought before the House, I have caused this estimate to be framed and submitted to the Committee.

MR. DARBY GRIFFITH said, he distinctly remembered that the promise of the gun metal, in addition to the £50,000, was made by Lord Palmerston.

Vote agreed to.

(2.) £77,744, to complete the sum for the British Museum Establishment.

MR. LOWE: The Vote for the British

Museum last year was £98,164; the total of the sum required for the year is £102,744, showing an increase of £4,580. In the item of Salaries there is an increase of £1,985; in House Expenses of £250; in Purchases, ordinary, of £1,247; in extraordinary of £2,400; and in "Miscellaneous" of £250. A gradual increase takes place in the salaries of the assistants; but the main cause of the increase under this head is connected with the retirement of Mr. Panizzi from the office of Principal Librarian. In consideration of his long and very valuable services, including not only his indefatigable labours as Principal Librarian, but also the service which he rendered as architect of the new reading room, the Trustees have recommended that he should be allowed to retire on full salary after a discharge of his duties for thirty-four years. That arrangement was made a year ago; but, at the request of the Government and the Trustees, Mr. Panizzi has consented to remain in office for another year; so that for the last twelve months the country may be said to have had the benefit of his services for nothing. It is creditable to his public spirit that he should have given us his valuable—or rather invaluable—services for a year after the time when he might have retired on full salary. The increase in the House Expenses has been caused by an increased expenditure for fuel, principally in consequence of a system of ventilation now in use at the Museum. The Museum has become possessed of many valuable acquisitions. From Mr. Woodhouse, who for some time was Secretary to the Governor of Corfu, we have received a large number of coins, of the estimated value of £4,000, and Mr. Christy has presented us with a valuable collection of ethnographical specimens. The Trustees have purchased for £6,000, 90,000 specimens composing Mr. Cuming's collection of shells, which I believe is a collection almost unique, and of the greatest value in the study of conchology. I will not detain the Committee further than to remind them that year after year the fine collection of objects in the British Museum is injured, lost, and buried, owing to the want of room. I think no one who moves this Estimate will do his duty who does not call attention to that circumstance, though, perhaps, he may do so to but little effect. I will just mention two or three instances in illustration of what I mean. The beautiful specimens from Halicarnassus

and the tomb of Mausolus are now, as the Committee is aware, placed in a glass structure between the columns of the portico of the building—a most unsightly and unseemly spectacle to those who enter; and not only so, but the structure in which they are put away is by no means air-tight, but admits both damp and dirt, so that the specimens are receiving great and permanent injury because we cannot obtain grants in order to put them in a proper receptacle. Then, the collection of animals is another instance. The stuffed animals form a beautiful collection; but instead of being so displayed that they may be seen with ease and advantage they are arranged in squadrons, I do not know how many deep, and if you want to see an animal you have to displace four or five to get at it—to the great injury of the specimens every time they are moved. The third instance is that of Mr. Christy's collection, a magnificent gift, for which we are obliged from want of room to hire premises in Victoria Street—two or three miles from the Museum—to stow the specimens away, our main business being to find receptacles for the treasures acquired partly by the munificence of Parliament and partly by that of private donors. But that is not all the mischief that is done. There is besides the danger of fire, which no one can sufficiently be acquainted with. We had a fire lately in the bookbinders' room, and what would have been the consequences if the valuable collection of books had all been burnt? Besides, therefore, the difficulty arising from the want of means of stowing things away, and the difficulty of access, there is the greatest risk of their perishing by fire. Thus this beautiful collection of shells which we purchased at so large a cost we are obliged to put away in drawers, and no one will be able to see them except one who knows what we have done with them. The fact is, the munificence of the country supplies the Trustees with large sums with which we purchase valuable collections from year to year, and then they are put away in some hole or corner where nobody can see them. I hope this state of things will soon be put an end to.

MR. HENRY SEYMOUR objected to the statement of his right hon. Friend that the condition of the British Museum, as far as he regarded the location of the collections, was the fault of that House. The fact lay with a certain number of gentlemen who were determined to break

up the British Museum into parts against the declared wish of the public and the House, as expressed on several occasions. These gentlemen desired to carry the Natural History Collection to South Kensington, and for that reason opposed all proposals for enlarging the building. That was the reason why the Museum was becoming every year more crowded, and those valuable marbles were perishing from the effects of our climate, and why we could not enjoy the advantage of the many collections stored away in the cellars, nor have the prints displayed. This question of location had been made a battle-ground between the various departments of the Museum; and the literary department, to which his right hon. Friend belonged, and at the head of which was Mr. Panizzi, were anxious to turn out the scientific department, which was anxious to remain where it was, and have more room for its collections. It would be a great pity to divide the collections. There was plenty of space to be had around the Museum, and the late Duke of Bedford, who owned the whole of the property surrounding the Museum, had most liberally offered the greatest facilities for providing additional room. The right hon. Gentleman the Home Secretary was for accepting the offer, but the right hon. Member for South Lancashire (Mr. Gladstone) and the right hon. Member for Calne refused it, and it was owing to his right hon. Friend and some other gentlemen that the public were not now enjoying those magnificent collections, unparalleled in the world, as they ought to do. There was a vast deal of room in the British Museum quite sufficient to hold a much larger portion of the collections than was exhibited at present, but those gentlemen absolutely refused to allow one penny to be spent upon these premises, in order that the want of space might appear every year the greater. He did not see why, looking to the difficulty of settling the question as to separating or keeping the collections together, the trustees should not put some of them, such as those of Mr. Christy, in one or two houses, which they might easily rent at a low rate near the Museum. That was a feasible plan, and he would recommend it to his right hon. Friend. With regard to the fire of which the danger was so imminent according to his right hon. Friend, why was it that this bookbinding establishment was fixed in the Museum itself? Assuredly the

Mr. Henry Seymour

Trustees might remove that and other such preparatory establishments. Whatever decision was ultimately adopted by the House a considerable time must elapse before suitable buildings could be provided. Why, then, should not the Trustees make arrangement, at any rate for some years to come, for the temporary exhibition of those portions of the collections which might be least injured by moving? With regard to the stuffed animals, for instance, it would be extremely easy for them to hire a domicile for them near the Museum. He regretted extremely that this liability to interference with what had been the dream of Professor Owen's life should have deprived the public of his inestimable services for so long a time. The question of separation or otherwise ought to be brought to an issue; and, though he was in favour of keeping the collection together he was quite willing to be bound by a vote of the House, and would never after that raise the question. It had been urged upon the late Chancellor of the Exchequer that if the property surrounding the British Museum were bought for the purpose of enlargement it need not all be pulled down at the same time; the process of conversion might be gradual, and meanwhile the rents of the houses left standing would yield a considerable interest upon the outlay. The adoption of such a course would get rid in the first place of all difficulty as to site, and the House would hear no more of the British Museum question for a long time to come. A settlement so desirable had only been defeated by those who were anxious to make a sort of science and art town at Kensington. His right hon. Friend, he hoped, would rise again and state the course which he was prepared to recommend, or at least give an assurance that there was some prospect of the Trustees agreeing among themselves upon a scheme to be recommended to the Government as a final settlement of the question.

Mr. NEATE thought that the department of Art had better be separated from the Museum. He thought means might be taken to increase the interest of some of the contents. For instance, the Museum contained a most valuable collection which, he was sorry to say, he had never seen. He thought these might be placed in a separate gallery, and the choicest of them exhibited in monthly rotation, giving novelty and variety to what was to be seen within the building.

MR. AYRTON complained that the old irregularity of moving the British Museum Estimates from the Opposition, instead of the Treasury Bench, had been repeated. His right hon. Friend the Member for Calne (Mr. Lowe) could not be responsible for any course which the Government might take, and therefore it was idle for the Committee to discuss the very interesting question he had brought under their notice. When the right hon. Gentleman who had usually moved these Estimates (Mr. Walpole) became a Member of the Government a very desirable opportunity of terminating this inconvenient practice was afforded; but on the present occasion the right hon. Gentleman was not even present, and with the exception of the right hon. Gentleman the First Lord of the Admiralty, who, of course, had nothing to do with these Estimates, the Government were not present. What, therefore, was the use of continuing the discussion, since there was no one to inform Members of the intentions of those who sat on the Treasury Benches? But he did not address himself merely to the existing Government. On the occasion when this subject was last under consideration the attention of the then Chancellor of the Exchequer was called to the expediency of rendering the National collections available as much for the instruction and enjoyment of the humbler classes as of persons of wealth and station. The right hon. Gentleman the Member for South Lancashire (Mr. Gladstone) then stated that he thought the question one eminently deserving the consideration of the Government, and held out expectations that at no distant day measures would be taken to accomplish so desirable an end. But from that day to this nothing further had been heard upon the subject; no results had manifested themselves of the promised investigations and deliberations. It was deplorable to think that the National collections were locked up and put out of sight when they might be made available for the gratification, instruction, and amusement of thousands who were closely occupied all day. Private persons having anything to exhibit found no difficulty in holding an exhibition in the evening; and at South Kensington they found that, even in a Government establishment, the enterprise of the general Superintendent had enabled him to deal successfully with a problem which at the British Museum was insuperable. The objection of additional

expense was put forward whenever evening exhibitions were suggested; but, properly handled, these additional opportunities of seeing the collections were really opportunities for diminishing the charge on the Exchequer. Society always included a number of persons who would never think of visiting an exhibition that was free, but would flock to it eagerly when an admission fee was demanded. Yielding, therefore, to the caprices of such people, by establishing pay-nights they could be made to defray the cost of admitting others gratuitously, on the well-known principle that "a fool and his money are soon parted." Nothing could be better than to make the vanity of the rich pay for the necessities of the poor, and he did not see why that principle should not be applied to the British Museum.

MR. BENTINCK said, he had listened with much pleasure to the remarks of the hon. Member for Poole, and also to those of the hon. Member for the Tower Hamlets, with whom he concurred in regretting that the Vote was not moved from the Treasury Bench. He had hoped the House would have received from the right hon. Gentleman some satisfactory information as to the course that had been determined upon for providing accommodation for the National collections which were now heaped together at the British Museum. The Select Committee presided over by the hon. Member for Galway (Mr. Gregory) had inquired especially into this subject, when Mr. Oldfield, a most experienced officer of the Museum, submitted a plan by which, at a moderate cost, the Trustees would have acquired the space necessary for the enlargement of the Museum. He should like to know whether there was any intention of carrying out that plan? There was another subject on which he desired information. There was at present at the South Kensington Museum a very valuable collection of coins. It was collected, he believed, by a gentleman who was an officer of the British Museum. He offered it, in the first instance, to the Trustees of the Museum, by whom it was declined; and it was afterwards purchased by the South Kensington Museum. Now it seemed to him that the managers of our great public collections ought not to be in the position of bidding against one another. There ought to be a particular Museum for each particular class, or, at any rate, the purchase of articles of each particular class ought to be confided to a single authority.

MR. BRUCE said, the collection of coins to which the hon. Member (Mr. Bentinck) had referred was sixty-four in number. Those coins, which had been purchased for £63, consisted of sixty-one Greek and Roman coins and three Italian coins, of the 14th, 15th, and 16th centuries, and were in circulation for the purposes of art education, and, if he was correctly informed, was in possession of the South Kensington Museum before he had any connection with it. Since then a gentleman (Mr. Brook), in a patriotic spirit, made a present to the department of a vast number of curious objects, among which were thirty watches manufactured 200 or 300 years ago, and his collection of coins, and of course they were joyfully accepted.

MR. GOLDNEY would suggest to the right hon. Gentleman the Member for Calne, as the representative of the Trustees of the Museum, that a portion of the houses at present occupied by the officers of the establishment might be appropriated to the purposes of the collections, and that a great deal of valuable space for the accommodation of the collection would thus be obtained. The displaced officials would, of course, be provided with residences elsewhere.

MR. ALDERMAN LUSK hoped that the House would at length deal in some effectual mode with the subject, and would rescue the collections from the discreditable position in which they were at present placed. It was shameful to the country that, having such splendid collections in natural science and art, we should not know what to do with them.

MR. BENTINCK said, he believed the right hon. Gentleman opposite (Mr. Bruce) was mistaken in supposing that the coins to which he had referred were now in circulation. If he was not misinformed, they were coins of a very high order, and the South Kensington Museum had paid no less than £300 for them.

MR. BRUCE adhered to his previous statement. The hon. Gentleman (Mr. Bentinck) seemed to hold that medals and coins were the same thing. The collection he referred to was a valuable collection of medals illustrative of the art.

MR. LOWE: There are both coins and medals at South Kensington Museum, and are most legitimately there as being works of art. The coins, too, are in circulation, but not in the sense in which my hon. Friend (Mr. Bentinck) spoke. People do not think they can spend them; they are

Mr. Bentinck

in circulation in the sense that they are sent round the country with other objects in order that people may learn something about ancient coins. The general principle my hon. Friend lays down with regard to the departments is quite incontestable. It is the imperative duty of the two departments mentioned not to bid against each other for the possession of any collections. There have been times years ago when this happened, but we have taken most elaborate precautions against anything of that kind in future. I can hardly say that it is not possible that such proceedings can ever occur again; but whenever anything comes to the knowledge of either of the departments trenching upon the limits of the other, we always confer with each other, and arrange matters so that the collision which my hon. and learned Friend said was so detrimental shall not take place. I will now proceed to answer the numerous questions which have been asked, to the best of my power. The notice given me having been very short, I have not been able properly to prepare myself for the task. I had also been under the impression that my right hon. Friend the present Secretary for the Home Department would have moved the Estimates. An hon. Gentleman (Mr. H. Seymour) has put a question to me as to the necessity of doing the bookbinding on the premises. Now, as a matter of discipline and precaution, it is very undesirable that valuable articles of this kind should be moved out of the control of the officers of the establishment; and we believe also that there are legal objections to doing so. The Act of Parliament requires that when once we have possession of a thing we must keep it; and we have no power to remove or lend anything, or send anything out of the Museum for any purpose. This observation applies also to the suggestion of hiring houses in the immediate vicinity. Were this to be done it would be attended by great relaxation of discipline, and the danger of fire and theft would be increased; and there would further be great difficulties in the management and discipline of the persons removed from the building to separate places. I do not mean to say that many things ought not to be done if we are to look upon the present state of things as a permanent one. But I refuse to look at the matter in this light, for I do not believe the people of this country wish us to go on piling all these magnificent treasures one upon the other,

and in reality burying many of them so that nobody can be the better for our possession of them. I can only say that if that were the wish of the people, I, for one, would not take the time and trouble I do in looking after this institution. This could not be expected of any man unless the public would fairly do their part and give a suitable place for the storing of these things. It is absolutely necessary that something should be done. I will now proceed to give an answer to my hon. Friend the Member for Poole (Mr. H. Seymour.) It is quite true that if we were to pull the building about from top to bottom, altering a staircase here, and pulling a partition down there, and throwing out some excrescence in another place, we might cram more things into the premises; but I think that in following such a course we should not be acting wisely. It would not be judicious to spend large sums of money for a temporary object, which could only stave the thing off for a year or two and give no satisfaction. I have been asked the opinion of the Trustees on this matter. Now, the Trustees have been charged unjustly, I think, with standing in the way of effecting improvements. The Gentlemen who say so greatly over-estimate the power of the Trustees. I am not entitled to give any opinion on behalf of this body of gentlemen. There was a division some years ago—long before I was a Trustee—in which it was carried by a very small majority that the collection should be separated; but I am not able to say what is the opinion of the Trustees on this subject at the present time. The House of Commons have taken it into their own hands, and some years ago a Committee was appointed, which presented a Report upon the matter. The Trustees know their duty too well to attempt to set up their own opinions against those of the House. It was their duty to point out to the House the difficulty which beset them owing to want of adequate space, and it was then the duty of the House to decide what provision it would make. My hon. Friend greatly exaggerates the influence and the powers of the Trustees if he believes that they either can, or desire if they could, to set up their views in opposition to those of the House. They would cheerfully acquiesce in any method the House thought desirable to adopt to remove the present scandal. There are different opinions among us, as there are among any

other body of men meeting together for a public object. It is therefore mere nonsense to lay the blame on the Trustees. If my own opinion is desired, I may say that it would be impolitic to spend £50,000 for an acre of land in the immediate vicinity of the Museum, when you can get it, probably, for something like one-sixth part of the value in a place where you could do justice to the whole of the natural history collection. [An hon. MEMBER: Where?] At South Kensington. This is my individual opinion, and I have had a great deal to do with these matters. I say again, it is for the House to come to a decision in the matter, and then it will be our duty to give all the assistance which we are able in making that decision as efficient and beneficial as possible. All I say is, do something. Do not leave these valuable treasures to be buried and to perish before your eyes. Then an hon. Gentleman (Mr. Neate) has most justly complained that a collection of most beautiful engravings cannot be seen. They are exhibited in the Library of King George III., the only place available, and are changed occasionally so as to give the public a fresh sight. But we ought to have a room where they can be exhibited on a large scale; it does not exist, and we have no means whatever of providing it. At present there is, in fact, no room for showing engravings; what we have is but a *pis aller*. Another hon. Gentleman has observed that the residences of the officers take up a great deal of room. There is an advantage in the present arrangement in that respect, because it increases the security against fire, theft, and disorders of various kinds. This was fully shown in the case of the recent fire, when a very heavy national loss was averted by the activity of the officers resident within the building. A fire of a few minutes would be sufficient to destroy a million pounds worth of property in the British Museum, and which no amount of money could replace. We do not, however, believe it to be the wish of the House of Commons that we should turn out the officers and appropriate the room they at present occupy. With regard to the question of moving the Estimates dwelt upon by my hon. Friend the Member for the Tower Hamlets (Mr. Ayrton), who says I have no business to make the Motion, I can only remark that I by no means coveted the duty, and that if he will persuade the Trustees or the Government to believe this I shall be very much obliged to him. I do

not suppose that any one who has had much to do with moving Estimates would be particularly covetous of the task. The hon. Member, however, does not seem to understand the exact position of the matter. He says we have no power to propose the Estimates; but the statement is not precisely correct. We have just the same power over our Estimates as any department of the Government has over the Estimates connected with it. A Finance Committee prepares the Estimates; they are submitted to the Treasury like the Estimates of other Departments, where alterations, if deemed necessary, are made, and then they are presented to this House. I have just the same power of proposing anything as the head of any Department who is a Member of the Government; the difference is that the Trustees are not responsible to Parliament. It may be very proper—I do not say it is not—that a Member of the Government should move this Estimate; but if this were to be determined on, you would either have to find a Member of the Government who would give up his time and be at a great deal of trouble to master all the details of the British Museum, or else you would have the Estimates moved by somebody who knows nothing about them. Nothing would be easier than for the Chancellor of the Exchequer to move the Estimates, but it would be impossible for him to answer questions as to details or give the required information. The business of the Museum might be made a Department of the Government, and perhaps that would be a beneficial change; but then the individual who moved the Estimates, unless he were such a person as the present Home Secretary, would require at his elbow a Trustee to prompt him—which could not be a very satisfactory state of things. Therefore, as long as the present arrangement exists we do well in having the Estimates moved by a Trustee; though I should readily acquiesce in any decision the House might come to on the matter. As to opening the Museum in the evening, in speaking upon that subject I feel that I am treading upon somewhat delicate ground. The remarks of my hon. Friend on this point are founded on a misconception of the object of the Museum. I hold it to be a place neither for exhibition nor for education; it is a receptacle for curious, scarce, and valuable objects, collected for the promotion of knowledge in the higher branches of scientific inquiry. Its function is quite

different from that of the South Kensington Museum, where the collection is infinitely less precious and costly. The object of that institution is undoubtedly the advancement of popular education and instruction, and everything is arranged there with that view. This is not the case with the British Museum. I think that if we give facilities for inspecting the collections intrusted to our keeping to those who really can understand and appreciate them, we do our duty. I do not think it is consistent with the main end of all such institutions as the British Museum to make what is called great places of popular instruction of them, merely for vast masses of people to come in and look at the collections, and then pass out. Under these circumstances, I hold that it is not desirable to open the British Museum in the evening; but, whether it is or is not desirable, I am sure it cannot be done at present. We tried the experiment once on a summer evening between six and seven o'clock, in order to give the working classes an opportunity of visiting the Museum if they pleased; but nobody came. Mr. Braidwood, I may add, the very able head of the Fire Brigade, who lost his life three or four years ago in attempting to extinguish a fire in the Borough, reported in the strongest manner against lighting the present building at night, inasmuch as to do so would, in his opinion, be to incur the greatest danger. I therefore think that it would be inexcusable on our part if, in order to meet a plausible popular cry, we were to expose these inestimable collections to the risk of being destroyed by fire. It is quite true that any new building might be lighted like the South Kensington Museum in an improved manner, but until we have greater means of security than are at present possessed, I think that it would be most unwise to make such an experiment. The Trustees have no policy of their own, except to suggest the purchase of land for the erection of a new building, which will relieve the present collections from their dangerous and inconvenient position. I am sure, whatever differences of opinion may exist on this subject, they are all merged in the one desire that the Government and the House of Commons would take some step to remedy this great scandal, and do away with the absurdity and folly of locking up wealth of this inestimable kind, when by the expenditure of a mi-

serable pittance of a few thousand pounds it might be turned to the greatest profit and made subservient to the public interests.

MR. CORRY: The hon. Member for Whitehaven (Mr. Bentinck) has said that the right hon. Gentleman the Member for Calne (Mr. Lowe) knew nothing about the collections at South Kensington, and that I knew less. I do not know what ground he has for coming to that conclusion. I may not indeed have arrived to such a high standard of information as my hon. Friend, but I now hold in my hand the Returns from which I spoke.

MR. BENTINCK expressed his regret at having said anything calculated to offend the right hon. Gentleman, but he did not intend that his words should convey the meaning put upon them.

MR. HENRY SEYMOUR, in answer to the remarks of the right hon. Gentleman the Member for Calne, that land at South Kensington might be purchased at one-sixth the price of land in Bloomsbury, said, that the land at South Kensington was, as a matter of fact, a good deal dearer than at the latter place, and that when the right hon. Gentleman spoke of the possibility of procuring land at a cheaper rate at the former place, he must have had in view the land which was at the disposal of the Commissioners of the Great Exhibition, which was public property, but which they were no doubt willing to give up on very moderate terms. But he (Mr. H. Seymour) had frequently asked the question, without receiving a satisfactory reply, why the land in South Kensington was not sold to advantage, and the money arising from the sale appropriated to the purchase of the additional land required in the neighbourhood of the British Museum? There was no reason why, so far as he could see, the Trustees of the Museum should not remove some portion of the collections there to some of the houses in its immediate vicinity, which would, for all practical purposes, be as convenient as some portions of the existing building itself. He regretted that the right hon. Gentleman the Secretary for the Home Department had not given the House the benefit of his opinion on the subject, and he would appeal to him to say whether he did not think a Bill might not be introduced and passed before the close of the Session, carrying into effect the suggestion which he had just made, and thus giving Professor Owen room to realize a large portion of his plan.

MR. LOWE desired to explain one thing. He could assure the hon. Gentleman that the land in the hands of the Commissioners of the Great Exhibition to which he had referred as being public property, was absolutely the property of the Commissioners, and was entirely at their disposal for the purposes of science and art. Originally, a sum of public money was advanced to the Commissioners to enable them to purchase the land, but it had been long repaid, and they owed the public nothing.

MR. WALPOLE: I can assure my right hon. Friend the Member for Calne (Mr. Lowe) that I am quite delighted the duty of moving this Estimate has devolved upon him, for I know of nobody better calculated — I will say so well calculated—to deal with a question which bears upon the interests of science and art. I differ from him in many points, but I quite agree with him on one — that some decided course must be taken on this matter. There are but two ways of dealing with the subject. You must either determine to separate the collections now in the Museum or buy more land in Bloomsbury. The argument for keeping the collections together is that it is desirable they should be all under one roof, so that persons wishing to study them might have an opportunity of doing so without going from one place to another. In favour of the separation of those collections it is, upon the other hand, urged that they would by that means be fairly and properly distinguished from one another. For my own part, I have always been for keeping them together, while my right hon. Friend has been an advocate for separation. I am, however, perfectly willing to take either course, provided you do not heap those stores on one another as at present in such a manner as to render them really not as available as they ought to be to those who wish to make them objects of study. The hon. Gentleman the Member for Poole wishes to know what course the Government have made up their minds to adopt, and appeals to me to say whether some measure on the subject might not easily be passed through both Houses of Parliament, even at this period of the Session. Opinions on the subject, however, are so divergent, and the difficulty of reconciling them is so enormous, that you may depend upon it it will require a very long time indeed

for Parliament to deal with the question. All that I can say on the part of the Government is, that they are fully alive to the importance of the question, and that it is one which will have their serious attention during the recess. More than that I do not feel justified in saying. Before I pass from this subject I may be permitted to pay a tribute to a gentleman of extraordinary talent, who has devoted almost the whole of his life to the promotion of the advantages of the institution over which he had lately presided—I refer to Mr. Panizzi. It would ill become me to allow these Estimates to pass without paying the tribute which is so well deserved to the extraordinary powers of mind of this gentleman and which have been entirely devoted to the institution of which he has had charge.

Vote agreed to.

(3.) £133,928, to complete the sum for the Science and Art Department.

MR. BENTINCK rose to call attention to the Vote for the new permanent buildings at South Kensington; to the revised plan and Estimates for them which had been submitted to the Treasury. Every year brought a great increase in the Estimates for this Department. The Estimate for 1861 was £94,000; in 1864-5 it had risen to £135,580; in 1865-6 to £162,000; and the present Estimate was for £174,000. It would be difficult to say where this large increase was to stop. In addition to that £174,000 it was now proposed to expend the sum of £420,000 to complete the plans for the New Buildings, though in the Report a modified plan estimated to cost £220,000 only was suggested. The case made out was this:—In 1860 the Committee recommended the plan of Captain Fowke, estimated to cost £214,000. Of that sum £93,000 had been already spent, £39,000 was being expended, and £82,000 remained to be laid out. That expenditure, however, was only to cover a space of 6,000,000 cubic feet; but it was now proposed to cover 13,000,000 cubic feet, with permanent buildings, at a total cost of £482,000. He, however, could see no reason for taking this step. Even if the space were required, he contended that the work should be done at a less extravagant outlay. If the buildings were wanted at all they might be of a plain character; but supposing it was desirable that they should be of a highly ornamental character, he considered the plan now

adopted was not one which would secure a satisfactory result. Captain Fowke was not an architect, and did not possess the necessary knowledge for designing a building of this important character. He objected to the *dilettante* system of architecture in vogue at the Kensington Museum—to erecting a bit of one style here, another there—so that anything like harmony was out of the question. If it was intended to have a building of great architectural pretensions an architect of eminence should be employed, and his design should be submitted to the House before asking for the money necessary for its adoption. He wished to know what were the intentions of Her Majesty's Government with regard to this expenditure, and whether they intended to adopt the plan estimated to cost £420,000, or the modified plan at £220,000; and, if the latter, whether the expenditure would be kept to that amount, and not increased to the £420,000 at some future period, and whether, if they adopted a design of great architectural pretension, they would lay the plans before Parliament before asking it to vote the money?

MR. CORRY said, his hon. Friend (Mr. Bentinck) had commenced by complaining that he had not introduced this Vote by a preliminary statement; but he believed it was not usual to make any preliminary statement on proposing the Vote in relation to Science and Art; although it was usual to do so on introducing the Education Vote as he had done two nights ago. He would now, however, give some explanation of the increase in this Estimate as compared with last year. The first item of increase was one in which he took considerable interest—namely, £2,800 for the School of Naval Architecture; but that was a mere transfer from the Navy Estimates; and it involved no additional charge. The next item was £3,000 for the National Portrait Gallery, which had given so much gratification to the public, and it was expected that the whole of the expense would be recouped by payments for admission. Then there was £3,200 for institutions in Ireland in conformity with the recommendation of the Committee presided over by the hon. Member for Galway (Mr. Gregory.) The next item was £1,500 for re-painting and lighting the Geological Museum, which was to be thrown open to the public at night. These, with some smaller items of a similar character, made up the increase of £12,087. Then there was the esti-

Mr. Walpole

mate for building at South Kensington. He was asked what were the intentions of the Government in that respect ; but it could hardly be expected that, having so recently taken office, they could have yet been able to turn their attention to this subject. The late Board of Treasury had sanctioned an additional expenditure of £195,000, which was £205,000 less than the estimate for the completion of the whole of the general plan proposed by Captain Fowke. The whole question would be considered before preparing the Estimates for next year, and the Government would be at liberty either to adopt the scheme of work sanctioned by the late Government, or any modification of it they might think proper. He could not agree to refer the plans to a Committee. He did not know of any building erected in London of late years which appeared more suitable for its purpose or in better taste than the quadrangle at Kensington Museum, and he thought they had every reason to lament the premature death of the gallant and distinguished gentleman who had designed it.

MR. BRUCE thought it would not be out of place if he gave to the Committee a short history of the establishment at South Kensington. In 1856 the sum of £15,000 was voted for a temporary iron building. Then there was voted £10,000 towards removing the offices and schools from Marlborough House to South Kensington. In 1857, £3,500 was voted for accommodation for the Sheepshanks Collection, in value about £60,000; and in 1859, £12,198 for the Vernon and Turner Collections. For these temporary objects the sum of £40,698 had from time to time been voted by Parliament. In 1860 the right hon. Member for Calne (Mr. Lowe), then administering the Department, applied to the Treasury for a grant of money to erect permanent buildings, the valuable collections of pictures and works of art placed in these temporary buildings not being securely housed. The Government hesitated about the permanent extension of these buildings until the policy of erecting a museum at South Kensington had been thoroughly investigated. In consequence of that determination the right hon. Gentleman moved for a Committee. It was very impartially chosen, and, after fully considering the subject, they reported unanimously in favour of establishing a museum. A plan was laid before them, in which the brick

buildings, already built, were brought into use. The Committee recommended a further expenditure of £44,000 for buildings of urgent necessity. The Report stated that the museum was in course of formation. The Committee thought it unwise to commit the country to the heavy expense in anticipation of its wants, and they recommended that any plan which should be adopted for the buildings to be erected should be capable of being worked into a general plan, which would “at once fully occupy the ground, and be susceptible of a proper amount of decoration.” Captain Fowke’s plan, submitted to the Committee, was roughly estimated at £214,000. The Department was feeling its way. This was a new work, and it was impossible to foresee the direction and extent of its possible development. As matter of fact, several departments had sprung up in connection with the institution. The Science Department had been founded since the Report of the Committee, and was working very successfully and economically. The School of Naval Architecture had also been placed there. A most valuable educational library had been collected chiefly by gifts from publishers and private contributions, where the best books on education could be consulted in almost every modern language. There was also a magnificent Art library — probably the finest in the world. These things could not be foreseen; nor could it be anticipated how far private liberality would extend. Twice it had fallen to his lot to move for grants of £20,000 to extend the permanent buildings on plans which had been submitted to the Select Committee, but which had neither been specifically approved by them, nor submitted to Parliament. On moving the Estimates last year, he had undertaken to furnish the House with a distinct statement of the intentions of the Government with respect to the buildings, and Captain Fowke had been directed to prepare a plan completely occupying the ground. This he had done. The plan submitted to the Select Committee in 1860 was estimated to give about 6,500,000 cubic feet of building at a cost of £214,000. That prepared in 1865 provided 13,072,456 cubic feet at a total estimated cost of £520,000. It was a plan of great beauty and skilful arrangement, but the late Government considered it to be larger than was required for the immediate wants of

the Museum, and proposed to execute only about three-fifths of it at a cost, including previous expenditure, of £314,000. The sums already voted amounted to £99,000; the Vote asked for the present year was £20,000; and it was proposed to extend the expenditure of the remaining £195,000 over six years. The correspondence on this subject with the Treasury had been printed in the Report of the Science and Art Department for the present year, and he should have been prepared, had he continued in office, to have asked the sanction of Parliament to act upon it. It was, of course, competent to the present Government to adhere to Captain Fowke's original plan, but he earnestly hoped they would not do so, as it would be totally inadequate to supply the present requirements of the Museum. No public buildings of any pretensions to architectural beauty had ever been built on so economical a scale as those now in progress at South Kensington. The British Museum had cost £1,100,000, at a cost of 1*s.* 6*d.* per cubic foot. The cost per cubic foot of the Royal Exchange had been 11*d.*, while that of the Houses of Parliament had been between 2*s.* and 3*s.* The estimated cost of the buildings at South Kensington, which had been tested by experience to be correct, was only 9*d.* per cubic foot.

MR. AYRTON thought that any one reading the Report would have concluded that it was intended to commit the House by the present Vote to an expenditure of £434,000; but it was satisfactory to learn that, at present, no such scheme had been embarked in. With respect to the School of Naval Architecture, which had been established in the most inconvenient place in the metropolis, he wished to know the number of pupils, the mode of admission, and the fees paid by them.

MR. BRUCE replied that the number of pupils whose fees were paid by the Admiralty was twenty-six, in addition to eleven private students. During six months of the year the Admiralty pupils pursued the practical part of their education in the dockyard, receiving the scientific part during the other six months at South Kensington. For this latter object the School was very conveniently placed.

In answer to MR. HENRY SEYMOUR,

MR. BRUCE explained that the Principal and Vice Principal had fixed salaries, the other officials being paid by fees.

Mr. Bruce

MR. AYRTON could not understand why twenty-six youths should be educated at the public expense and at a cost of £100 a year each.

MR. CORRY believed that no sum of money included in the Estimates was more profitably expended. The £2,800 was not for the mere benefit of these twenty-six Admiralty pupils, and of the other pupils admitted, but also for the general advancement of the science of naval architecture. There was no other way of giving apprentices in the dockyards the scientific part of their education but by the establishment of a School for Naval Architecture, without which our ships would be built, as was once the case in this country, by what was vulgarly called the "rule of thumb." The consequence of the want of scientific instruction at one time was that our ships were a disgrace to the country, and during the great war we were always glad to get a French vessel and build one like it. When a member of the Board of Admiralty, many years ago, under the Government of the late Sir Robert Peel, he (Mr. Corry) had been instrumental in establishing a School of Naval Architecture at Portsmouth, to which selected pupils were sent from the other dockyards for instruction, and this school had produced very valuable results—as a proof of which he might say that Mr. Reed, the present Chief Constructor of the Navy, was educated there—but some years afterwards his unfortunate School was suppressed by Sir James Graham, on his return to the Admiralty as First Lord—since that time there had been no School of Naval Architecture until the establishment of the School at South Kensington; and it was of the highest importance to this great naval and mercantile country that we should have a supply of young men, scientifically educated as naval architects, in order that our ships might compete with those of other nations.

MR. HENRY SEYMOUR said, he did not think the education of twenty-six youths justified so large an expenditure, and inquired why all the apprentices in the dockyards did not receive scientific instruction.

MR. CORRY said, that the general run of apprentices who became working shipwrights did not require such a scientific education, but that the most promising pupils were selected in order that they might become naval architects.

MR. ALDERMAN LUSK thought that,

when so many millions were spent for warlike purposes, the most liberal construction ought to be put on anything that was done in the way of education.

MR. HENRY SEYMOUR said, he thought the money would be much better spent at the dockyards in giving the rudiments of a scientific education to all the apprentices. He could not see why Professors should not give scientific instruction at dockyards to all who wished to receive it.

MR. BRUCE pointed out that the services of many of the most eminent men could only be obtained in London.

MR. AYRTON said, he saw no necessity for a certain number of youths being educated at the public expense, for if the Government required the services of persons possessing particular qualifications they had only to announce the fact and plenty of candidates would present themselves, the best of whom could be selected. The present system was most extravagant and tended to secure incapacity instead of capacity, a principle which seemed to be peculiarly predominant in the navy.

MR. WATKIN said, the question was whether a country like this should have a School of Naval Architecture, and whether, if so, £2,800 was too large a sum to be devoted to that purpose. The expense last year was £4,000, so that the cost had been reduced, and the School was the nucleus of a system of instruction with reference to shipbuilding, the advantage of which was apparent from every discussion on the Navy Estimates in that House. He was glad to see the expenditure on the South Kensington Museum increased, because money could not be spent more beneficially than in providing the means of educating the people.

SIR JOHN PAKINGTON said, he approved the practical view of the subject which had been taken by the hon. Member for Stockport (Mr. Watkin.) The question under discussion was of importance, not only to the Royal Navy, but also to the mercantile marine, who derived the greatest benefit from the institution. The late Admiralty had acted most advantageously for the interest of the country in establishing the School of Naval Architecture. Sir James Graham most unfortunately did away with the old School of Naval Architecture, and the want of which had ever since been greatly felt, as the maritime interests of the country absolutely required the existence of such an institution. A

complaint had been made that the School was established at South Kensington instead of at the dockyards; but it was impossible to expect that the eminent gentlemen who attended at South Kensington should be able to go down to lecture at the dockyards. Moreover, the pupils only attended the School at South Kensington during the winter months, so that they were at liberty to devote themselves practically to their profession during the summer.

MR. BENTINCK, after expressing his thanks for the explanation that had been given by the right hon. Gentleman, wished to ask a question as to the sum of £700 for pictures that had been purchased during the past year for the South Kensington Museum. He thought there should be no competition between that institution and the National Gallery with reference to the purchase of pictures, and that as to ancient pictures the proper place for them was the National Gallery.

MR. BRUCE said, he had seen every picture that had been purchased for the South Kensington Museum during the past year, and he could therefore state that, with the exception of a few water colour pictures, the greater part of the money was expended in order to add to the Sheepshanks Collection, for the purpose of giving a more complete illustration of contemporaneous English art. The few ancient pictures that had been purchased from time to time had been bought because they exhibited some peculiar style of decoration or some curiosity of costume.

Vote agreed to.

(4.) £254,130, to complete the sum for Public Education in Ireland.

MR. LEFROY said, he regretted that Her Majesty's Government had not been able to make this Vote satisfactory to the clergy of Ireland. He hoped that before the Estimate was proposed next year some arrangement would be made whereby the Protestant clergy of Ireland would be dealt with more satisfactorily.

MR. WHALLEY said, that the object he had in view in intruding himself on the Committee was to ascertain, for the information of the House and the country, what was the nature of the education imparted to the Roman Catholic population by the Roman Catholic schools maintained by grants from the State. He believed that money granted for other purposes had been devoted to convent schools.

The only object he had ever had in calling attention to the Maynooth and other similar grants was that information should be obtained as to the real nature of Roman Catholic education in Ireland. One of the results of that education was seen in the Fenian conspiracy. ["Oh, oh!"] He could not recognize that interruption as a legitimate one. What he maintained was, that the Roman Catholic priests either were the originators and supporters of Fenianism or they were not. If they were the House was directly responsible for every shilling which was voted to be placed under their control, and thus, in fact, for stimulating the chronic disaffection of the Roman Catholics in Ireland. If the priests were not supporters of Fenianism, then how was it that, with the means of education in their hands, and with the vast influence which they possessed over the people, they did not discountenance or prevent it? The House systematically refused to make any inquiry into this subject, often as he had urged it. But he desired to call the attention of the House to a publication prepared by the Rev. Mr. Magee, and which that gentleman had forwarded to the late Attorney General for Ireland for presentation to the House. Some of the statements in this petition were very remarkable. He referred to certain Papal documents called bulls, and he gave the names of some of them, such as that *Super Soliditatem, Unigenitus, Excommunicatus, Pastor Bonus*, and others. It was of these documents that Dr. Doyle once said that in any country where they were in force nothing but confusion could possibly happen—"bloodshed" and "slaughter," and "streets running with blood," were some of his expressions, and Dr. Doyle discovered that these documents were then, and they are now, in full force in Ireland, and are practically the law under which the Roman Catholic hierarchy administered their authority. He was not expressing his own opinion only when he said that Members returned from Ireland acted not from Imperial interests, but in the interest of a foreign Power antagonistic to principles, civil and religious, recognized in this country. He would go further, and say that it appeared, from the example of Dr. Pusey and his followers, that there was no reason why a person professing the Roman Catholic religion should not remain in the Church of England.

MR. W. ORMSBY GORE rose to order, and wished to know whether the hon.

Mr. Whalley

Gentleman was speaking to the Question before the Committee.

THE CHAIRMAN said, the hon. Member for Peterborough had introduced a new subject, and appealed to him to consider the convenience of the Committee and the advanced period of the Session.

MR. WHALLEY thought that the Committee would see that what he said did bear on the question under discussion. What he objected to was the recognition of a foreign Power, which, as far as it went, was fatal to the peace and in antagonism to the Constitution of this country. They were really granting this money for the teaching of principles which were embodied in the bulls of the foreign authority to which he had referred.

MAJOR STUART KNOX rose to order, and desired to know whether the offensive remarks of the hon. Member towards Roman Catholics were in order?

THE CHAIRMAN said, he could not say the remarks of the hon. Member for Peterborough were not in order; but whether they were relevant to the subject before the House was another question.

MR. WHALLEY said, he should not trouble the Committee further on this question, but he could not sit down without asking whether the Government did not inquire into the nature of the education given under this Vote?

MR. HENLEY said, that it appeared that in the English education the expense of management was 12 per cent, while as regarded the Irish education it was little over 4 per cent. The difference in the number of inspectors in each country was not so great, and he should like to know whether the payment in Ireland secured sufficient inspection?

MR. CHILDERS said, that the hon. Member had overlooked certain items which affected the totals, and made the percentages of the cost of administration nearly identical.

MR. MONSELL testified to the efficiency of the inspection.

Vote agreed to.

(5.) £730, Commissioners of Education (Office Expenses), Ireland.

(6.) £5,793, to complete the sum for the University of London.

(7.) £14,857, to complete the sum for the Universities in Scotland.

(8.) £1,452, to complete the sum for the Queen's University in Ireland.

(9.) £2,250, to complete the sum for the Queen's Colleges in Ireland.

(10.) £700, Royal Irish Academy.

(11.) £1,000, to complete the sum for the National Gallery of Ireland.

(12.) £1,500, to complete the sum for the Belfast Theological Professors.

(13.) £11,892, to complete the sum for the National Gallery.

MR. HENRY SEYMOUR said; he wished to know whether the present Government proposed to carry out that plan for the erection of an improved National Gallery which had met with the approval of their predecessors?

THE CHANCELLOR OF THE EXCHEQUER said, that the present Government intended to adhere to the general plan adopted by their predecessors, for the erection of the improved National Gallery; but if the hon. Gentleman would give notice of a Question upon that subject he (the Chancellor of the Exchequer) would be prepared to give more detailed information with respect to it.

Vote agreed to.

(14.) £650, to complete the sum for the British Historical Portrait Gallery.

(15.) £5,059, to complete the sum for Magnetic and Meteorological Observations, &c.

(16.) £10,000, to complete the sum for the Universal Exhibition at Paris.

(17.) £2,300, Learned Societies in Great Britain.

(18.) £1,810 17s. 7d., Deficiencies in Civil Services for prior years.

(19.) £2,000, Monument to Viscount Palmerston.

(20.) £10,000, Works at Landguard Point.

(21.) £22,000, Temporary Commissions.

(22.) £43,635, Miscellaneous Expenses formerly defrayed from Civil Contingencies.

(23.) £3,052, Household of King of the Belgians.

(24.) £5,000, Vaccinators.

(25.) £95,489, Constabulary of Ireland.

(26.) £3,500, Merchants, Gold Coast.

(27.) £1,920, Treasury Chest.

(28.) £4,230, British Columbia.

(29.) £5,824, Emigration of Coolies.

(30.) £14,000, Inland Revenue Department.

(31.) £10,000, Instalment on a Ship to be built on the design of Captain Coles.

(32.) £5,926, Increased Pay and Allowances (Medical Officers, Royal Navy.)

MR. CHILDERS said, it was at present extremely difficult to obtain properly qualified medical officers for either the army or navy. The medical officers of the army and navy appeared to be taken out of the body of young medical men in this country, no provision being made providing a special education suitable to the services with the exception of a few months' training. He had felt it his duty to read very carefully the evidence taken by the Committee appointed to consider the case of those officers; and it appeared to him that they did not complain so much of the inadequate amount of the pay given to them as of their rank and status in the services; and, consequently, they generally looked forward to retirement on pensions after fifteen or twenty years. Now, it could not be satisfactory to the body of combatant officers that the medical officers, who entered the service at about the same age as they themselves became lieutenants, should receive so much higher pay, and should be able to retire at an early age on so much better terms. He would suggest to the right hon. Gentleman the Secretary of State for War, and his right hon. Friend the First Lord of the Admiralty, that during the recess they might consider whether, instead of taking their chance of selecting from a body whose ideas of remuneration and early retirement were pitched so much higher than those of the combatant officers, it would not be wiser by early education to train up a body of medical officers who would look to the army or the navy as their profession for life.

GENERAL PEEL thought that if there was one thing more desirable than another in connection with this subject it was to obtain for the army and navy the best medical men they could procure. In 1858 a warrant was issued regulating the rank and position of these officers, and very soon after it underwent an alteration in consequence of the dissatisfaction which was expressed with it. The hon. Gentleman (Mr. Childers) now appeared to be dissatisfied with the amended warrant; but he would ask the hon. Gentleman how could they possibly expect medical gentlemen to enter the army or the navy if it was announced to them that their status was going to be altered?

MR. CHILDERS begged to say that his suggestion did not apply to gentlemen

who had entered. It was entirely prospective.

GENERAL PEEL would remind the hon. Gentleman that under the existing warrant direct inducements had been and were still held out to medical students to qualify themselves for the army and navy. The result of the alteration made in the terms of the Minute had not been to attract the number of candidates anticipated, for at the present moment there were actually more offices to fill, he believed, than candidates for those positions. The effect of the proposal now put forward he understood to be that instead of inviting the services of members of the profession generally a set of young men were to be sought out from some special Government establishment. He had not enjoyed the opportunity of considering the proposal as it might affect the navy; but it certainly ought to be the object of the House of Commons to secure for the army and navy the best men that could possibly be got.

MR. HENLEY said, as far as he could gather from the statement of the hon. Gentleman opposite (Mr. Childers), it was proposed that young men should be attracted to the service by some scheme of early retirement. In that case young men would learn their business in the army or navy, and, as soon as they knew it, would be enabled to retire and earn more money elsewhere.

MR. CHILDERS said, the right hon. Gentleman exactly reversed the effect of his proposition.

Vote agreed to.

(33.) £18,000, for completion of Her Majesty's Ship *Northumberland*.

MR. GLADSTONE: Sir, I rise to call for an explanation as to a matter of fact with a view to remove misapprehension. The right hon. Gentleman opposite (the Chancellor of the Exchequer) in the early part of the evening stated that the Vote of £4,970, which he then proposed, was in redemption of a pledge given by the Government of Lord Palmerston.

THE CHANCELLOR OF THE EXCHEQUER: By Lord Palmerston himself.

MR. GLADSTONE: The right hon. Gentleman draws a distinction between a pledge given by Lord Palmerston and a pledge given by the Government of Lord Palmerston.

THE CHANCELLOR OF THE EXCHEQUER: I was correcting your words merely.

Mr. Childers

MR. GLADSTONE: The right hon. Gentleman has been so reported to me. I beg, therefore, to state that no such pledge was given by the Government of Lord Palmerston in any shape; and as to Lord Palmerston, though I am informed that when first the subject was mentioned to him he was favourably disposed towards it, on further consideration he altered his mind.

THE CHANCELLOR OF THE EXCHEQUER: The statement which I made was made after reading a letter written by Lord Palmerston, in which he says that, although objections were made by some of his Colleagues, he was still prepared to propose the Vote. I am further authorized in saying that the noble Earl the late Secretary of State for War also approved the Vote, and expressed an opinion to that effect in the other House.

MR. GLADSTONE: The Secretary for War is not the organ of the Government for such a purpose, and he is able to express no binding opinion as to the grant of public money. This is a grant of public money. To obviate misapprehension, what I wish to state, without entering into further details as to the Vote in which the House has acquiesced, is this—that it never was a Vote adopted by Lord Palmerston's Government, and that Lord Palmerston himself did not approve the Vote.

THE CHANCELLOR OF THE EXCHEQUER: I wish there should be no misunderstanding on this question. The statement I made was that this was an engagement on the part of Lord Palmerston. I have seen a letter from Lord Palmerston, written at a period subsequent to the original engagement, in which he says that objections had been urged against the Vote by some of his Colleagues—or by a Colleague—but that he still was prepared, if required, to propose it. On the faith of the original undertaking, and of that subsequent statement confirmatory of the original undertaking, the Estimates were made on which the Committee of the National Memorial to the Prince Consort acted. And it was in consequence of that understanding that a requisition was made by the artist, and that this proposition has been brought before the Committee.

MR. GLADSTONE: There was no distinction between the Colleagues of Lord Palmerston and Lord Palmerston. The whole of the Colleagues of Lord

Palmerston and Lord Palmerston himself were of the opinion I have stated.

House resumed.

Resolutions to be reported To-morrow at Twelve of the clock.

POOR LAW AMENDMENT BILL—[BILL 221.]
(*Mr. Gathorne Hardy, Mr. Earle.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Bill considered in Committee.

(In the Committee.)

Clause 1 (Registrar of Births and Deaths may be superannuated.)

MR. HENLEY thought it was a great hardship to throw the charge for registration upon the real property of the country.

Clause agreed to.

Clauses 2 to 14, inclusive, agreed to.

Clause 15 (Limits imposed by 7 & 8 Vict. c. 101 and 14 & 15 Vict. c. 105 withdrawn.)

MR. HENLEY entertained considerable objection. At present, a workhouse child could not be sent away beyond twenty miles from the union, but this clause did away with the limit altogether.

MR. NEATE supported the clause, the advantages of which would, he believed, greatly overbalance the inconvenience pointed out by his right hon. Friend.

MR. GATHORNE HARDY would be willing to limit the distance to fifty or fifty-five miles.

MR. HENLEY knew the inconvenience of fixing an exact limit. All he sought was that the children should not be so placed as to lose all sight of their connections.

MR. C. P. VILLIERS said, the matter was well considered in the Committee, and the reasons there given were considered fully to justify the change of the law, and it was assented to by the whole Committee.

MR. HENLEY: All he asked was that the relations of the children should be communicated with.

MR. ALDERMAN LUSK said, that in London the best thing that could be done for the children would be to separate them from their connections.

Clause agreed to.

Remaining clauses agreed to.

LORD BINGHAM, in moving the insertion of a new clause providing for the education of pauper children in the religion to which they belong, said, his object was to do a simple act of justice to a large section of their Roman Catholic fellow-countrymen, many children belonging to whose faith were at present, there was good reason to suppose, brought up in London workhouse schools as Protestants. In support of his proposition, he desired to read a statement contained in a letter from the Hon. Charles Langdale, narrating the circumstances connected with the case of the children of a woman named Mary Sarsfield. The statement was as follows:—

"Mary Sarsfield died in Milbank Prison on the 6th of April, 1865, having three children in the workhouse, where they were taken at her imprisonment. Previously to her death, she requested a paper to be written, and which she signed (not knowing how to write) in the presence of two of the female officers in the prison, who likewise affixed their signatures, leaving these three children to my care in order that they should be brought up Catholics—her own religion. On her deathbed the prisoner expressed her satisfaction that the faith of her children was thus secured to them. Upon inquiry, I found that these children had been sent to the district school at Southall. I applied, therefore, to the Marylebone Board of Guardians, laying before them the paper signed by the mother in the presence of witnesses. The Board agreed to take the case into their consideration—my offer being to take these children, support, and educate them at my own expense. On my visiting the Board the following week, they declined to let me have the children, or hear any further observations from me."

To meet cases of this kind, and in order to secure that pauper children unconnected with the Established Church should be educated in the faith to which they belonged, he begged to move the following clause:—

"That if the parent, step-parent, or nearest adult relative of any child not belonging to the Established Church, relieved in a workhouse or in a district school, or in the case of an orphan the god-parent of such orphan, make application to the said Board in such behalf, the Board may, if they think fit, order that such child shall be sent to some school established for the reception, maintenance, and education of children of the religion to which such child shall belong, and duly certified by the Poor Law Board under the Statute of the 25 & 26 Vict. c. 43; and the guardians of the union or parish to which such child shall be chargeable shall, according to the terms of such order, cause the child to be conveyed to such school, and pay the costs and charges of the maintenance, lodging, clothing, and education of the said child therein, and all the provisions of the said Statute shall thenceforth apply to the said child."

Clause brought up, and read the first time.

Motion made, and Question proposed,
 "That the Clause be read a second time."

COLONEL HOGG said, he saw no possible use in this clause. He believed that the guardians of the metropolitan workhouses showed a very great respect for the religious convictions of their Roman Catholic fellow-subjects. They kept registers showing the religious denominations to which each pauper child or adult belonged, and those registers could be seen by the Roman Catholic priest and the Dissenting minister, who had every facility afforded them for giving spiritual instruction. As a Poor Law Guardian of St. George's, Hanover Square, himself, he must say he had never heard of a case of proselytism; and if he had would have exposed it. He saw no necessity whatever for the provision moved by the noble Lord.

MR. REARDEN thanked the noble Lord for proposing that clause, and alleged that a system of religious proselytism was carried on in certain London workhouses, particularly instancing that of St. George's, Hanover Square.

COLONEL HOGG protested that he never knew of a single case of proselytism at the Board of Guardians of that union while he had been connected with it, and that if he had ever seen anything of the kind attempted he would have been the first to oppose and discountenance it.

MR. REARDEN said, he entirely acquitted the hon. and gallant Member of any participation in the acts of proselytism to which he had referred.

MR. GATHORNE HARDY said, no hon. Member would desire that children placed in workhouses should be under a different system from what they would be if placed in industrial schools. The educational system should be denominational, and if Wesleyans or Baptists desired their children to be educated in their own tenets they had a right to have them so educated. If those workhouses were in the hands of Roman Catholics, and they had their chaplains appointed for the purpose of educating the children in them, he should think it a great hardship that Protestants should not be allowed to remove their children to a certified school where they might be taught their own religion. For that reason he was prepared to give his hearty assent to the proposal which had just been made by the noble Lord behind him. He had not, however, thought it right to make the proposal himself, inasmuch as it would

have the effect of placing in his hands a power different from that possessed by his predecessors in office. The Committee ought not, he thought, to regard the question as one between antagonistic religions, nor was it a new one. The original Poor Law Act provided that every care should be taken to prevent children in workhouses from being brought up in a faith different from that of their parents, and in 1859 a set of articles were drawn up by his right hon. Friend Mr. Sotheron-Estcourt in reference to the subject, which were confirmed by Lord March, now the Duke of Richmond, who succeeded him at the Poor Law Board, and which provided for full and fair freedom as to the religious instruction to be given. He had been pressed to introduce a larger scheme dealing with the matter, but he had felt it to be his duty to decline to do so at so late a period of the Session. He had, at the same time, looked carefully into it, and wishing that all religions and all denominations should be placed on a fair footing, in the way proposed by the noble Lord, he hoped the Committee would not refuse to accept his very moderate suggestion.

MR. WHALLEY said, he understood the right hon. Gentleman to say that it was matter of perfect indifference to him in what principles of religion children were brought up. Now, so far as regarded the principles of religious liberty, there could be no objection to that statement; but it was made in the interest of children who were claimed as Roman Catholics. The right hon. Gentleman ought to reflect that he was increasing the number of those who by the Constitution of the country and by the doctrines and discipline of the Roman Catholic religion were undoubtedly a danger to the State. The Bill had been fully considered in the Committee, and he considered that the clause had been brought forward for the purpose of stealing a march upon Parliament without discussion. He should move "That the Chairman report Progress."

Motion made, and Question proposed,
 "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Whalley.*)

LORD EDWARD HOWARD said, he must certainly excuse himself from answering the peculiar views of the hon. Member for Peterborough. He readily acknowledged the liberality and kindness

of the noble Lord who had taken up this matter, and of the Government for adopting his suggestion, but the clause was not all that Catholics could wish. What they desired was set forth in the Report of the Committee of 1864. Unions differed in their practice, but that of many was what every liberal and fair man, whether Protestant or Catholic, would reprobate. This was proved by evidence given before the Committee in 1864 by representatives of large London unions, who openly avowed that they did not recognize any children as Catholics, never instructed them as such, and would not allow a priest to visit any under the age of fourteen or fifteen. The conductors of a certified Catholic orphanage had requested twenty-one unions in London to allow Catholic children to be taken into its schools, but the answer in every case was a refusal. These facts proved that the rights of Roman Catholics were refused.

MR. CANDLISH pointed out that the clause was defective in not meeting the case in which the surviving adult relative of a child was not of the same religion as its parents, and in assuming that all children had god-parents—sponsors being dispensed with in most Dissenting baptisms.

MR. NEWDEGATE deprecated the remarks of the hon. Member for Peterborough, who, he said, made Protestant feeling appear ridiculous; but, at the same time, he opposed the clause, which he said was calculated to promote proselytism by Roman Catholic priests, by opening the door for the assertion of claims which it would be impossible to test.

MR. C. P. VILLIERS said, that the proposed clause was entirely consistent with the 19th clause of the original New Poor Law Act, the principle of which clause had been neglected for a long time past. Nothing was more clear than the intention that the religious opinions of the inmates of the workhouses should be respected; but the Committee which sat on the subject of Poor Law Relief recommended that such a clause as the one proposed should be accompanied by others requiring, among other things, a book to be kept, accessible to people out of the workhouse, describing the religious faith of the inmates. Some hon. Gentlemen seemed alarmed lest the proposed clause might favour proselytism by Roman Catholic priests; but he could assure the House that there was abundance of evidence that proselytism was going on in

the other direction. Many guardians actually believed it to be their duty, when they found a child without friends or next of kin, to bring it up as a Protestant, without regard to what might have been the religion of the parents; in some unions the religion of Roman Catholic children was ridiculed, and the children made ashamed of it. This caused great pain to the relatives of the children, being Roman Catholics; and the clause now proposed would meet that case.

MR. AYRTON objected that the clause gave the right of interference to the nearest relative of a child, and enabled him to decide in what religion the child should be educated. He might be no more than a tenth cousin to the child, and it was absurd to invest him with such an important influence upon the child's future career. Under this clause, too, a man might desert his whole family, and yet assert the right of regulating the manner in which his children should be educated. He wished to know whether there was any limit put to the charge of maintenance for these children. The clause was inadequate to carry out its proposed object, and the right hon. Gentleman should take into consideration the means of carrying out his own views. The inevitable consequence of this clause would be to transfer the charge of these children from the local authorities to the Consolidated Fund.

MR. HENLEY thought this clause right in principle. Children in the workhouses being Roman Catholics or Presbyterians, or of any other form of faith, should if there was a school of that character be sent to it. But he objected that the clause was not sufficiently clear and distinct in carrying out this, which he supposed was its object. Under the clause as it was at present worded the case might arise of a child whose father was a Roman Catholic, and whose mother was a Presbyterian; and supposing that the father died, would it be open to the mother to come forward and claim that the education of the child should be in the Presbyterian faith. How could the Poor Law Board settle the point? It did not seem they had any means of requiring proof.

MR. GATHORNE HARDY explained that he had introduced nothing controversial into the Bill, otherwise it would have no chance of passing this Session. The whole question of the religious standing of different denominations in workhouses and schools required consideration,

but he accepted the proposed clause as one of a provisional character. In reply to the hon. Member for the Tower Hamlets (Mr. Ayrton), he would point out that the sum to be paid for a child was not to exceed the cost of maintenance in the workhouse, and no proposal was made to grant anything from the Consolidated Fund. As to the objection of the right hon. Gentleman (Mr. Henley), he could only say that the workhouse authorities would be bound to take the best means in their power of ascertaining the religion of the parents of the child. He did not think these difficulties could occur.

MR. WHALLEY complained of what he said was the "impertinence" of the hon. Member opposite in imputing to him Jesuitism.

MR. NEWDEGATE said, that he never stated that he believed the hon. Member was a Jesuit.

MR. WHALLEY: I rise to order. What the hon. Gentleman did say was that I was not a Protestant.

MR. NEWDEGATE was glad the hon. Member had retracted his previous assertion as to the expression he had previously attributed to him (Mr. Newdegate).

MR. WHALLEY: I have not recanted.

MR. NEWDEGATE: He had objected to the mode in which the hon. Gentleman carried on his advocacy of the principles to which he (Mr. Newdegate) was attached, which he considered highly injurious to the cause which the hon. Member appeared to espouse.

Motion, by leave, *withdrawn*.

Original Question put.

The Committee *divided*:—Ayes 67; Noes 8: Majority 59.

On the Motion of Mr. HENLEY, words were introduced to the effect that proof should be given of the religion of the child.

Clause, as amended, *agreed to*.

House *resumed*.

Bill *reported*; as amended, to be considered *To-morrow*.

WAYS AND MEANS.

Order for Committee read.

Account No. 46 of the Finance Accounts [presented 31st May] *referred*.

WAYS AND MEANS—*considered* in Committee. (In the Committee.)

1. *Resolved*, That, towards making good the Supply granted to Her Majesty, there be issued and applied to the Service of the year ending

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the 31st day of March 1867, the sum of £767,600 2s. 4d., being the Surplus of Ways and Means granted for the Service of preceding years.

2. *Resolved*, That, towards making good the Supply granted to Her Majesty, the sum of £19,661,630 15s. 3d. be granted out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland.

Resolutions to be reported *To-morrow*, at Twelve of the clock.

DOCKYARD EXTENSIONS BILL.

On Motion of Sir JOHN PAKINGTON, Bill to extend the duration of the Dockyard Extensions Act (1865), *ordered* to be brought in by Sir JOHN PAKINGTON and Lord HENRY LENNOX.

Bill *presented*, and read the first time. [Bill 246.]

House adjourned at half after Two o'clock.

HOUSE OF LORDS,

Friday, July 27, 1866.

MINUTES.]—PUBLIC BILLS—*First Reading*—Fees (Public Departments)* (233); Aberdeen Provisional Order Confirmation* (234); Parishes (Scotland) Act (1844) Amendment* (235); Inclosure (No. 2)* (236).

Second Reading—Straits Settlements* (211); Hundred Bridges (210), *negatived*; Courts of Justice* (218); Suburban Commons* (222); Inland Revenue* (229); Court of Session (Scotland)* (230); Colonial Branch Mint* (227).

Committee—British Columbia* (213); Land Tax Commissioners' Names* (179); Militia Pay*; Drainage and Improvement of Lands Act (Ireland) Provisional Order* (217); Public Works, Harbours, &c.* (219); Public Works Loans (Ireland)* (220); Oyster and Mussel Fisheries* (239); Foreign Jurisdiction Act Amendment* (165).

Report—New Forest Poor Relief* (203); Rochdale Vicarage* (204); British Columbia* (213); Oyster Bed Licences (Ireland)* (205); Land Tax Commissioners' Names* (179); Militia Pay*; Drainage and Improvement of Lands Act (Ireland) Provisional Order* (217); Public Works, Harbours, &c.* (219); Public Works Loans (Ireland)* (220); Foreign Jurisdiction Act Amendment* (165).

Third Reading—Dean Forest (Walmore and the Bearce Commons)* (178); Ecclesiastical Commission* (232), and *passed*.

PUBLIC MEETING PLACES IN THE METROPOLIS.—OBSERVATIONS.

THE EARL OF SHAFTESBURY: My Lords, perhaps you will allow me to occupy your attention for a few moments while I make a suggestion to the noble Earl the First Lord of the Treasury; and that I

may be strictly in order, I will move that this House at its rising do adjourn till Monday next. It had been my intention to give Notice of an Address to the Crown, the effect of which I will now state. It refers in some measure to the present crisis, though it conveys an opinion and project which I have entertained long anterior to the present time, and before, therefore, the disturbances which have arisen from the attempt to meet in Hyde Park. These are the terms of the Motion of which I had intended to give notice—

“That in the event of the appeal to a Court of Law respecting the right of the people to hold Public Meetings in Hyde Park being decided in the negative, to move an Address to the Crown, praying Her Majesty to take such measures as shall secure to the people one or more open spaces, or covered buildings in or near the Metropolis, for the purpose of political or other discussion.”

Now I have long entertained the opinion that open spaces for public meetings should be provided in London, and have had some notion of bringing the subject under the notice of your Lordships; and I think you will see that there is some justice in the proposition. Suppose, for the sake of argument, that the Court of Law to which this appeal is made decides that the people have no right whatever to meet in the Park; the people will naturally say, “The Constitution recognizes our right to hold public meetings,” which it undoubtedly does, “in order that we may assert our privileges, express our opinions, and transact any business which we may think of advantage to ourselves or to the community; but where have we the power to hold such assemblies? You shut us out of the Parks, and there are no other places in central situations where we can assemble without, as you say, committing a breach of the peace.” My Lords, it appears to me, therefore, that we are only following the example of the great free States of antiquity in providing open spaces where the people may have the undisputed right of considering all the affairs relating to their own condition, and the state of the commonwealth at large. It may be said that the people can go to Primrose Hill. That may be perfectly true; but the people have no undisputed right of meeting even at Primrose Hill; and I am quite certain, from what I know of the people—and I have had a good deal of intercourse with them for a very long time—that that for which they look is the provision of some place or places where they may have an undisputed right

of meeting without any other appeal than to the authority which has charge of these places. I would take care that these places should be under no sort of official control in any way connected with the Government. They might, however, be provided by and subject to the control of the Metropolitan Board of Works. That Board has power to levy a rate, and might levy such a rate as would enable them to provide places in which the people might meet and deliberate, and of which they might have the use simply upon a requisition to the authorities signed by five or six householders, stating that they wished to hold a meeting at such a place and on such a day. It appears to me that we should really in this way not only give to the people the opportunity of exercising their constitutional right, but we should obviate the possibility of any future disturbances similar to those which have taken place in Hyde Park. If my noble Friend should say that it is inconvenient that I should give formal notice of an Address to the Crown, I will abide by his advice. But it is a subject of very considerable importance, and I hope it will receive the favourable consideration of the Government. May I, therefore, ask my noble Friend to state his views upon this question? I hope he will be able to say—without, of course, pledging himself to adopt any particular course respecting it—that the subject is one of importance, and that he will take it into his favourable consideration.

THE EARL OF DERBY: My Lords, I think my noble Friend has exercised a sound discretion in not giving formal notice, or in asking the House in its present state, and at this period of the Session, to sanction an Address pledging the Crown to take any particular course.

THE EARL OF SHAFTESBURY: Pardon me. What I proposed was to give Notice of an Address in case a Court of Law should decide against the right of the people to meet in Hyde Park.

THE EARL OF DERBY: Exactly. I think that another objection to the Motion is supplied by the fact that my noble Friend anticipates that an Address should be presented in certain contingencies which may or may not arise.

THE EARL OF SHAFTESBURY: I proposed to give Notice for next Session.

THE EARL OF DERBY: At all events I think this is a question which it would be very inconvenient to discuss in the shape either of a formal Motion or, as I now

understand my noble Friend, of a Notice of Motion for next Session. He will excuse me, therefore, if I refrain from discussing the merits of so hypothetical a question, more especially looking at the various difficulties which may arise in carrying out his project. However, I have no objection to say that I think it is not at all unreasonable that there should be such open spaces within a convenient distance of the metropolis in which the people may exercise without question an undisputed right of holding public meetings. I say that is not unreasonable—on the contrary, I think it desirable—that the people should have these places; and the subject shall, therefore, have our consideration during the recess. If we see our way to introduce any such measure, in the event of its being laid down, as will certainly be the case, that the public have no undisputed right of entry into the Park, the question of doing so will certainly be worthy of the consideration of the Government. As far as I am concerned I shall be ready to give to such a project the most favourable consideration in my power. At present the noble Earl would hardly expect me to say more than that it is a question worth consideration, and that it does form a reasonable ground of complaint on the part of the people that they have no such open places to which they can resort. Permission to use Primrose Hill has been granted for the present, and I have no doubt that on similar occasions similar permission will be granted; but the privilege to use Primrose Hill rests not on right, but on permission.

THE EARL OF SHAFTESBURY: I am entirely satisfied with the answer of my noble Friend.

LORD REDESDALE: I wish to say a word upon the subject of the Notice which the noble Earl had proposed to give. It seems to imply that, provided it shall be held that Hyde Park is not open for meetings of this sort, it would be desirable that it should be made open for them. On the contrary, however desirable it may be that some place should be secured where meetings of this sort may be held, I think Hyde Park is not a fit and desirable place for such meetings, and I believe that is the general opinion. I wish to call your Lordships' attention to facts which show that this opinion as to the impropriety of holding political meetings in parks is one which is held independently of party feeling, or of considerations arising out of

temporary occurrence. A gentleman well known to many of your Lordships, and certainly to the public for his liberality to the district to which he belongs—Sir Francis Crossley—in 1857, gave a park to the people of Halifax; and in the indenture by which he conveyed that park to the people of Halifax the provision is made that the park shall on no occasion be used for the purpose of a political or any other meeting, nor for open air preaching, nor for the celebration of the anniversaries or other reunions of clubs or benefit societies. Sir Francis Crossley is a Liberal and perhaps an advanced Liberal, and these are the conditions on which he made the noble gift of this park, which is of the value of £30,000, to the town. This year a gentleman has given a park to Middlesborough, and again in the agreement under which the park is handed over to the local authority it is provided that it shall not be used for the purpose of a political or any other meeting. I think it is desirable that your Lordships' attention should be called to these facts, which show that parks have been given and are reserved for other purposes than political meetings and open air assemblages of that kind.

THE EARL OF SHAFTESBURY desired to set himself right with their Lordships by saying that he was extremely averse to the Parks themselves being used for public meetings. What he desired was expressed in the terms of his proposed Motion—that in the event of the Courts of Law deciding against the right of the people to hold public meetings in the Parks, their Lordships should address Her Majesty to secure to the people some open space or covered building for the purpose of holding political or other discussion.

STANDING ORDERS CLXXX., CLXXXIV., CLXXXV.

LORD REDESDALE, according to notice, moved a series of Amendments to the Standing Orders relating to Railway and other Companies. In regard to the first of these Amendments, the noble Lord said that there was a practice among companies to take general powers without specifying what they desired to accomplish, and it was to secure due notice to the shareholders that he moved this Amendment, believing that it was especially desirable that the terms of amalgamation should be made known.

The Earl of Derby

Moved in Standing Order CLXXX., Section 1, Page 27., after the Word ("Intention") in the 13th Line of Section 1. to insert ("And if it be intended to apply for Powers to amalgamate with any other Company, or to sell or lease the Undertaking, or to purchase or take on Lease the Undertaking of any other Company, or to enter into Traffic Arrangements, the Notices shall specify the Company, Person or Persons, with, to, from, or by whom it is intended to be proposed that such Amalgamation, Sale, Purchase, or Lease, or Traffic Arrangements shall be made"): *agreed to.*

LORD REDESDALE said, the object of the second Amendment was to prevent a Company raising additional capital for extensions without due notice.

Then it was *moved* in Standing Order CLXXXIV., Section 2., Page 37., after the Word ("Capital") in the 4th Line of Section 2. to insert ("or by an existing Railway Company when the Capital to be raised is greater than the existing authorized Capital of the Company"): *agreed to.*

LORD REDESDALE, in moving the third Amendment, said, it was a fact, established before a Committee, that many Railway schemes were brought into Parliament without there being 1s. of capital at the disposal of the promoters. Representations were being made to him constantly respecting such proceedings; and only the other day he heard of a man who was appointed a resident engineer, and who, after working for a year, was dismissed on asking for the payment of his salary. He proceeded against the Company which employed him, and compromised the action for a sum of £300 or £400; but, even then, there was no property that he could get at in any way to secure the payment of the sum he had consented to accept. The whole thing was a sham, and there really was no capital whatever. He believed that if those who were the real promoters of a line were required to make a deposit which could be available to satisfy such claims the effect would be to make schemes a little more secure than they are now. He did not believe that such security could be obtained in any way other than that proposed; and, at the same time, he was confident that any sound project would be taken up without prejudice from the requirement of a deposit. It was quite necessary to put a little check upon practices that had brought discredit upon railway enterprise, as well as to save unsuspecting persons from embarking money in unsound concerns.

Then it was *moved* after Section 2. to insert the following Sections:—

That a Statement be inserted in a Schedule to every Railway Bill of the Names, Residences, and Description of the Contributors to the Deposit; and also of the Sums contributed by way of Deposit, and paid by them respectively, amounting in the aggregate to not less than Eight per Cent. of the estimated Cost of the Undertaking, and that no Contribution to such Deposit be for a less Sum than £20:

That a Clause be inserted in each Railway Bill in which, after reciting the Fact of the Deposit having been made and the Amount paid as stated in the Schedule, it shall be enacted that so soon as it shall be proved to the Satisfaction of the Board of Trade that the Company has paid up One Half of their authorized Share Capital and has expended that amount on their Undertaking, it shall be lawful for the Company to withdraw the Sum deposited for the Purpose of the Undertaking; and thereupon they shall issue Shares to the Contributors and their Assigns to the Amount represented by their respective Contributions:

That the above Requirements shall not apply to any incorporated Railway Company seeking Power to construct new Works, provided the new Capital to be raised is not greater than the existing authorized Capital of the Company, and provided that the Company is paying a Dividend upon its ordinary Stock. For Companies so exempted the present £50 a Day Penalty shall be retained until the same shall amount to Eight per Cent. on the estimated Cost of the Works, together with Interest at the Rate of Five per Cent. on the Balance remaining unpaid from the Date of the Act to the Date of the Final Payment.

LORD STANLEY OF ALDERLEY assumed that the Amendment was intended to apply strictly to railway companies, and that Amendments necessary to restrict its application would be assented to.

THE MARQUESS OF CLANRICARDE said, he doubted the policy of making these alterations in the Standing Orders at this period of the Session. The evidence given before the Committee showed that such an alteration as was proposed would raise serious impediments to the extension of railway enterprises. The evidence also showed that some of our most useful lines had been constructed and brought into public use under what was called the system of "contractors' lines." With regard to one remark made by the noble Lord he might state that in the case of most lines the engineer—though not perhaps the head engineer—was usually paid every month. The proposed system would put a check upon the making of railways in this kingdom, whereas every foreign Government wished to extend railway enterprise by every means in their power. This was, in fact, a question of State policy. When it was first brought forward, the noble Lord said a change was necessary because the railway speculations had af-

feeted the whole monetary transactions of the country. He should like to know, however, whether the Chancellor of the Exchequer had made any complaints respecting railway investments? Why should a stop be put by that House to such investments, which had proved to be of the greatest utility to the country? Where was to be found a list of railways that had been abandoned? One of the witnesses examined before the Committee stated that, from the introduction of railways to the present time, the Government had never thought it necessary to enforce the penalty for the non-completion of the works, and that only twenty cases had occurred in which the bonds could have been forfeited. Of all the Bills that had ever been passed, to enable private companies to carry out works, the Railway Bills had been the most useful to the country, and he was still of opinion that a great deal of harm would be done if the proposal of his noble Friend were adopted. If their Lordships wished to interfere with the management of railways, they might beneficially do so with the object of preserving the property and the lives of the public. He might, perhaps, astonish their Lordships by stating that, in four out of the six years for which Returns had been made, the number of persons killed and wounded on the railways of this country had been greater than the number of killed and wounded at the battle of the Nile. There had been no communication upon the proposed measure with the House of Commons, which, he believed, would not feel disposed to assent to the proposed alterations in the Standing Orders. To stop the enterprize of the country would be an improvident and an unwise act, and he therefore trusted that their Lordships would at least wait until next Session before coming to any decision on this important subject.

THE EARL OF BELMORE said, that having been a Member of the Select Committee, he wished to make a few remarks on this proposal. When a railway was about to be made it was not sufficient merely to look at the probability of its being completed, but the question should also be taken into consideration whether, when completed, it would afford proper accommodation to the district through which it was to pass. As, unfortunately, he had had some experience of non-paying lines in Ireland, he could say with great confidence, that if in making a line worth £100,000 you put in circulation a

The Marquess of Clanricarde

capital of £300,000, it would be impossible to provide for the public the amount of accommodation which they might have expected under a more prudent management. In his opinion the Standing Order modified as now proposed would throw very little impediment in the way of legitimate railway enterprize. In conclusion, the noble Earl said he was quite in favour of the proposal of the noble Lord.

LORD STANLEY OF ALDERLEY said, that he entertained the strongest objection to the alteration of the Standing Order which had been originally proposed, but he did not think that in its modified form it was open to the same objection. He did not, at the same time, consider it desirable that it should be adopted without communicating with the other House of Parliament, and he would suggest that the noble Earl should consult Colonel Wilson Patten upon that subject.

LORD REDESDALE said, that the Order was not of that importance which the noble Lord seemed to think. He had not acted without consultation with Colonel Wilson Patten, the Chairman of the Standing Orders Committee of the House of Commons; but that hon. and gallant Gentleman recommended him to proceed without communicating with the House of Commons. Several of the Members of the Standing Orders Committee were now out of town; and if the Order were referred to the Commons, it must go over altogether. In the House of Commons it would have to meet with the opposition of certain interested parties, who would set themselves against any proposition of the kind. The amended Order would not affect *bonâ fide* undertakings. The House of Commons never referred to their Lordships in questions relating to their own Standing Orders. A noble Lord had talked of expense; but the Bills against which the amended Order was directed were promoted by parties who lived by bringing forward such Bills.

LORD STANLEY OF ALDERLEY said, he had also been in communication with Colonel Wilson Patten that evening, and he did not seem inclined to support this alteration. He moved, as an Amendment, that before the Standing Order is adopted the noble Lord the Chairman of Committees should communicate with the Standing Order Committee of the other House upon the subject.

Amendment moved to leave out all the Words after ("Moved") and insert ("That the Chairman

of Committees be directed to communicate a Copy of the proposed Amendments to the Standing Orders to the Standing Order Committee of the other House of Parliament") :—(*The Lord Stanley of Alderley.*)

THE MARQUESS OF CLANRICARDE supported the Amendment of his noble Friend (Lord Stanley of Alderley). His noble Friend the Chairman of Committees had made out no case for the amended Order. One of the lines to which he referred was a very useful one, connecting as it did two great railways. Then as to the London, Chatham, and Dover Company, let their Lordships consider what accommodation to the public it was affording at present. His noble Friend (Lord Redesdale) said that the amended Order would not stand in the way of good schemes; but when he first brought his suggestion forward, he admitted that it would have that effect, and justified such a result by saying that "repose" was wanted. Where was the railway made which had not been of use to the public? It was true that some of the Irish lines had not paid good dividends; but that might arise from faults in the management. There was only one railway in Ireland and one in England which, after being opened for traffic, had been given up. If the House of Commons were not communicated with before the amended Standing Order was agreed to by their Lordships, they would be making a Standing Order of their own House the law of the land, without taking the sense of Parliament on it.

On Question, that the words proposed to be left out stand Part of the Motion? their Lordships *divided*:—Contents 24; Not-Contents 12: Majority 12.

Resolved in the Affirmative.

Then the Original Motion was *agreed to*.

CONTENTS.

Chelmsford, L. (<i>L. Chancellor.</i>)	Hawarden, V.
Bath, M.	Berners, L.
Belmore, E. [<i>Teller.</i>]	Clements, L. (<i>E. Leirinn.</i>)
Bradford, E.	Hylton, L.
Cadogan, E.	Kilmaine, L.
Carnarvon, E.	Lyveden, L.
Derby, E.	Monson, L.
Devon, E.	Redesdale, L. [<i>Teller.</i>]
Graham, E. (<i>D. Montrose.</i>)	Romilly, L.
Leven and Melville, E.	Silchester, L. (<i>E. Longford.</i>)
Lonsdale, E.	Southampton, L.
Lucan, E.	Wentworth, L.

NOT-CONTENTS.

Normanby, M.	Houghton, L.
Chichester, E.	Minster, L. (<i>M. Conyng-ham.</i>)
Huntingdon, E.	Ponsonby, L. (<i>E. Bessborough.</i>)
Romney, E.	Somerhill, L. (<i>M. Clanricarde.</i>) [<i>Teller.</i>]
Boyle, L. (<i>E. Cork and Orrery.</i>)	Stanley of Alderley, L.
Colville of Culross, L.	[<i>Teller.</i>]
Foley, L.	

LORD REDESDALE, in moving the next Amendment, explained that the object of the alteration was to make it clear that only one form of proxy was to be sent out, and that the name of the person to whom it was addressed should be placed on the back with a view to identification, and in accordance with the practice now adopted in the case of all charities.

Then the following Amendments were *moved* in Standing Order CLXXXV.: The Second and Fourth Paragraphs of the First Section to be amended as follows; the Words proposed to be left out being placed within [], and those to be added printed in *Italics* :

2nd. That such Meeting was called by Advertisement inserted for Two consecutive Weeks in a Morning Newspaper published in London, Edinburgh, or Dublin, as the Case may be, and in a Newspaper of the County or Counties in which the principal Office or Offices of the Company is or are situate; and also by a Circular addressed to each Proprietor at his last known or usual Address, and sent by Post or delivered at such Address not less than Ten Days before the holding of such Meeting, enclosing a Blank Form of Proxy, with proper Instructions for the Use of the same; and the same Form of Proxy and the same Instructions [and none other], shall be sent to every such Proprietor, and shall be addressed to each Proprietor on the Back of the Form of Proxy; but no such Form of Proxy shall be stamped, nor shall the Funds of the Company be used for the stamping any Proxies [except the Company shall at a General Meeting determine otherwise, in which Case a stamped Proxy shall be sent to each Proprietor, with such Instructions as aforesaid] nor shall any Intimation be sent as to any Person to whom the Proxy may be given or addressed; and no other Circular or Form of Proxy relating to such Meeting shall be sent to any Proprietor from the Office of the Company, or by any Director or Officer of the Company so describing himself.

In reply to LORD STANLEY OF ALDERLEY,

LORD REDESDALE said, that proxies were required to be stamped originally, when the fee was 2s. 6d. Now only a penny stamp would be required, and that was a payment which the proprietor of the shares might fairly be called on to make in defence of his property.

Amendment agreed to.

LORD REDESDALE said, the object

of the next amended paragraph was to meet the case of proprietors of preference or other shares, who in many companies were prevented from voting at meetings, though questions affecting their interests might be under consideration. They would now be allowed to vote, but their votes would be recorded separately. The paragraph was as follows:—

4th. That at such Meeting the said Bill was submitted to the Proprietors [aforesaid] then present, and was approved of by Proprietors, present in Person or by Proxy, holding at least Three Fourths of the paid-up Capital of the Company represented at such Meeting, such Proprietors being qualified to vote at [the Meeting] *all ordinary Meetings of the Company in right of such Capital. The Votes of Proprietors of any paid-up Shares or Stock, other than Debenture Stock, not qualified to vote at ordinary Meetings whose Interests may be affected by the said Bill, if tendered at the Meeting, shall be recorded separately and reported accordingly.*

The same were *agreed to*.

LORD REDESDALE said, the next paragraph was intended to prevent companies from dealing with lines of railway at their own will and pleasure. Ordinary arrangements, such as were contemplated by the general law, they would, of course, retain power to make; but when legislative sanction was sought to any special provisions, nothing was more important than that the nature of the arrangements which the companies proposed to enter into should be disclosed on the face of the Bill.

Then it was *moved* after Section 9. of Standing Order CLXXXIX. to insert the following Section:

That when by any Bill Powers are applied for to amalgamate with any other Company, or to sell or lease the Undertaking, or to purchase or take on Lease the Undertaking of any other Company, or to enter into Traffic Arrangements, the Company, Person, or Persons, with, to, from, or by whom, and the Terms and Conditions on which it is proposed that such Amalgamation, Sale, Purchase, or Lease, or Traffic Arrangements, shall be made, shall be specified in the Bill as introduced into Parliament:

The same was *agreed to*:

Ordered, That the said Standing Orders as amended be *printed*. (No. 237.)

HUNDRED BRIDGES BILL—(No. 210.)

(*The Earl of Romney.*)

SECOND READING.

Order of the Day for the Second Reading read.

THE EARL OF ROMNEY *moved* the second reading of the Bill, the intention of which was to do away with local difficul-

Lord Redesdale

ties occasioned by the size and struggling character of the hundreds, and transferring the charge for the maintenance of the bridge in the hundreds to the county.

Moved, "That the Bill be now read 2^a."
—(*The Earl of Romney.*)

LORD REDESDALE said, he did not think it was either fair or desirable to transfer a charge which was now borne by a particular locality to the county fund.

THE DUKE OF BUCKINGHAM observed, that the noble Earl had not informed the House what other bridges besides those of hundreds would be affected by the measure; nor had any reason been given for the proposal to transfer the charge for the maintenance of the roads over the bridges to a fund other than that which maintained the roads over the ordinary bridges. He could not see that it would be right to make the change contemplated by the Bill.

LORD STANLEY OF ALDERLEY said, he did not think any just cause had been adduced for transferring the charge in question from the hundreds to the whole of the county.

After a short conversation,

LORD REDESDALE, not wishing to see the Bill entirely rejected until more information had been obtained on the subject, said he would move the Previous Question.

And a Question being stated thereupon, the Question was put, Whether the said Question shall be now put?

Resolved in the Negative.

RAILWAY ACCIDENTS.

MOTION FOR RETURNS.

THE MARQUESS OF CLANRICARDE said, he desired some Returns to be laid before Parliament to show what expense was incurred by the Board of Trade in connection with the official inquiry made into the causes of railway accidents. The officer despatched by the Board of Trade to the scene of the accident expended much time in making his inquiry; and although he reported what injury had been done to persons and property, the information he gave very often ended there, and, as far as the public was concerned, the cost of the inquiry was too often little else than money thrown away. The number of accidents which occurred upon the railways was very considerable. In 1859

the number of persons killed was 245, the injured 464; making together 709 persons. In 1860 the number of killed was 255, and of injured 580; together 835. In 1861 there were 284 killed, and 883 injured; together 1,167. In 1862 there were 216 killed, and 600 injured; making 816. In 1863, which was the lightest year, there were 184 killed, and 470 injured; together 654. In 1864 there were 222 killed, and 793 injured; together 1,015. The Return for 1865 was not yet published. At the battle of the Nile 218 men were killed and 677 wounded; together 895; so that our railway companies killed and wounded in 1864 more persons than fell in that great fight. Moreover, the official documents stated that the returns of accidents to "servants of the companies or contractors" were not complete, as many of the railway companies, not being required by law to do so, did not report to the Board of Trade every accident that might have occurred to this class of persons. He hoped the new Government would turn their attention to the subject, and, if necessary, introduce an Act of Parliament next Session in order to enforce such regulations upon the railway companies as would guard against accidents. Colonel Yolland's Report showed that accidents often resulted from causes that might be easily removed. Still, however, they were not removed, and the Directors ought really in such cases to be indicted for manslaughter. Thus, Colonel Yolland reported in December, 1864, against the practice of running tank-engines tender foremost, because, he said, in cases of collision the lives of the engine-driver and stoker were much more endangered when so running than they would be if the engines were run with the chimney in front. However, in May, 1865, five months afterwards, Colonel Yolland had to notice the same thing in the West of England. "It is quite impossible," he said, "for men to keep a proper look-out in very bad weather, when travelling at high speed, unless shelter of some kind is provided for them." And in December, 1865, he had to notice the same practice again in the West of England. The prevention of accidents was not a matter to be decided wholly on those economical principles which kept the company from adopting, for instance, inventions for keeping a connection between the engine-driver and the guard. Year after year accidents occurred, and no steps were taken to prevent the recurrence of

those which arose from preventible causes. As to the Report of the Railway Commissioners, there was no occasion to wait for that, unless the Commissioners were prepared to point out a remedy. The noble Marquess concluded by moving—

That there be laid before this House, Return of the Expenses incurred by the Board of Trade (exclusive of the Salaries of Officers of the Department) in investigating and reporting upon Railway Accidents during the Five years ending 1st July 1866: Also,

Return of any Regulations, Rules, or Byelaws which may have been enforced by the Board of Trade upon any Railway Companies in consequence of such Investigations and Reports.—*(The Marquess of Clanricarde.)*

THE EARL OF BELMORE said, he was instructed by the Board of Trade that it would be extremely difficult to give with any degree of accuracy the Returns asked for by the first part of his noble and learned Friend's Motion; and as to the second part, there were no rules or regulations such as those referred to. Even if such power as was implied by the Motion existed, it would, in his opinion, be unwise to remove the responsibility from the companies, and transfer it to the Government. Everybody knew that Government responsibility meant very little responsibility at all; and if there was a divided responsibility, the railway company, when an accident occurred, would be sure to say that if they had been allowed to take their own course the accident would never have happened. As to the Report of the Railway Commission, the evidence and returns collected by the Commission were very voluminous, and to present it in a perfect form would require very great care and deliberation in its preparation; nevertheless, he hoped it would be in the hands of the public before next Session.

Motion (by Leave of the House) *withdrawn*.

RAILWAY TRAFFIC PROTECTION BILL.
(No. 180).—*(The Chairman of Committees.)*

COMMITTEE.

Order of the Day for the House to be put into Committee read.

LORD REDESDALE said, that as he had stated on introducing the Bill, its object was to prevent the seizure of rolling stock by the creditors of a railway; and his object in introducing it was, that due notice might be given to those concerned of the proposal to take away part of the

security of railway creditors. He classed rolling stock with other species of property and settled property which were protected from seizure, on the ground that great public inconvenience would result if railway traffic were suspended by a seizure at the instance of creditors. As he did not think there was a prospect of the measure being passed by the House of Commons this Session, he moved that the Order to go into Committee be discharged.

THE DUKE OF BUCKINGHAM said, that the Bill involved a great invasion of principle, because it was proposed to take away almost the only available security upon which a new Company could raise the money which it was empowered by Act of Parliament to borrow. It seemed to him that the making of so great a change would endanger the credit of railway companies, and would render necessary a complete revision of the law affecting them; because it would be useless to give them large borrowing powers if their property could not be accepted as security. It would be necessary to consider, in the event of the Bill passing, whether such charges as rates and tithe rent should not be exempt from its operations. On these grounds, he trusted that the Bill would be reserved for a future Session.

LORD REDESDALE observed, that a clause in the Bill provided for such charges as rates.

Motion agreed to.

Order of the Day discharged.

House adjourned at Seven o'clock,
to Monday next, half past
Eleven o'clock.

HOUSE OF COMMONS,

Friday, July 27, 1866.

MINUTES.]—NEW MEMBER SWORN—Hon. John Major Henniker-Major, for Suffolk (Eastern Division).

SELECT COMMITTEE—On Public Accounts, Mr. Hunt and Mr. Selater-Booth added.

Report—Expiring Laws Committee (No. 448.)

SUPPLY—considered in Committee—Resolutions [July 26] reported.

WAYS AND MEANS—Resolutions [July 26] reported.

PUBLIC BILLS—Resolutions in Committee—Bills of Sale Act (1854) Amendment [Stamps]; Cattle Diseases Prevention Act Amendment (No. 2).

Lord Redesdale

Ordered—Consolidated Fund (Appropriation)*; Prisons*; Cattle Diseases Prevention Act Amendment (No. 2)*.

First Reading—Consolidated Fund Appropriation*; Prisons* [250]; Cattle Diseases Prevention Act Amendment (No. 2)* [251]; Ecclesiastical Commission* [252] [Lords].

Second Reading—Common Law Courts (Fees and Salaries)* [240]; Dockyard Extensions* [246].

Committee—Reformatory Schools (*re-comm.*) [184] [R.P.]; Industrial Schools (*re-comm.*)* [185] [R.P.]; Railways (Ireland) Temporary Advances [220]; Landed Estates Court, &c. (Ireland) (*re-comm.*) [174]; Public Health (*re-comm.*) [202] [R.P.]; Turnpike Trusts Arrangements* [228]; Turnpike Acts Continuance* [229]; Local Government Supplemental (No. 4)* [234]; Oysters Cultivation (Ireland)* [243]; New South Wales and Van Diemen's Land Government* [242] [Lords].

Report—Railways (Ireland) Temporary Advances [220]; Landed Estates Court, &c. (Ireland) (*re-comm.*) [174]; Turnpike Trusts Arrangements* [228]; Turnpike Acts Continuance* [229]; Local Government Supplemental (No. 4)* [234]; Oysters Cultivation (Ireland)* [243]; New South Wales and Van Diemen's Land Government* [242] [Lords].

Considered as amended—Railway Companies' Securities* [151]; Poor Law Amendment* [221].

Third Reading—Aberdeen Provisional Order Confirmation* [237]; Inclosure (No. 2)* [238]; Parishes (Scotland) Act (1844) Amendment* [232]; Railway Companies' Securities* [151].

SUPPLY—REPORT.

Resolutions [July 26] reported.

Vote 1 (£4,970 purchase of old gun metal, to be employed in the construction of the National Memorial to his late Royal Highness the Prince Consort).

MR. MONK said, he believed some misunderstanding existed with regard to this Vote. After the statement of the Chancellor of the Exchequer last night on the subject, it was impossible for the Committee not to have agreed to the Vote; but it appeared that there had not been that unanimous agreement on the part of the late Government with regard to this gift that had been supposed, because at a later period of the evening they heard from the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone) that the Government of Lord Palmerston had not promised to give seventy tons of old gun metal for the memorial, nor did it appear that Lord Palmerston had himself expressly consented to their being given. If it had not been for the statement of the Chancellor of the Exchequer he should have felt very much inclined to divide the Committee as to the propriety of the grant. Per-

haps the right hon. Gentleman the present Chancellor of the Exchequer would be kind enough to give some further explanation.

THE CHANCELLOR OF THE EXCHEQUER: I think that on reflection the House will be of opinion that the Committee came to a right decision yesterday on this Vote. I shall very briefly put the facts before the House, and I will endeavour to do so without any gloss, the Vote being one which does not concern us except as a matter of official duty. When Lord Palmerston asked the House to vote a sum of £50,000 towards a National memorial of the Prince Consort he said that this would be the sole amount they would be asked for; and that undertaking has been rigidly fulfilled. At the same time, Lord Palmerston gave a promise to the Committee for managing the matter that gun metal should be granted to them for the bronze work of the memorial. I have been told Lord Palmerston made a statement to that effect in the House, and the hon. Gentleman the Member for Devizes (Mr. Darby Griffith) rose yesterday, and, speaking from memory, confirmed that impression. On this arrangement and assurance of Lord Palmerston all the estimates were made, and the contracts entered into. The gun metal was not then wanted, and therefore no immediate call was made upon the Treasury to fulfil their engagement; but a year ago, when the structure had reached that point when it was necessary to ask for this metal, it was applied for. Lord Palmerston mentioned the matter in the Cabinet, when some of the Members of the Government did not approve of the course taken in regard to it. In a letter I have seen Lord Palmerston states this objection; but he repeats his original engagement and says that, notwithstanding the objection on the part of his Colleagues, if required he was prepared to submit a Vote to the House for the metal. Under these circumstances, I am sure the House will feel that it would be proceeding in a captious spirit to turn round now, when Lord Palmerston is no longer here to uphold his engagement, to rescind that agreement, on which practical men have practically acted in perfect good faith, simply because some technical objection has been raised by some of his Colleagues. I do not think the House will feel disposed so to act, but of course I am in the hands of the House. I am only performing my duty, when—an appeal having been made to the Government to fulfil an engagement which originated with another Ministry—I ask the House to consent to the grant in the shape

of a money Vote, although actually the money will never leave the Exchequer. The letter of Lord Palmerston distinctly states the amount of gun metal which was to be appropriated to the memorial. Therefore, I am not without expectation that the hon. Gentleman will feel, on reflection, that we should not be acting fairly or in a liberal spirit if we took advantage of a petty objection to throw obstacles in the way of carrying out the engagement.

Vote agreed to.

Then the other Votes *agreed to.*

MR. HUNT said, he could not allow the last Vote to pass without acknowledging the very kind and valuable assistance he had received from his hon. Friend who had preceded him in his office of Financial Secretary to the Treasury, with regard not only to these Estimates, but all the other Treasury business, and also for his unvarying kindness and courtesy.

MR. CHILDERS said, he did not expect such a compliment, and conceived he was only doing his duty in assisting his hon. Friend to the utmost of his power.

REFORMATORY SCHOOLS (*re-committed*)

BILL—[BILL 184.]

(*Mr. Knatchbull-Hugessen, Sir George Grey.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Bill *considered* in Committee.

(In the Committee.)

Preliminary.

Clauses 1 to 3 *agreed to.*

Certified Reformatory Schools.

Clauses 4 to 9 *agreed to.*

Clause 10 (Power to make Rules, &c.)

MR. POWELL proposed an Amendment to leave out the latter part of the clause, declaring that the rules shall not be enforced until they have obtained the approval of the Secretary of State. It was most expedient to leave the managers the utmost possible freedom of action in the regulation and government of these institutions.

Amendment proposed, in page 3, line 28, to leave out from the word "Act" to the end of the Clause."—(*Mr. Powell.*)

MR. M'LAREN said, that Scotland had been the cradle of the reformatory and industrial schools, and the secret of their

extraordinary success was that they had not been too much swathed in "red tape." If the Committee valued the good opinion of the managers they would leave out the words which fettered their discretion.

MR. HORSFALL supported the Amendment. There was a strong feeling in Liverpool against too much interference on the part of the Government with the managers of these schools which had already done much mischief.

MR. HANBURY also supported the Amendment, and said that the managers of the reformatories were to a man in its favour.

MR. STEPHEN CAVE said, he could not agree in the observations of hon. Members. These schools were originally founded upon the voluntary principle, but they had become in some degree State institutions, and were partly maintained by public money. The hon. Member for Edinburgh (Mr. McLaren) could not be aware that the same clause existed in the Scotch Act, and that the rules of the managers were not valid until they had received the sanction of the Lord Advocate. It was necessary, when the public money was voted for a public institution, that some control should be exercised by the State in order to see that the money was properly applied. In nine cases out of ten, however, the power of interference exercised by the Secretary of State would be practically a dead letter.

MR. HENLEY supported the Amendment. He thought that unless it could be shown that some inconvenience had arisen from improper conduct on the part of the managers it would be better to leave them responsible for the discipline of the school.

MR. KNATCHBULL-HUGESSEN believed that the interference of the Home Office would be of so mild a character that the Committee might well agree to the clause.

MR. McLAREN said, that many of the schools in Scotland had refused to take Government grants because they would thereby expose themselves to the interference of the Government.

MR. ADDERLEY said, that this was a Consolidated Bill, and the words proposed to be left out formed part of every Act on the subject.

Question put, "That the words proposed to be left out stand part of the Clause."

Mr. McLaren

The Committee divided:—Ayes 48; Noes 22: Majority 26.

Clause ordered to stand part of the Bill.

Clause 11 agreed to.

Commitment of Offenders to, and their Status at, a Certified Reformatory School.

Clause 12 (Offenders under 16 may be sent to Certified Reformatory Schools.)

SIR MICHAEL HICKS - BEACH moved an Amendment limiting the preliminary term of imprisonment to ten days instead of fourteen days. The effect would be to give a different class of diet in many gaols.

MR. RUSSELL GURNEY supported the clause as it stood.

After discussion, Amendment made by inserting the words "for ten days or any longer term," leaving the matter in the discretion of the magistrate.

MR. WHALLEY proposed an Amendment to the effect that the religion of the child should be deemed to be that of the parents, and not be left to be decided by the magistrates.

MR. KNATCHBULL - HUGESSEN admitted that the matter was one of considerable difficulty; but there would be great difficulty in ascertaining the religion of the parents of these children. It would be better to leave it to the magistrates to ascertain the religion of these children by the register of baptism or the best evidence they could obtain.

MR. WHALLEY said, his object was to prevent the children of Protestant parents being treated as Roman Catholics. It was the practice of the Roman Catholic priests in large towns to get hold of the children of the lower classes, and, without the consent of the parents, to submit them to the rite of baptism. The performance of this rite was, however, declared by the noble Lord the Member for Arundel (Lord Edward Howard), in an Amendment he had put on the paper, to be sufficient evidence of the religion of the child. If that Amendment were agreed to, it would be sufficient to take these children by scores before the magistrates and send them to the reformatories as Roman Catholics.

MR. WALDEGRAVE - LESLIE rose to order. The hon. Member ought not to speak to an Amendment not yet before the Committee. The hon. Member was also out of order in speaking from the front

Opposition Bench, which, by the rules of the House, was reserved for Privy Counsellors and those who had been Members of the executive Government. He appealed to Rule No. 90 of the Rules and Orders and Forms of Proceedings, for the guidance of Members of the House as regards public business. Rule 90 was in these terms—

“The front Bench, on the right hand of the Chair, is reserved for Members holding office under the Crown; and the front Bench, on the left hand of the Chair, is ordinarily occupied by Privy Counsellors and other Members who have held office under the Crown.”

The hon. Member was too much in the habit of taking up the time of the House by remarks which gave great pain to Members of the Roman Catholic persuasion.

MR. WHALLEY declined to enter into a personal discussion with the hon. Gentleman, and then proceeded to justify the Amendment which he had moved by referring to the circumstances of a trial which had recently taken place before Mr. Justice M. Smith.

MR. CANDLISH rose to order, and said, a trial at the Old Bailey could have no possible relation to the Amendment which the hon. Member had moved.

MR. WHALLEY thought he should be able to show that it had. There existed among the Roman Catholic priests an organization for the persecution to ruin—and almost to death—of any person who dared to expose this system of proselytism. The case to which he referred—which had been frequently before the police courts, though the London journals had systematically suppressed it—was that of a woman who had been persecuted for years for protesting against the surreptitious baptism of her children according to the rites of the Roman Catholic Church.

MR. GOLDNEY entered his protest against these religious discussions being introduced by the hon. Member, especially at this late period of the Session.

MR. M'LAREN desired to add his voice to the appeal which was being made to the hon. Member for Peterborough not to persevere in matters of this kind—and especially at such length. It was quite plain from past experience that many Members who were in doubt as to the vote they should give would vote against the hon. Member for Peterborough merely because he had made the Motion and advocated a particular side. Such a fact as

this was to be regretted, because it was calculated to prejudice the fair consideration of the questions which were to be brought forward, and it tended to prevent Members from acting upon their convictions. He also objected to the assertion of the hon. Member that he professed a better kind of Protestantism than other people. He (Mr. M'Laren) held that he was himself as good a Protestant as was the hon. Member for Peterborough, and he likewise objected to the kind of argument which that hon. Gentleman followed, and which wounded the feelings of other hon. Members of a different religious faith.

MR. HENLEY said, he would recommend the Committee to agree to the section of the clause as it stood. It was wide, and gave full power to the magistrates to ascertain the religious persuasion of the youthful offender in the best manner they could, and to select a school as much in accordance therewith as possible.

Amendment negatived.

LORD EDWARD HOWARD, who had an Amendment on the paper, that

“In the failure of other evidence, a certificate of the baptism of the child, authenticated by the minister who has lawful custody of the register in which the baptism of such child has been recorded, shall be deemed sufficient evidence of that child's religion,”

said, that as he had reason to believe, from what had fallen from the right hon. Gentleman (Mr. Henley), that his Amendment might fetter the investigation before the magistrate, he would withdraw it. His object was by no means to proselytize, but simply to retain Roman Catholic children in their own persuasion.

MR. O'REILLY moved an Amendment as follows:—

In page 4, line 32, after the word “justice” to insert the words “and the managers of every School shall, on receiving a youthful offender into their custody, enter his name and also the religious persuasion as aforesaid in a book to be kept for that purpose.”

MR. KNATCHBULL - HUGESSEN opposed the addition, on the ground that it unnecessarily interfered with the managers of schools.

MR. M'LAREN said, it was proposed that the magistrate should endeavour to ascertain the religious persuasion of these little vagabonds; but everyone knew that the court could not ascertain the religious per-

suation, because two-thirds of them belonged to no religious persuasion; and no magistrate could ascertain that which did not exist. It could only be put down if it was ascertained. The Amendment would therefore want amending by inserting such words as "when ascertained." He submitted that the best thing they could possibly do was to leave the clause as it stood, without inserting the proposed words.

MR. ADDERLEY objected to the Amendment as being useless, because all Roman Catholic offenders were sent to Roman Catholic reformatories, and Protestants to Protestant reformatories.

MR. O'REILLY said, there were no reformatories for offenders of the Jewish persuasion, and therefore an entry of the religion in such a case as this was very desirable, in order that it might be properly known, and thus prevent all dispute.

MR. SYNAN thought the religion of the child ought to be recorded; as proposed by the Amendment.

MR. GOLDSMID considered that the Amendment applied to children of his own persuasion, and therefore would support it.

MR. CANDLISH said, that each denomination had the means of establishing its own reformatory schools.

MR. HENLEY regarded the proposal as a reasonable and proper one. It was only reasonable that the fact ascertained by the magistrates under the clause should be recorded and kept in a book in the school. It would be necessary to add the words "so specified," and the proviso would then read as follows:—

"And the managers of every school shall, on receiving a youthful offender into their custody, enter his name, and also the religious persuasion, so specified as aforesaid, in a book to be kept for that purpose."

MR. ADDERLEY said, that the boys were to be sent to a reformatory of their own persuasion, and what need was there, therefore, of a register? This was a prison rule which the hon. Gentleman proposed, without the least necessity, to introduce into the reformatories.

MR. RUSSELL GURNEY asked if the hon. Member for Longford (Mr. O'Reilly) would agree to the suggestion of the right hon. Member for Oxfordshire?

MR. O'REILLY assented.

MR. RUSSELL GURNEY suggested that the Amendment should be agreed to if it were thought that it would give any security. He could not see that the Amendment would have any bad effect.

Mr. M'Laren

Amendment made to the said proposed Amendment, by inserting after the word "persuasion," the words "so specified."
—(Mr. O'Reilly.)

MR. M'LAREN considered that all the magistrate should have to do was to inquire to which of the reformatories he should send the child. He therefore objected to this registry.

MR. NEWDEGATE agreed with the hon. Member for Edinburgh, that the Amendment should not be adopted.

COLONEL SYKES submitted that when there was only one reformatory means should be taken to show the religion of the different children in it.

Question put, "That those words, as amended, be there inserted."

The Committee divided:—Ayes 27; Noes 38: Majority 11.

MR. POWELL moved to omit from "a minister" to "the school," line 41, and insert—

"It shall be lawful, upon the representation of the parent, or in the case of an orphan then of the guardian or nearest adult relative, of any offender detained in any such school, for a minister of the religious persuasion of such offender, at certain fixed hours of the day, which shall be fixed by the managers or directors for the purpose, to visit such School for the purpose of affording religious assistance to such offender, and also for the purpose of instructing such offender in the principles of his religion."

MR. M'LAREN supported the proposition to omit the words from the clause. It was said that by putting in these words they would preserve the law as it is, but he reminded the Committee that though that might be true with respect to England, this was a Consolidated Bill applying to the whole of the United Kingdom. If the Scotch model was a good one he could tell them that the Scotch law had no such provision as that proposed to be omitted. He was not actuated by sectarian feeling. On the contrary, he had subscribed for many years to the Catholic and Protestant schools in Edinburgh, and he knew they were doing a great deal of good. After the boy was sent to the Roman Catholic school no Protestant or other minister could go there to interfere with its management; and after a boy was sent to a Protestant school no Roman Catholic or other minister of religion could go there to interfere with its management. It was not by the clergy of any denomination that good was done to this class of offenders, but by the exertions and example

of the teachers, who appealed to their hearts and consciences, and instilled into their minds the principles of morality and religion.

LORD EDWARD HOWARD regretted to perceive that what was printed in the Bill was about to be given up, but, if so, they must agree to it.

MR. NEWDEGATE said, that the clause which it was proposed to omit would give to the Roman Catholic priest the right to enter, and it was objectionable to give to any minister of religion a right that should be limited to some officer appointed by the Government and responsible to the Government.

MR. SYNAN asked if the children were to be left without religious education.

MR. ALDERMAN LUSK, as a magistrate, could say that in general the religion of the parents of such children was no religion at all.

Amendment agreed to.

Words struck out, and other words inserted.

MR. GOLDSMID proposed to add a proviso, that

"No child receiving religious instruction from a Jewish minister shall be compelled to attend church or chapel, or be taught doctrines inconsistent with the Jewish faith."

Amendment negatived.

Clause, as amended, *agreed to.*

Clause 13 *agreed to.*

Clause 14 (Power of Parent to change School.)

MR. HENLEY said, there would be a good deal of discussion on the clause, and therefore he suggested that it would be better to direct the Chairman to report Progress.

House resumed.

Committee report Progress ; to sit again *this day.*

IRELAND—ILLEGAL PROCESSIONS.

QUESTION.

MR. MAGUIRE said, he rose to ask the Chief Secretary for Ireland, Whether it is not the fact that the Law has been openly violated in several places in the North of Ireland on the 12th of July by persons joining in illegal processions ; and, whether it is the intention of the Government to institute proceedings against any of the parties so offending, so as to prevent the recurrence of such illegal practices for the future.

LORD NAAS said, in reply, that, on the whole, the 12th of July passed off quietly in the North of Ireland. There were, however, some places in which violations of the law with regard to those party processions had occurred. He could assure the hon. Gentleman that the Government had taken every step in its power to render all parties who had taken part in such proceedings amenable to law, and instructions had been already issued for the prosecution of such persons as had been recognized taking part in those processions.

TENANTS' COMPENSATION.—QUESTION.

MR. DARBY GRIFFITH said, he would beg to ask the right hon. Member for South Lancashire, Whether he wishes it to be understood to be his apprehension of what is the law of England as between landlord and tenant, that a tenant, under any circumstances whatever, can claim and obtain compensation from the landlord for the value of any building permanently attached to the soil, which he may have erected on the land held by him, without the consent of the landlord?

MR. GLADSTONE, in reply, said, he felt greatly indebted to the hon. Gentleman for having so distinctly recognized him (Mr. Gladstone) as an authority on the English law as he had done by the question just asked. The answer to that question would be simply this. That in the words he had used the other night, which were principally quoted from the speech of Lord Derby in 1845, he did not make any reference, either expressly or by implication, so far as he could recollect, to the case of buildings, but he had spoken of improvements generally without entering into the matter with reference to buildings.

TURKISH CONSOLIDATED DEBT.

QUESTION.

MR. DARBY GRIFFITH said, he would beg to ask the Secretary of State for Foreign Affairs, Whether it is true that the Foreign Ambassadors had complained of the non-payment of the July half-yearly dividend of the Turkish Consolidated Debt by the Porte, and had demanded that solid guarantees should be given for the payment of the same in October ?

LORD STANLEY: Sir, there has not been anything in the nature of complaint or demand with regard to the non-payment of the dividends of the Turkish Consoli-

dated Debt; but Lord Lyons, in a Despatch dated the 30th June, stated that in conjunction with the French Ambassador, he waited upon the Minister for Foreign Affairs, and subsequently upon the Grand Vizier himself, and urged upon them the importance of the payment of the July dividend of the loan. Since then a telegram had been received from Lord Lyons, reporting that the attempt to obtain a loan intended to provide for the interest had failed, but that measures were about to be taken by the Porte to revive negotiations for another loan as soon as possible, and in the meantime extra interest would be allowed in consequence of the delay.

INDIA—TRANSFER OF THE CAPITAL TO SIMLAH.—QUESTION.

MR. OTWAY said, he would beg to ask the Secretary of State for India, Whether the Home Government have sanctioned the transfer of the capital of India from Calcutta to Simlah?

VISCOUNT CRANBOURNE, in reply, said, the Home Government had not only not sanctioned any such transfer, but no application had been made for such a transfer. Perhaps the hon. Gentleman was referring to the excursion which the Governor General had taken to Simlah.

METROPOLIS—RECENT DAMAGE TO HYDE PARK.—QUESTION.

MR. POWELL said, he wished to ask the First Commissioner of Works, Whether it is proposed to repair the ravages recently committed in the Parks of the Metropolis by sums voted, or to be voted, from monies arising from the taxes levied on the Inhabitants of the United Kingdom; or whether the necessary funds will be derived from the Metropolis, which was the scene of the late devastations?

LORD JOHN MANNERS: I apprehend, Sir, that the first thing to be done is to repair the ravages that have been committed in the Park. And as to the source from which the money is to be obtained, that is a question that will be taken into the consideration of the Government.

THE COAL COMMISSION.—QUESTION.

GENERAL DUNNE said, he would beg to ask the Secretary of State for the Home Department, Whether he will recommend to Her Majesty that the Commission for inquiry into the quantity of Coal remain-

Lord Stanley

ing in the Coal Fields of England be directed to extend its inquiry to Ireland?

MR. WALPOLE, in reply, said, he knew of no such intention at present.

INDIA—MEDICAL OFFICERS.

QUESTION.

MR. BAZLEY said, he wished to ask the Under Secretary of State for India, The number of Candidates who presented themselves at the last competitive examinations for the fifty appointments as Assistant Surgeons in Her Majesty's Indian Army which were announced to be vacant on the 19th March, 1866, and the reason why Medical Officers of the Indian Army are granted, when incapacitated for the further performance of their duties through ill-health contracted in the tropics, half-pay pensions of one-third less than those sanctioned for Medical Officers of the British Army of five, ten, fifteen, or twenty years' respectively?

SIR JAMES FERGUSSON replied that for the fifty vacancies in the medical service for India only thirty-six candidates presented themselves. With regard to the other part of the question of the hon. Gentleman, he begged to say that the rates of pensions in the India service were, on the whole, more favourable than those in the British service, inasmuch as they were granted for a much shorter period of service, and the pensions were permanent instead of temporary. The advantages of the medical service in India seemed not to be well understood. The promotion was very rapid, as in some cases the medical officer, after only two years' service, received emoluments reaching to £500 or £600 a year.

AUSTRIA AND PRUSSIA—PROLONGATION OF THE ARMISTICE.

QUESTION.

MR. OLIPHANT said, he would beg to ask the Secretary of State for Foreign Affairs a question, of which he had not given him notice, but which, nevertheless, he hoped the noble Lord would be able to answer—namely, Whether Her Majesty's Government have received any news of the prolongation of the armistice, and whether it is in the noble Lord's power to tell the House what is the general purport of the preliminaries which are alleged to have been signed?

LORD STANLEY: I understand, Sir, that a prolongation of the armistice has

taken place; but as to the preliminaries, I cannot say what they are.

ADJOURNMENT OF THE HOUSE.

Moved, "That the House, upon its rising, do adjourn to Monday next."

PROXY VOTING IN PUBLIC COMPANIES.

OBSERVATIONS.

MR. DARBY GRIFFITH said, he wished to call the attention of the President of the Board of Trade to objections to the present system of voting in public companies, by which shareholders, whose occupation, convenience, or sex, prevent them from attending public meetings or polls, have no means of voting, except by proxy, before they were aware of what is likely to happen at any meeting of the company. He did not want a decisive answer to his question on the present occasion. His object was, that the House should take the matter into their consideration, in order that they might have some acquaintance with it when he introduced a Bill upon the subject next year. On two previous occasions he had brought forward Bills upon this subject, and on both occasions they had been rejected at the last stages by the combined influence of those who represented public companies in that House. He was desirous of raising the subject now in order that the great railway companies, if they thought it desirable to oppose an amendment of the law, should be able to do so in the next Session, but upon a legitimate stage of the Bill, and in a fair and open manner. He was a proprietor of railway stock, and a creditor of railways, and, consequently, he considered himself qualified to speak on the subject, and he contended that the present system did not represent anything like the true principle of voting, and that it required alteration. He did not pretend to say what that change should be, and all he then contended for was, that the subject required investigation. A Commission was now sitting on railways generally, and he thought this subject might very well be referred to them. The alteration in the stamp on proxies, which the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone) carried out at at his (Mr. Darby Griffith's) suggestion, had been productive of great advantage.

SIR STAFFORD NORTHCOTE said, he did not think that this was a subject to refer to a Royal Commission; but he agreed

with the hon. Gentleman the Member for Devon that it was one which deserved attention, and he thought the hon. Gentleman had done good service in bringing it under the notice of the House. He should be happy to confer with the hon. Gentleman, and endeavour to deal with what was an unsatisfactory part of the railway system. As the hon. Gentleman had put it to the House, there was an objection to the present system of voting by proxies. In certain cases questions arose which were not foreseen when the proxies were given; and the consequence was, that the persons who gave them found that their votes were given in a sense different to that in which they would have voted if they had known the real state of the question. It was, however, easier to point out the evils of the existing system than to devise a remedy for them free from objection. The Bill the hon. Gentleman had introduced on this subject was, on the whole, a good Bill, and he was sorry it had not been passed into a law. He hoped, however, that something might be done next year to remedy the evil, and he would enter into the question with a cordial desire to co-operate with the hon. Gentleman in devising a remedy.

EMIGRANT SHIPS AND THE CHOLERA.

OBSERVATIONS.

THE O'CONOR DON said, he rose to call attention to the treatment of emigrants on board the steamers plying between Liverpool and New York, and to the great prevalence of cholera during the last three months, on board many of those vessels. The large number of over 300,000 emigrants which had left Ireland within the last year for the United States was his excuse for calling the attention of the House to this subject, the importance of which could not be overestimated. Several Acts had been passed with regard to the accommodation to be provided on board emigrant ships; but from circumstances which had come to his knowledge it was evident that they were inefficient for the purpose for which they were passed, and that either for that reason or from other causes they had not been put in force. During the months of May, June, and July hundreds of persons had left this country for the United States, who had never reached the American soil alive. Until within the last few weeks there had been no cholera in England and there had been none in

America, yet English ships leaving healthy ports here and going to healthy ports on the other side of the Atlantic had been ravaged by cholera, and hundreds of the emigrants had in consequence perished. Of the emigrants who left Liverpool last May in the steamship *Union* thirty-five died of cholera on the voyage, fifty-eight had to be transferred to hospitals in New York, and of these twenty-eight had died. Of those on board the steamship *Peruvian* thirty-five died on the voyage, 147 were transferred to hospitals in New York, and of these sixty-five had died. Of those on board the *Virginia*, belonging to the National Steam Navigation Company, thirty-two died on the voyage, 171 were transferred to hospitals in New York, and of these fifty-seven died. Of those on board the *England*, belonging to the same Company, fifty died on the voyage. She had to put into Halifax, and, as he was informed, 150 died whilst she was there. It might be said that the cause of the cholera breaking out in these ships was that the German emigrants on board of them were infected with the disease before they embarked; but he thought that could hardly be, as they had a long way to travel before they arrived in Liverpool, and if they were infected before they left their own country the disease would naturally have made its appearance before they set out on their voyage from Liverpool. Another remarkable feature was that in many of the cases the disease did not break out until they had got a considerable distance on the voyage. In the case of the *Virginia* it did not break out until the eighth day after she had left Liverpool. It was, therefore, going a little too far to suppose that the German emigrants were infected before they left their own country. Another fact was that German ships with German emigrants and German cargoes had no disease in them, and that it occurred exclusively in ships leaving England. He believed that the cause of the disease breaking out was owing, to a certain extent, to the overcrowding of passengers on board these steamers, and the want of proper food. He was aware that the saloon passengers on board the *England*, which had to put into Halifax, presented the commander with an address expressing their satisfaction with the accommodation afforded to them; but he would remark that the excellence of the saloon accommodation given to the saloon passengers did not prove that the steerage passengers had received proper treatment or accommodation. With respect to the treatment

The O'Conor Don

of the other passengers up to that time he was wholly unacquainted; but their treatment after they arrived at Halifax, and on the voyage from that port to New York, was very bad. In consequence of the appearance of cholera on board, all the bedding was burnt in Halifax, and the personal effects of most of the passengers were destroyed, and in consequence they were exposed on the deck and subjected to great privations the remainder of the voyage. In the bay of New York a child died, and the official report was that it died from exposure. An address was signed by eight out of the fourteen saloon passengers on board the *Virginia*, and presented to the commander, but they knew as little of what was going on in the steerage as the inhabitants of the West End did about what was going on in the slums of the metropolis. Practically there was no intercourse between them on board these large ships, and when a report was current that disease was rife in the steerage it was not likely that they would go to that part of the vessel. One of the steerage passengers on board this ship, a young man, the son of an Irish tenant, who had been subjected to every description of hardship and privation from his childhood, in writing home to his father, stated that he never before underwent such hardships, and could not have believed them possible if he had not experienced them. They were all crowded together, and for several days they were kept in a state of almost starvation, and he stated that he never heard hounds after a fox cry louder than the passengers did for food. There were also letters published in the New York papers with reference to the state and condition of another vessel, and the treatment the passengers received. This ship belonged to the same company. She had not the cholera on board, but it appeared that she was so much overcrowded that there was not sitting accommodation, and many of the passengers had no berths. Many women were exposed to the inclemency of the weather. The vessel was so crowded that the passengers could scarcely get on deck without being in the way of the sailors, and when they got there they were treated badly by the crew. The scene on board the vessel was a disgrace to civilization, as described by the passengers. The married and unmarried men and women had to dress and undress in presence of each other, and sleep as best they could in the same compartment. Such a state of things would easily account for

the outbreak of cholera, without resorting to the idea that it arose from communication with German emigrants—it was due to the overcrowding and want of cleanliness on board these vessels. The medical reports in New York described the state of these ships in similar terms. The only object he had in bringing the subject before the House was to bring public opinion to bear on the different steam-ship companies, and that the Secretary of State for the Colonies might make inquiry, if he had not already done so, into the probable cause of the outbreak of cholera on board these vessels. It was necessary that great care should be taken before emigrants were allowed to sail in these large vessels, to secure them ample food during the voyage, and that the ships were in a healthy and clean condition.

MR. ADDERLEY said, that no blame attached to the emigration agents in this matter. The line of ships to which the hon. Gentleman referred, and which were all steamers, sailed between Liverpool and New York. The names of those vessels were given. In five of them cholera broke out; in four, within five days after the ships left Liverpool; in one, the *Helvetia*, cholera broke out the first day, and the vessel put back. The other four ships arrived at Halifax, when information was sent to the Government that cholera had raged on board, and that the mortality had been very great. The information was that cholera had broken out among the Dutch emigrants on board these ships, who had come from Rotterdam, where the cholera was raging at the time. The Emigration Commissioners sent to the agents at Rotterdam, saying, if any more emigrants were sent by this line of ships from Rotterdam they would be obliged to put in force the power under the Passenger Act, by Order in Council, and to make totally different arrangements for the present, for that line of emigrant ships. The consequence was that the Dutch emigration was stopped altogether, and no more emigrants came from Rotterdam. The mortality was very great on board these ships, and afterwards in quarantine at New York; but, as he had already stated, he could not discover that any blame attached to the emigration agents. The provisions of the Passenger Act had been strictly carried out in every instance. He did not gather from the hon. Gentleman whether he proposed that any alteration should be made in the Passenger Acts;

if so, he must say he did not think he would find it easy to show how their provisions could be wisely altered. They were very much the same as were observed by other nations, and the result had generally been a remarkably small mortality in the emigrant ships of this country both to America and Australia. In the longest voyage to Australia, averaging 90 days, the average mortality, even including young children, did not amount to 1·3 per cent. The Liverpool emigration agency was remarkably good. The senior officer had been thirty years in the office without any complaint having been made of him; his second in command had been sixteen years in the office, and was also considered a very good officer, of whom no complaint had ever been made. The hon. Gentleman himself said that votes of thanks were given to the captains of these ships upon their arrival for having made the best arrangements they could; but when cholera broke out on board an emigrant ship at sea, it was not possible for a captain to make very complete arrangements in an emergency of that kind. He did not know that the hon. Gentleman, holding the statement he had made to be perfectly correct, supposed any case had been made out of misconduct even against the captains of those ships. It was no doubt useful to call the attention of the House to such a subject; great regret must be felt at such a mortality having happened, and, if possible, steps should be taken to guard against such calamities in future, either on the part of the emigration agency or of captains commanding ships. He would request the Emigration Commissioners to put themselves in further communication with the ship agents, and see if anything could be done.

MR. ALDERMAN LUSK said, that having had considerable experience in this matter, he could bear testimony to the excellent management of the Emigration Commissioners, and the admirable manner in which they had carried out the emigrants from this country during the last twenty years. No doubt, as the hon. Gentleman had said, cholera had broken out on board some of these vessels, but cholera broke out at home—at Stepney, at Mile End, and other places—and it was very difficult to say what the cause was. The hon. Gentleman said it was owing to overcrowding, but in every one of these ships a certain number of feet were allowed to every passenger, and that space was regulated by Act of Parliament, and

that it was sufficient for the purpose was manifest from the fact that the emigrants to Australia, New Zealand, and New York were, as a rule, landed in good condition. More room might undoubtedly be given, but then the emigrants must pay a much higher price for the accommodation. Medical men of the highest eminence considered that the space allotted was quite sufficient, and shipowners were not to be blamed without cause. It was quite a mistake to suppose that men, women, and children were huddled together. Separate accommodation was made for the single men and single women, and there was also arrangements made for men and their wives. There could be no shortness of food. Each passenger received what the best judges considered ample to sustain life and keep men in good health during the voyage. Shipowners were obliged to keep their contract, and if a vessel did not put on board the proper estimated amount of necessaries it would not be allowed to put to sea—quality and quantity were examined. He thought his hon. Friend had not made out any case, and he believed the more this matter was inquired into the more the Emigration Commissioners would appear to deserve their commendation.

MR. CARDWELL said, it should be remembered that these vessels did not carry emigrants sent out by the Emigration Commissioners, and that their duty was confined to seeing that the regulations of the Passenger Act were complied with. The regulations were, he believed, duly complied with. The emigrants came from Rotterdam by way of Hull to Liverpool; and the cholera having broken out on board, the emigration agents bestowed their utmost attention on the case. Immediately they communicated with the agent at Rotterdam, and a stop was put to the emigrants coming from an infected quarter. They did everything they could to meet the emergency, even placing at the disposal of these emigrants the premises at Birkenhead which they had prepared for their own emigrants. He did not understand his hon. Friend to cast any blame on the emigration agents or Commissioners; but he ventured to say if any hon. Gentleman was aware of any circumstances that called for inquiry, by communicating with those Commissioners he would insure the fullest and most effective investigation. The provisions of the Passenger Act had been frequently and carefully considered; and it should be remembered that while, on

the one hand, they were careful to give sufficient space for the emigrants, if they gave space beyond what was necessary for health and reasonable comfort they must materially add to the expenses of the poor emigrants, and impose a prohibition on that emigration from which they expected to derive so much benefit.

MR. MAGUIRE said, he did not think his hon. Friend (The O'Conor Don) would derive much encouragement from the manner in which his inquiries had been met on this occasion. Here was the statement of thirty-three persons who had suffered the greatest hardship, and was there to be no investigation into their case? It was a case of great and gross injustice. Sufficient food had not been given to them, and they had been huddled together in a manner which outraged all decency and all civilization. He said nothing against the Emigration Commissioners. He thought sufficient ground for an investigation had been shown, and that his hon. Friend the Member for Roscommon was entitled to the thanks of the House for having brought the matter under their notice. In his opinion they were too much in the habit of praising public officers and giving them credit for efficiency, for, without reflecting on any individual, he knew cases where inspection had been quite a sham; and, indeed, the disaster to the *London* was mainly owing to a weak reliance by the inspectors on the statement of the owners. He hoped that when such cases were again brought forward more attention would be paid to them.

MR. HADFIELD wished to know whether the corporation of Liverpool exercised any vigilance in this direction.

MR. GRAVES said, he did not deny that some discomforts might attend the passage across the Atlantic of ten or eleven days, but he thought the present system contrasted most favourably with the hardships experienced before the introduction of steam, when the voyage occupied from forty to sixty days, and when provisions had to be taken for seventy days. He believed the regulations were strictly carried out at Liverpool, and that the officers were, if anything, rather over-zealous. As to the company against which the present complaint had been preferred, he thought charges ought not to be brought against parties who had no opportunity of replying unless on the strongest grounds; and, although not personally acquainted with the circumstances, he had no doubt that the company would

court the most searching inquiry by the Emigration Commissioners. The steamers belonging to the company were of great size and capacity, fitted with special care for the promotion of comfort. The cholera was a visitation of Providence which was not confined to a marine or sea-going life, for it had unhappily appeared in the metropolis and elsewhere, and the fact that the English passengers were not attacked, while the German emigrants fell victims to the disease, seemed to show that predisposing causes rendered the foreign emigrants liable to it, and that they brought the seeds of it on board with them. The Under Secretary for the Colonies had already pointed out that the mortality at sea was infinitely less than that on shore, it only being 1 per cent. This was a strong testimony to the efficiency of the regulations under which emigration was conducted, and he believed that the mortality on board these ships was attributable to other causes than neglect on the part of the agents or inspectors. In one of the cases named it would appear that out of 1,000 passengers only thirty-three complained, while in this very ship some twenty of the cabin passengers actually presented the master with an address, and complimented him on his care and attention. He thought the 900 who were silent might fairly be taken as evidence that there was no real ground of complaint.

MR. BRADY contended that the outbreak of the disease was caused by overcrowding. He considered that the discussion had opened up a most important subject, and he trusted it would receive immediate attention.

Motion agreed to.

House at rising to adjourn till *Monday* next.

RAILWAYS (IRELAND) TEMPORARY ADVANCES BILL.

(*Mr. Dodson, Mr. Chancellor of the Exchequer, Lord Naas, Mr. Hunt.*)

[BILL 220.] COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

MR. HENLEY said, he trusted that, before the House went into Committee upon this Bill, some Member, either of the late or the present Government, would give a clear explanation in reference to this subject, which was of a very excep-

tional, if not of a questionable, character. The only information that had been given to the House in connection with this subject was contained in the small paper he held in his hand, which appeared to be a copy of a Treasury Minute. The purport of that Minute was to the effect that some Irish railway companies had found it impossible to obtain money for the construction of their works upon reasonable terms, that they were called upon to repay large sums which had been advanced for the purpose of enabling them to proceed with the construction of their works, and that the difficulty arose in consequence of the present state of the money-market; it was further stated, that if some measures were not adopted to relieve this state of things, great embarrassment and widespread distress would ensue throughout the greater part of Ireland. The proposal contained in the Bill now before the House was, if he correctly understood it, that the sum of £500,000 should be advanced to some one or other, but to whom was not stated. Now, it was possible that the difference in the rate of interest on the £500,000 to be so advanced, and the rate of interest which the railway companies would have to pay if they borrowed that sum in the open market, might amount to £25,000. But could it be supposed for a single moment that a grant of so small a sum as £25,000—for that was the practical result of the measure proposed—would prevent the threatened widespread distress and embarrassment throughout the whole of Ireland? It was somewhat curious that the Bill contained a stipulation that the money should be advanced only in cases where the Public Works Loan Commissioners were satisfied of the sufficiency of the security offered. But if the security were good, money could be got in the open market, although, perhaps, at a higher rate of interest than the Government would charge. The great question, however, was what special circumstances were there which justified this loan. He trusted that statements would be made by Members of both the late and the present Governments which would prevent the House from being dragged into transactions of this kind in future. He was far from saying that, under no circumstances, should such an advance be made; but he urged upon the House that loans of this nature should be made only under certain special circumstances, which should

be clearly defined, in order that no precedent should be established by which Administrations less scrupulous than were the late and the present Governments might consider themselves justified in dealing improperly with so questionable a subject. In the present instance the House was not informed upon whom this great boon was to be conferred, or who were to be the first to rush in and secure this large sum. The Bill certainly provided that the Treasury was not to advance money to meet acceptances, and of that restriction he highly approved. He should be glad to hear the exact circumstances under which the money was to be advanced, who was to have it, who was to come in for, and who was to be shut out from, the benefits of this boon.

MR. CHILDERS thought it would have been more convenient to have replied to the right hon. Gentleman's question in Committee, but he had no objection to explain at that moment the circumstances under which the Bill in question was introduced. The railways of Ireland differed from those of England in this respect—namely, that in the former country they had been to a considerable extent constructed by means of loans from the Public Works Loan Commissioners—it had been part of the policy of the Government to make such loans, and sums had been lent by the Commissioners to the extent of several millions. In England, on the other hand, there was hardly a single instance in which a railway had been assisted by advances of public money. The money so borrowed by the Irish companies was to be repaid by means of a sinking fund extending over a certain number of years, and the companies were frequently obliged to re-borrow in the open market, either on debentures or more directly on acceptances, the sums they repaid year by year to the Commissioners. In this manner considerable sums had been borrowed of individuals by the companies, and the position of the latter at the present moment was this—the persons who had lent them money had insisted upon being repaid the amount of their advances, and the companies had found it utterly impossible to re-borrow, even at high rates of interest and upon ample security, the sums necessary to meet the demands upon them. The late Government, believing that the pressure upon the companies was due to an exceptional and temporary state of things, and that it was quite irrespective of the general condition of the Irish rail-

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ways, had introduced for their relief the measure now before the House, which had been adopted by the present Government. In reply to the questions of the right hon. Gentleman (Mr. Henley), he might state that the Public Works Loan Commissioners would be the persons to judge as to the value of the security offered; secondly, that the money would be lent to replace money which the companies had had to repay upon debentures which had been purchased for *bond fide* investment, and not, as had been asserted the other night, upon debentures which had been handed to the contractors; thirdly, that the securities which the Public Works Loan Commissioners were to accept were to be the original debentures issued in accordance with the Acts of the various companies, and not upon Lloyds' bonds or similar engagements, and that the rate of interest was not to be less than the company had paid upon the debentures which they had had to discharge, except in certain instances where a Treasury Minute allowing of a less rate of interest being taken was laid upon the table of the House.

MR. W. ORMSBY GORE said, there was no doubt that the measure was a highly exceptional one, but he thought the statement of the hon. Gentleman gave a sufficient justification for its introduction. At the same time, he thought the late Government had missed a good opportunity for acquiring the Irish railways upon favourable terms. Lowering the rates for the conveyance of passengers and goods on Irish railways would tend towards increasing the prosperity of the railway companies as well as that of the country. The Irish railways were now in a transition state, but after a time he thought their financial condition would be greatly improved.

MR. GLADSTONE said, he thought the hon. Gentleman (Mr. W. Ormsby Gore) was premature in stating that the late Government had missed the opportunity which offered itself for securing the Irish railways. It was impossible to deal with the subject of so much importance as that of placing the control of the Irish railways in the hands of the Government in Committee. That question could only be considered by a body appointed for that purpose. Such a body was now sitting; but they had not yet made their Report on the subject. It was quite clear that if it should prove to be practical and expedient to deal with the Irish railways in the manner suggested by the hon. Gentleman, any operation of that kind

would be facilitated by the present measure. He had little to add to what had been said by the hon. Member for Pontefract; but he must thank the right hon. Member for Oxfordshire (Mr. Henley) for the fairness with which he had stated the case and the vigilance with which he watched over matters of this kind. It was certainly desirable that a subject like this should not be passed over as a matter of course, but that it should be well understood by both the House and the public. He had only one qualification to make to the statement of the right hon. Gentleman. But, perhaps, he ought here to state that this was not an arrangement made at the last moment of the existence of the late Government, but that it was substantially made about three months ago, at a time when a sharp pressure, almost amounting to a panic, had come upon the money-market. The right hon. Gentleman had said that as the security was to be accepted only after investigation by the Public Works Loan Commissioners it must be assumed that it would be good, and that therefore the whole amount of benefit which would accrue to these parties would be £25,000 a year. Now, the first of these propositions was perfectly well-founded, for there could be no doubt that the security would be good if it had been examined by the Loan Commissioners. But he did not think it was correct to say that the benefit to the parties would be £25,000. In dealing with this subject there were two things to be taken into consideration. One was that at periods of monetary crisis not only was the rate of interest raised, but the area of transactions was contracted and people were indisposed to enter into engagements which were supposed to be of a secondary or inferior order. That view would be taken with regard to many of the Irish railways, which would labour under a prejudice that would prevent them from obtaining advances at all at such a moment. Then in most of these cases, besides obligations on debentures, there were likewise obligations on the private acceptances of Directors. Though he did not wish to speak of those debentures as if any discredit attached to them, he might remark that it was the want of a margin in the available returns that rendered it difficult to renew such acceptances at low rates of interest. With regard to these acceptances, the present measure might have a beneficial effect, by enabling the Directors to renew acceptances which they might otherwise have to take up. After what had

been said by his hon. Friend (Mr. Childers), the right hon. Gentleman would probably be able to appreciate the amount of innovation introduced by this Bill. There need not, at all events, be any apprehension that, in consequence of this measure, a standing-ground would be given to English railway companies to make application to the Government for advances. In the present instance the distinction was that these advances were not made for the purpose of any construction of new railways. That was by the amount of innovation proposed by the late and approved by the present Government. He thought the right hon. Gentleman opposite would be disposed to agree that that was a justifiable proceeding. The right hon. Gentleman was aware that there was not the slightest apprehension on the ground of the sufficiency of the security; while, on the ground of precedent, he for one could not see how any argument could be drawn from the present proceeding in any other circumstances which were likely to arise.

MR. GRANT said, he was not altogether convinced of the wisdom of the policy laid down by the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone). The right hon. Member for Oxfordshire had raised a large question on what seemed at first to be a very small one. Indeed, the whole subject of legislation respecting railways generally, and also the subject of the raising of their capital by railway companies, were involved in it. The acceptances referred to by the right hon. Gentleman existed only in the case of those railways which were technically known as "contractors' lines," and he had never known any line, the capital of which had been subscribed by the public, for which the acceptances of the Directors had been given at all. He understood that this measure was intended as a boon to Ireland. If the House was of opinion that public money should be sent to Ireland to re-pay to private capitalists debts which the railway companies were unable to meet he had no more to say; but he feared that, unless some exceptional principle of legislation was to be adopted for Ireland, the example would soon be extended to England, where already there was more than one company and one set of creditors who were in a condition to set up the demand. Indeed, the Bill, though brought forward with the apparent object of benefiting Ireland, in reality only conferred a benefit on private capitalists. If it were pretended that these loans of money were

to be advanced for the construction or completion of new lines of railways in Ireland, and thereby giving occasion for the employment of labour, there might be some apparent argument in favour of a measure like the present. As it was, however, he agreed with the right hon. Gentleman the Member for Oxfordshire that the Bill which authorized the loan of public money for the good of private individuals would establish a very dangerous precedent.

THE CHANCELLOR OF THE EXCHEQUER wished to state the chief reason which induced Her Majesty's present Government to take up this measure which had been introduced by their predecessors, because that reason had not been mentioned by the right hon. Gentleman opposite. It was shown to Her Majesty's Government that the rolling stock of many of the railways in Ireland would be seized by creditors, and the general communication of the country seriously embarrassed unless some measure were passed in order to prevent such a state of things. The fact that this was a great question of public convenience mainly influenced the Government in their decision; but there was also another, though a secondary consideration. The Bill having been sanctioned by the late Government, the persons who were to be relieved had, of course, counted upon the arrangement as one which would certainly be carried out, and they had refrained, in consequence, from making engagements which otherwise might have been entered into. It was quite clear, therefore, that under the circumstances great injustice would be done if the Bill were not proceeded with. Therefore, first, on the broad ground of public policy—for that was the main ground; and secondly, as a matter of justice to individuals—which he thought ought to have some weight in the case—the Government had adopted the plan which had been proposed by their predecessors.

Mr. WHALLEY thought that in this matter the Government ought to wait for the opinion of the Railway Commission that was now sitting on the subject of Irish Railways. There was a tendency on the part of all railway companies to keep their fares higher than was for the benefit of the companies themselves. There was also a tendency among them to establish a monopoly which was not only adverse to the interests of the public, but adverse also to the interests of the monopolists themselves. If this system of advances

were established there were many railways, especially in Wales, that would be as ready to claim assistance from the Government as the Irish railways were. But he admitted that as the Government had already advanced money to Irish railways, this advance might be considered as protecting their own property.

Mr. MONSELL wished to point out that this temporary advance had nothing to do with the general inquiry into the state of Irish railways which he had had the honour to bring forward in the course of last Session. The object of this Bill was purely temporary; it was to lend money for three months, which might be extended to twelve; and the necessity for it arose not only from the financial crisis, but also from the political state of the country. He had made inquiries of a gentleman who was thoroughly conversant with the state of Ireland, who told him that since the occurrence of the Fenian disturbances it had become impossible to get the bills renewed; and if the Government now refused this temporary advance the effect would be, as the Chancellor of the Exchequer had truly said, to stop the railways altogether. It was not, therefore, a matter of convenience for private individuals; it was distinctly for a public object of great importance to the country, and it had nothing to do with the general question of railway management.

Mr. BLAKE said, there was one circumstance that entitled Irish railways to peculiar consideration which seemed to be overlooked by every speaker except the right hon. Member for Limerick (Mr. Monsell). It was not only the monetary panic, it was the unfortunate insurrectionary movement that had caused the difficulty. The unfortunate Fenian movement had raised such a distrust in the minds of the bondholders that they had insisted on the payment of the bonds as they became due. The Directors, in many instances, had given their own private security to cover the demands. Had they not done so the rolling stock of their lines would have been seized.

Mr. SYNAN denied the allegations that had been put forward by the hon. Member for Kidderminster (Mr. Grant.) The Bill was not intended to make advances to private individuals, it was not intended to cover private securities, but it was to advance money to public companies, to cover public securities, and to prevent the railway lines from being altogether stopped. Advances of money had been made to India for rail-

ways, on the plea that those were reproductive works; and was Ireland, an integral part of the Empire, to be treated worse than India? He could not conceive anything more injurious to the connection between the two countries than to talk of this measure as one of jobbing and intended for the benefit of private individuals.

MR. ALDERMAN LUSK said, he did not mean to oppose the Bill, but he considered that it was not in consonance either with mercantile principles or with the principles of political economy. The excuse was put forward which was used by every man who paid only 10s. in the pound—the bad times. The House was told that the bonds were refused to be renewed. And why? Because the securities were not good. As a rule he believed that the more companies of this description were assisted the worse they got, and the greater ruin they produced at last. As he said, he did not mean to oppose the present Bill, but he hoped the Government would not go any further in this line.

Bill considered in Committee.

(In the Committee.)

Clauses 1 to 3 agreed to.

Clause 4 (Advances of Money to Railway Companies in Ireland).

MR. HENLEY asked the late Secretary to the Treasury how, if the money granted was not enough for all, the priority of the parties applying was to be settled? Was “first come first served” to be the rule, or what was?

MR. CHILDERS said, advances could be made only to replace certain debentures falling due, not to replace the whole of the debentures of the companies. The limited number of debentures falling due within a period of three months, or even twelve months after the passing of the Act, would not in all exceed the £500,000 voted for the purpose.

Clause agreed to.

Clause 5 agreed to.

Clause 6 (In default of Payment for Twelve Months Undertaking vested in Secretary of Public Works Loan Commissioners.)

MR. HENLEY wished to know whether the Treasury would stand in the same position in regard to priority as the debenture holders that had been paid off. The clause left the point in doubt.

THE ATTORNEY GENERAL said, the point was worthy of consideration. As the clause stood he apprehended that

the mortgages given to the Loan Commissioners were in the nature of salvage mortgages, and would take priority over other securities. The point should be considered before the Report was brought up.

MR. CHILDERS said, the intention was that the Treasury should stand in the position of the creditors whose bonds had been paid off.

MR. GOLDNEY said, that as the clause stood if the money advanced by the Commissioners was not repaid in a twelve-month they would stand in the position of first mortgagees, and the whole of the undertakings would vest in them.

THE ATTORNEY GENERAL proposed, with the view of removing any doubt, to insert the words providing that the priority proposed to be given to the Commissioners should not exist as against the holders of other debentures or securities.

Remaining clauses agreed to.

On Motion that the Bill be reported,

MR. HENLEY said, it was not to be supposed that in assenting to this Bill he would be committed to anything which had been stated by the right hon. Gentleman the Member for Limerick (Mr. Monsell) with regard to the future amalgamation of Irish railways or the future lowering of fares. He had not formed any opinion on the point, and consequently could not have expressed any.

Amendment made.

Clause, as amended, agreed to.

MR. MONSELL said, the two things were entirely separate.

MR. CHILDERS said, the distinction between the two subjects would be clearly shown by the second and longer Treasury Minute dealing with the whole subject of Irish railways, which the Government, he supposed, would not object to produce.

Motion agreed to.

House resumed.

Bill reported; as amended, to be considered upon *Monday* next.

LANDED ESTATES COURT, &c.,

(IRELAND) (re-committed) BILL.

(Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland, Mr. Chichester Fortescue.)

[BILL 174.] COMMITTEE.

Bill considered in Committee.

(In the Committee.)

Clause 1 agreed to.

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Clause 2 (Rules made by the Lord Chancellor and One Judge only to be valid.)

THE ATTORNEY GENERAL said, that until the death of Judge Hargreave, which everybody, who had either the pleasure of his acquaintance or knowledge of the services performed by him in the Landed Estates Court, must deeply lament, that Court was constituted of three Judges, whose aggregate salaries amounted to £7,500. In the year 1858 a Bill was introduced proposing to reduce the number of Judges to two; but in consideration of the increased work which this change would entail, it was proposed to increase their salaries—in one case to £3,500, and in the other to £3,000 a year. Objection was, however, taken to the reduction of the number of Judges at that time, and in consequence the number was continued at three; the salaries remaining at the lower figure of £2,500 a year, or rather, he should say, at £3,000 a year for the chief Judge of the Court, Mr. Martley, and £2,500 for each of his colleagues and for every succeeding Judge of the Court. The death of Judge Hargreave, reducing the number of the Judges to two, necessarily threw a very considerable increase of duty upon each. Statements had been made as to a supposed reduction in the amount of business in the Court; but, having endeavoured to inform himself upon this point, he found that the business, as far as regarded the number of petitions filed for the last five or six years, had been rather increasing annually than otherwise. Taking simply those years during which the Landed Estates Court had been in existence, in 1859 there were 298 petitions; in 1860, 410; in 1861, 474; in 1862, 579; in 1863, 574; in 1864, 518; and in 1865, 519. For the last five years, therefore, the petitions had always exceeded 500 annually. The amount of purchase money, also, though in each succeeding year there had been a slight decrease, was extremely large. In 1861 it amounted to £1,300,000 and upwards; in 1862 to £1,600,000 and upwards; in 1863 to £1,300,000 and upwards; in 1864 to £1,300,000 and upwards; and in 1865 to £1,000,000 and upwards. Moreover, the Court now transacted a certain amount of business quite unconnected with purchase money—namely, that relating to the declaration of titles; this business was not represented in the returns by any purchase money. In addition to that, the

Court had not until recent years the power of dealing with life estates, the investigation of the titles of which occasioned as much trouble as an estate in fee simple, while the amount of purchase money which passed through the Court was very much less. The business of the Court, in fact, did not show any symptom of decline, and the two Judges would have for the future to do almost as much work as had been hitherto done by the three Judges. With regard to the power of the Landed Estates Court, and the importance of the questions which came under their jurisdiction, he believed they were greater than the power and the jurisdiction of the other Courts in Ireland—at all events, its Judges occupied a position equal with that of other Judges. The Bill introduced into the House this year, but now withdrawn, proposing to create a Vice Chancellor in Ireland, named the sum of £4,000 a year as his salary; and he believed the salary of the puisne Judges was about the same amount. Now, the salary of the Judges of the Landed Estates Court was only £2,500 a year. In a comparison of the number of days the Court of Chancery and the Landed Estates Court were occupied it was shown that the latter sat a much greater length of time, though the Judges received a smaller salary. Parliament last year laid upon the Landed Estates Court another very important duty. A system of recording titles having been introduced into Ireland, the office was placed under the management of this Court, rendering necessary a greater or less amount of attention of the Judges during the whole of the year, including the period of vacation. The Court was responsible for the proper conduct of the office, and an appeal might at any time be made on any question that might arise. The Committee appointed to consider this matter were of opinion that the facts he had stated made out a very strong case in favour of the Judges of the Landed Estates Court. It might be said that it was unnecessary to make the alteration now that efficient Judges were doing the work at the present salary. But it was necessary to bear in mind that when it was first proposed to deal with incumbered estates, no Court was established, but Commissioners were appointed. It was a matter for wonder, then, that the services of two gentlemen like Mr. Longfield and Mr. Hargreave were secured; and that they should do what was seldom done before—namely, sacrifice their private practice and enter

upon a contract with the State for a period not extending beyond five years, without any security as to pension, at a salary of £2,000 a year. The working of that Commission was a complete success, constituting a precedent, not merely for Ireland, but also for other countries. At the expiration of the five years, Parliament thought fit to constitute the Commission into a Court, and to increase the salaries of the Judges from £2,000 to £2,500 a year, and the result had proved extremely advantageous to the country. He contended that it would be a very short-sighted policy, seeing that these Judges had devoted almost their lifetime to the working of the Court, contributing in no slight degree to the success which had attended it, to say that although their successors might make a claim for increase of salary they should be debarred from doing so. It had been said by some persons that Judges could always be obtained to do the work for a salary of £2,500 per annum. This might be so;—he believed it would be found that the lower the salary was fixed the greater would be the number of the candidates; but the question was how to get the best men, and especially in the Landed Estates Court. In ordinary Courts, where the case was argued on both sides, before the Judge gave his decision, it was comparatively difficult for him to go wrong; but, when it became necessary to deal with a title to landed property, the result of the investigation of which would be to give somebody an indefeasible title, and that investigation not conducted with argument on both sides, but depending wholly on the skill, care, and attention of the Judge performing the work, a man of greater ability and experience was required than in the judicial Courts, where the business was carried on in open court. There would be more difficulty in properly filling up a vacancy in the Landed Estates Court than was anticipated, and he ventured to say that it was by no means clear that a salary of £2,500 a year would command the services of the best men. Whether regard was had to the present Judges and the increased work they were called upon to perform, or to the interests and prospects of the Court in the future, it seemed to him that there was an absolute necessity for raising the salary of the two Judges. The amount the Government proposed was £3,000, in place of the £2,500 they were at present receiving. The total sum which had been paid to the three Judges was

£7,500 per annum; but if £3,000 were to be given to each of the two Judges, there would be a saving effected of £1,500. He trusted this would meet with the approval of the Committee; and he now proposed to fill up the blank in the second clause with the sum of £3,000.

MR. PIM said, he was surprised, after the statement of the hon. and learned Attorney General as to the important nature of the business transacted by the Landed Estates Court, the large amount of work which necessarily came before it, and the additional duties recently imposed upon it, that he should have come to the conclusion that the salaries of the Judges of the Court should be fixed at only £3,000 a year each. The duties of the Judges of the Landed Estates Court were, according to the Attorney General's own statement, quite as onerous as those of the common law Judges, and consequently they ought to receive as high salaries; yet, under the Chancery Bill brought in by the late Government, it had been proposed to fix the salary of the Vice Chancellor at £4,000 a year. He did not see that higher attainments were required for the office of Vice Chancellor. The Judge of the Court of Probate again, whose judicial functions were exercised in dealing with property, whose duties were not more difficult, and did not require higher legal attainments, received a salary of £3,500 a year. In the Vice Chancellors' and other Courts, if a mistake was made, it was open to suitors to have it corrected speedily; but in the Landed Estates Court, if a mistake was committed, it might not be discovered for twenty years. The duties of Judges of the Landed Estates Court were therefore of such a character as to require men of the highest legal attainments and great experience, yet they were to receive salaries less than the Vice Chancellor, and less by £700 a year than the Judges of the Common Law Courts. If £3,000 a year was sufficient for a Judge of the Landed Estates Court, the salaries of the other Judges would be adequate at the same amount. But the only way to obtain good Judges was to pay them properly; and Judge Longfield had very fairly put not his own case, but the case of the Court over which he presided, when he stated that it ought to be placed on a perfect equality with the Superior Courts of common law in Ireland. In that opinion he (Mr. Pim) fully joined, and he believed it was also shared by a large number of per-

sons in Ireland. It was not for himself, but for his judicial successors in his Court, that Judge Longfield sought the increased salary; and in a correspondence with the Lord Lieutenant, who was of opinion that his own salary ought to be increased for the great services he had rendered to the public in his Court, and who suggested that the increase should not be extended to his successors, he declined to accept the increase for himself under such restrictions. That was highly honourable to Mr. Longfield—and his (Mr. Pim's) opinion was, if the country was to have good Judges they must pay them well.

MR. CHILDERS said, that if he had been inclined to oppose the proposition of the Attorney General he should have run considerable risk of defeat, because one-half of the Members then in the House were Irishmen, and more than one-half of the rest were lawyers. Having listened to the remarks of the hon. and learned Attorney General, and having, while he was at the Treasury, perused the correspondence on the subject, he did not think that £3,000 a year was an excessive salary to propose in this case. The Government ought not to underpay their judicial officers or other Civil servants, but they should be most careful to reduce their number when they were more numerous than the business required; and it was certainly the case that on a comparison between England and Ireland it would be found that the number of Judges in the latter country was greatly disproportionate to the population and the amount of business done. A diminution of the number of Judges in this particular Court was, he believed, a salutary and feasible arrangement; and other reductions of the judicial establishment in Ireland might be carried out with perfect success, without impairing the efficiency of the tribunals, while a saving would be effected in the public expenditure.

MR. HADFIELD wanted to know whether the Incumbered Estates Court was to be continued for ever, and what was the operation of the law which referred titles of estates to those Judges to be investigated, and which then brought such estates into the market with an indefeasible title; to be acknowledged for ever? Supposing that such a jurisdiction should be done away with, it appeared to him that the other part of the business discharged by those Judges might be turned over to the existing common law Judges in Ire-

land, and that it would be no longer necessary to have both staffs of Judges.

THE ATTORNEY GENERAL said, the Court was one of the established and regular Courts of the country, and not a mere temporary tribunal. The hon. Member for Sheffield (Mr. Hadfield) had termed it the Incumbered Estates Court, but its correct name was the Landed Estates Court. The Landed Estates Court was very different from the original Incumbered Estates Court, which was established for one specific purpose—namely, to clear estates from incumbrances and to ascertain what surplus remained after that process had been gone through; whereas the Landed Estates Court did that one species of business, and a great deal more besides. Among other duties it did a great mass of business having reference to declarations of title. It further entertained applications for the purpose of exchange, while it had also to deal with the general record of titles throughout the country. As to the amount of business which was transacted by it, he had to state that, instead of its being of a temporary or evanescent character, it had continued to increase up to 1862, since which year it seemed to have been almost stationary. In 1859 only 298 petitions had been presented to the Court; in 1865 the number was 519, while the sums of money which were annually passed through the Court amounted to between £1,000,000 and £2,000,000. He was sorry that no similar Court had been established in England, where he thought it would confer great advantage. In 1862 Parliament had established the Land Registry Office in England; but that plan had not turned out to be very successful, and he believed that circumstance was to be in a great degree attributed to the fact that it was based on a different principle from the Landed Estates Court in Ireland, which had proved a great success.

Clause, as amended, *agreed to*.

Clauses 3 to 5 *agreed to*.

Clause 6 (The recited Acts of last Session to be carried out by Recorder of Titles.)

MR. PIM wished to know what the clause meant. It was necessary that the person appointed to discharge the duties of "Recording Officer" should be in attendance every day; but it was only natural that Mr. Umlin, the person appointed to the post, should expect some

Mr. Pim

vacation. He wished to know whether that Gentleman would be entitled to take a holiday; and, if so, whether, in the event of his being absent for a month from his duties, the person who under the 10th clause might be appointed his substitute, would be entitled to receive remuneration. He also wished to know whether the Recording Officer would be more independent of the Judges than any other Examiner, and whether the Judges could, without a dereliction of duty, in any degree throw off the responsibility which, under the law as it stood, it was intended they should exercise?

THE ATTORNEY GENERAL agreed that it was important that they should have a distinct and clear apprehension of the responsibility of the Judges of the Court with reference to the record of titles. It was the very essence of the Act that the Judges of the Court, and they alone, should be responsible for the working of the Act; and he should deprecate any provision of the Bill which would have, in the slightest degree, the appearance of setting up any officer who would detract in any degree from the responsibility of the Judges. Mr. Umlin would be under the control of the Judges, and would be answerable and amenable to them in every way for the discharge of his duties. With regard to the question of salaries, the Treasury would have the power of regulating the salaries of the various officers. It was proposed to give to Mr. Umlin £200 a year in addition to his ordinary salary as Examiner; because, unlike the other Examiners, the duties of his office extended over the whole year, including the vacation. This £200 a year would be, as it were, the income provided for the officer who might perform the duties of Examiner during the vacations, and if Mr. Umlin had a holiday, and a substituted officer performed his duty, some arrangement would be made by which the substitute so provided would be paid out of the additional £200.

MR. MONSELL said, the Judges of the Landed Estates Court had expressed the opinion that Mr. Umlin was not the fittest man for the post; in that case he thought it rather extraordinary to appoint him by name in the Act.

THE ATTORNEY GENERAL observed, that the Judges did not say Mr. Umlin was unfit.

MR. MONSELL read the statement to which he had referred, and which declared

that the Judges objected to Mr. Umlin's name appearing in the Bill, as they did not admit that he was the fittest of the officers to deal with the post, and they declined to be responsible for the working of the measure if they were refused the power of naming the officer they thought best fitted to do the work. On that ground he objected to the clause.

THE ATTORNEY GENERAL said, Mr. Umlin would be employed under and by the Judges of the Court, and would be responsible to them; and if there was any failure in the performance of his duties he would be removable.

MR. BRADY considered that a clause involving so important a change ought not to be passed while the Law Officers on that (the Opposition) side of the House were not present. He, therefore, moved that Progress be reported.

MR. CHILDERS regretted that such a paper as that read by the hon. and learned Gentleman (Mr. Monsell) should have been read to the House, and felt bound to say that the arrangement under which Mr. Umlin was appointed was made, after careful consideration by the late Attorney General for Ireland (Mr. Lawson), to supersede impracticable arrangements which had been proposed before, and under which the working of the Act must have broken down. It would have been better if the Committee had refrained from dealing with a personal matter like this, and had trusted to the late and present Attorney Generals, who had well considered the matter.

THE ATTORNEY GENERAL said, that although he was not responsible for drawing the clause, he supported it, believing that Mr. Umlin was qualified to fill the office.

MR. SYNAN considered that the appointment should be left to the discretion of the Judge of the Court, and not filled by express enactment.

MR. O'BEIRNE thought it would be unjust to Mr. Umlin, who had been a public servant for the last eighteen years, if the clause were left out.

Clause, as amended, *agreed to.*

Remaining clauses *agreed to.*

MR. O'BEIRNE proposed, with the view of destroying the existing monopoly by which the purchaser of stock by order of the Court was confined to a limited number of brokers in Dublin, to add after Clause 3 the following:—

"It shall be lawful for the person or persons having the carriage of any order or direction of the Court for the investment of any money in the purchase of the stocks, funds, or annuities transferable at the Bank of Ireland, or the transfer for sale of any of such stocks, funds, or annuities, to employ any one of the licensed stockbrokers, being a member of the Stock Exchange in Dublin, to make such investment or transfer."

THE ATTORNEY GENERAL objected to the clause. It was a question of considerable difficulty. Arguments could be used on both sides with considerable weight, and as it would be impossible to accede to the clause without rendering a change necessary in the Irish Court of Chancery, he hoped the clause would not be pressed. It might be proper to make an alteration in the practice of the Courts, but if so it ought to be done after due notice and in a different form.

MR. CHILDERS thought that if any change was to be made it would be much better to appoint a salaried broker in Ireland as was now the case in England.

MR. O'BEIRNE said, he had been induced to move the clause at the request of the stockbrokers of Dublin. The English Court of Chancery ought not to be urged as an objection to making this change in Ireland. Since 1858 the business in the Landed Estates Court had been confined to six brokers only, and during that time £7,500,000 worth of stock had been purchased, and £2,500,000 invested by the court. It had given extreme dissatisfaction to a highly respectable body of men.

MR. SYNAN objected to the sudden manner in which the clause had been brought forward. There ought to have been due notice given of it. It was not fair to deal with this subject in the partial manner proposed. If they agreed to the clause they would have a different practice in the Court of Chancery and the Landed Estates Court. He hoped the Committee would reject the clause.

MR. PIM hoped the hon. Gentleman would not press his Amendment.

MR. O'BEIRNE said, he would consent to withdraw it.

Amendment, by leave, *withdrawn*.

Schedule *agreed to*.

House *resumed*.

Bill *reported*; as amended, to be considered upon *Monday next*.

Mr. O'Beirne

PUBLIC HEALTH (*re-committed*) BILL.

(*Mr. Bruce, Mr. Chichester Fortescue, Sir George Grey.*)

[BILL 202.] COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Bill *considered* in Committee.

(*In the Committee.*)

Clause 10 *agreed to*.

Clause 11 (Supply of Water to District of Sewer Authority.)

MR. HENLEY objected to power being given to make waterworks a charge on the poor rates, which would impose a heavy burden on the land. As, however, the late and present Government had combined in framing the Bill, it would be idle for him to divide the Committee.

Clause *agreed to*.

Clauses 12 and 13 *agreed to*.

Clause 14 (Proceedings where Sewer Authority in Default.)

MR. HENLEY said, it was proposed to strike out this and several of the subsequent clauses, substituting a proviso that complaints against a local Board should be made to the Home Secretary, instead of to the justices. He regarded this as a very unsatisfactory mode of appeal.

MR. BRUCE pointed out inconveniences attending a complaint against a public Board being heard by the local justices, who, moreover, in some cases had not adjudicated in a satisfactory manner.

Clause *struck out*.

Clauses 15 to 17 *struck out*.

Clauses 18 and 19 *agreed to*.

Clause 20 (Police power with respect to nuisances.)

MR. HARVEY LEWIS said, it was undesirable to mix the police up with these matters. They were not the proper persons to judge of what was and what was not a nuisance. This function should be left in the metropolis to the local authorities, whose officers hitherto had discharged their duties efficiently. He therefore moved the insertion of words exempting the metropolitan district from the operation of the clause.

An Amendment *moved*, after "authority" to insert "except within the district of the Metropolis as defined by the Act for the better local Management of the Metropolis."

MR. BRUCE said, that there were

great complaints of the manner in which the Nuisances Removal Act and the Public Health Act had been carried out within the metropolis. At this moment the police were largely used in London to report upon smoke nuisances and to carry out the provisions of the Common Lodging Houses Act, and their powers in these cases had been satisfactorily exercised. He regarded the clause as of the greatest importance for the preservation of the public health. Thousands and tens of thousands of persons were at present dying unnecessarily, and he knew no means so effectual for limiting that number of preventible deaths as the employment of the police in the removal of nuisances.

MR. THOMAS CHAMBERS supported the Amendment. The clause, as it stood, placed every private house in London at the mercy of any policeman who might choose to enter it, in order to sniff about for nuisances. It was most unwise in this way to throw contempt upon the persons who had been specially appointed to watch over the public health; nor was it expedient to cast upon those whose primary business it was to preserve the public peace the invidious duty of finding out nuisances. The result of passing by the local authorities and not acting through them, could only be to make bad worse; whereas the object in view was to make bad better.

MR. BARROW concurred with the hon. and learned Member in thinking that the local authorities should not be put aside in order to give power to the police; but he objected to the principle of excepting the metropolis from the country at large.

MR. BRADY also objected to the manner in which it was proposed to employ the police, than whom he considered no class of men more incapable of looking after nuisances; and he was particularly apprehensive that in Ireland the agency of the police would prove obnoxious to the people.

MR. WALPOLE said, he had understood that an Amendment of which he had given notice would remove objections to the clause. Where the local authorities neglected to remove nuisances there must be some one to put them in motion. He admitted that it would be objectionable to leave it to the chief of the police to take the initiative on his own responsibility; but the ground of objection seemed to be taken away when the chief of the police could be put in motion only upon an application

being made to the Secretary of State, supported by proof of the necessity for interference. It was in this way that the Smoke Act had been put into operation with beneficial result.

MR. AYRTON also deprecated the weakening of local jurisdiction. The distinction between London and the country had been already made by the law, the Metropolitan police not being responsible to any local authority. The Secretary of State, in assuming the same relations towards local bodies that the Poor Law Board sustained towards Boards of Guardians, should not do more than that analogy suggested. He was of opinion that the reasons against the clause as amended were far more weighty than those which had been urged in its favour. Nothing could be more injurious to a proper state of feeling in society than to vest in the police the right of making domiciliary visits to the houses of the people. He hoped the right hon. Gentleman the Secretary of State would be prepared to adopt the suggestion of his hon. and learned Friend (Mr. Chambers) in preference to his own Amendment.

MR. HENLEY said, he was glad to hear that his right hon. Friend intended to propose the Amendment spoken of by the hon. and learned Gentleman opposite, because, as the section now stood, every common policeman in country villages would have to carry out the provisions of the Act. They had a good object in view, but it might be defeated by bad machinery, and if enactments of this kind were to be carried into effect, it was better to lead the people than endeavour to drive them. It was no use to have a good object in view unless proper means were taken to attain it. If his right hon. Friend liked to take upon himself the duty he proposed, it could not devolve upon a more proper and responsible person.

MR. LOCKE said, the arguments of the hon. and learned Member for the Tower Hamlets (Mr. Ayrton) did not apply to the alteration suggested by the Secretary of State for the Home Department. If the local authority neglected his duty power ought to be given to the Secretary of State to compel him to perform it. It might be thought from the present discussion that there was no necessity for the Bill; but it should be remembered that they were threatened with a severe visitation of the cholera, and every possible means should be adopted to avert

the danger from houses whose condition was calculated to spread contagion throughout their neighbourhood. This principle ought certainly to be established—that if the local authorities did not perform their duty somebody ought to have power to compel them.

Mr. BRUCE said, he would accept the Amendment.

THE SOLICITOR GENERAL observed that it must be extremely satisfactory to the House to learn that in Marylebone the administration of affairs was so complete. But with respect to Marylebone and all other parishes it was only in case the local authorities did not discharge their duty the proposition of his right hon. Friend the Home Secretary would have effect.

Amendment *negatived*.

Mr. BAZLEY moved an Amendment the object of which was to omit those words in the clause which give the chief officer of police the power of instituting proceedings for the removal of nuisances.

Amendment proposed, in page 7, line 36, to leave out the words “the chief officer of police may,” and insert the words “such nuisance authority shall.”—(*Mr. Bazley*.)

Question put, “That the words proposed to be left out stand part of the Clause.”

The Committee *divided*:—Ayes 78; Noes 24: Majority 54.

Clause, as amended, *agreed to*.

Clause 21 *agreed to*.

Clause 22 (Requisition of Ten Inhabitants equivalent to Certificate of Medical Officer) Clause A.

Mr. HARVEY LEWIS asked for some explanation of the provision that a requisition of ten inhabitants should be equivalent to a certificate of the medical officer.

Mr. SCLATER-BOOTH said, it sometimes happened that a nuisance might exist which a medical officer would not certify was actually injurious to health, but which, at the same time, for the comfort of the residents it might be highly desirable to remove. This clause gave facilities for the purpose.

Mr. HENLEY said, that for the sake of preserving health stringent measures might be submitted to; whereas if the comfort of the inhabitants merely were interfered with, they ought to be left to their common-law remedy. It must be a very queer nuisance which doctors would

not certify to be injurious to health. As far as his experience went, they were by no means mealy-mouthed in such cases.

Mr. WALPOLE said, the case in contemplation was one where the medical officers omitted to certify.

THE SOLICITOR GENERAL pointed out that, according to the section of the Nuisances Removal Act referred to in the clause, the certificate was only to enable two justices to inquire into the matter.

Clause *agreed to*.

Clause 23 (Definition of the word “nuisance.”)

Mr. HENLEY hoped that no poor man’s family, which might happen to number ten members or more, would on that account, and because it happened only to occupy two rooms, be disturbed on the ground of being a nuisance.

Mr. AYRTON said, the definition ran thus:—“Any house, or part of a house, so overcrowded as to be dangerous, or prejudicial to the health of the inmates.” What constituted the nuisance—the inmates or the house? and, if the latter, how was it proposed to remedy it? By pulling down a house which might otherwise be in excellent condition?

Mr. BRUCE said, the nuisance was neither the house nor the inmates, but the overcrowding. The House had already dealt with two great causes of disease; it had done much towards improving the supply of water, and something also towards the removal of ordinary nuisances by drainage; and they ought not to overlook the source of evil the most difficult of all to struggle against—the overcrowding of houses. All evidence received went to show the gigantic nature of this evil in every large town; and deputations had waited upon him, not only from different parts of the metropolis, but even from Newcastle, on this subject. The deputations had urged, in the first place, the physical evil resulting from the crowding of large numbers into single rooms, but still more strongly the effects upon the morality of the people. In every large town thousands of persons were brought up in a state of moral degradation, which could only end in a great national danger. In Scotland the law was the same as in England until 1862, when the Scotch Police and Improvement Act was passed. By the 11th clause of that Act the word “nuisance” was taken to include any overcrowding of an inhabited house or part of a house

He wanted to have a similar law passed for England. In the year when the Scotch Act was passed the city of Glasgow contained some of the filthiest wynds and alleys in the world ; but the authorities set to work, they discovered the overcrowded houses, ticketed them, and fixed the number of persons who should be allowed to live in them. Had the Act been inoperative ? Far from it, for the Glasgow authorities were now proposing to expend £1,250,000 in buying up the worst parts of the city and improving it. That circumstance proved that the possession of powers such as this Bill would give, and the exercise of them, would bring to light the existence of evils and inspire people with a desire to remedy them. He admitted the proposed innovation would be a serious one ; but he believed it would be most beneficial to the working classes, and he therefore entreated the Committee not to shrink on account of an occasional hardship from doing what would be a great and permanent good.

Mr. AYRTON said, there was nothing in the Bill which would, as in the Scotch Act, determine the number of people that might live in a house, nor was there anything in the clause which declared overcrowding to be a nuisance. The Bill merely declared that if a house was in a state injurious to health the magistrate should have power to get the House repaired, or order it to be locked up until it was repaired. According to his reading of the clause, nothing satisfactory could be done except by turning the inhabitants into the street. Were they prepared to pass a law by which power would be given summarily to turn people into the streets ? In order to raise the question, he begged to move that the words—" Any house or part of a house so overcrowded as to be dangerous or prejudicial to the health of the inmates " be omitted.

Mr. COWEN said, that the law, as it stood at present, was disgraceful. In the town which he represented (Newcastle-upon-Tyne) during the last twelve months there had been 500 cases of typhus fever sent to the Fever Hospital, of whom 100 died, and almost all of these cases had come not from common lodging-houses, but from overcrowded houses. He had a letter from one of his constituents urging the necessity of sanitary measures in the case of the fever dens of the town, and the adoption of steps to prevent overcrowding. He asked why they should not assimilate

the English to the Scotch law in this matter ?

Mr. WALPOLE said, the clause would not only affect houses containing more than two or three families, but cottages with but one family, if the children happened to be too numerous for the size of the dwelling ; and he contended that it would be too hard to turn them out until suitable provision was made for them. Until some better provision was made to meet the case of the working class, he should hesitate to support this clause.

COLONEL W. STUART hoped the clause would be retained, as something of the kind was indispensably necessary. In the district in which he resided cottages were crowded to a dangerous degree, and he knew of no law to prevent it ; while the landlords would do nothing in the matter.

Mr. LEEMAN said, he was sorry to hear what had fallen from the Secretary of State, because in his opinion the present clause was the best portion of the Bill. For many years he had been the Chairman of a Board of Health in a large city, and experience had taught him that the provision contained in the clause was absolutely necessary if the health of the inhabitants was to be promoted.

Mr. SCLATER-BOOTH approved the clause, observing that the evidence in support of it was conclusive.

Mr. HENLEY said, that the clause would, in effect, declare large numbers of cottages in the country containing but one family each, though a large one, to be nuisances, and the result would be to make the landlord turn the poor people into the street and pull the house down. Now, turning these people into the street without making provision for them would be a very serious matter. He would, therefore, oppose the clause, unless some proviso was inserted prohibiting the turning out a single family.

Mr. BRUCE said, that a law declaring overcrowded houses to be a nuisance had been in force in Scotland for six years, and during that time whoever heard of a complaint, that any people had been hardly dealt with, reaching the Home Office ? A large family inhabiting one small portion of the house would be a source of danger not only to the other people under the same roof, but to the whole district. He suggested that larger powers should be given, and that the authorities should be left to administer them. He thought the House would be satisfied with the Scotch precedent.

MR. HENLEY said, that the remarks of the right hon. Gentleman did not apply to houses containing but one family. If the powers to which he alluded were to be given to the authorities, they would have no option in the matter, but be compelled to enforce them.

MR. AYRTON said, that the Scotch law might have worked admirably, but the present clause did not follow the Scotch law.

MR. HENLEY asked what rule they were going to lay down as to the number of persons who might live in one room without its being prejudicial to health?

SIR ROBERT COLLIER said, it was impossible to say absolutely what number of persons inhabiting a house would render it prejudicial to health. That must depend upon the size and construction of the house, its ventilation, and other circumstances. With regard to the matter of definition, the Scotch law was identical with that proposed in this Bill. When they afterwards came to the other clauses they might impose a small fine in certain cases and not in others, so as not to make the operation of the measure oppressive.

MR. HENLEY said, that if the right hon. Gentleman (Mr. Bruce) had only held out the slightest hope that he would deal with the matter in the spirit just indicated by the late Solicitor General he should have been quite satisfied.

MR. AYRTON said, the definition given in the Scotch law might not be different from that contained in this Bill, but there was consequential legislation in the case of Scotland, which did not find its way into this measure. Perhaps the right hon. Gentleman would bring up a clause, legislating according to the Scotch law.

MR. BRUCE said, the right hon. Gentleman (Mr. Henley) seemed to think that if a house was overcrowded and a nuisance to the neighbourhood, he ought to be allowed to remain if the overcrowding was due only to the occupier's own family; but he (Mr. Bruce) did not think that even if the house were the man's own freehold he ought to be allowed to remain there to the injury of the community.

MR. NEWDEGATE said, that if poor people were to be turned out of their homes, some provision must be made, at least temporarily, to prevent their being left homeless.

MR. BRUCE would be most happy to consider any modification of the clause that was not inconsistent with its efficiency,

Mr. Bruce

but he should be sorry to bind himself to adopt any modification the effect of which he was not able to see.

MR. AYRTON said, he would withdraw his Amendment.

Amendment, by leave, *withdrawn*.

House *resumed*.

Committee report Progress; to sit again upon *Monday* next.

THE ATLANTIC CABLE.

MOTION FOR ADJOURNMENT.

MR. HUNT, in moving the adjournment of the House, stated that he understood the Atlantic cable had been successfully completed, and that the first message had been received. He wished to know whether his hon. Friend opposite could confirm the statement?

MR. CHILDERS said, he was happy to say that the statement was correct. He had great satisfaction in saying that the communication would be opened with New York to-morrow.

An hon. MEMBER stated that he had in his hand a message that had just been received through the cable.

Motion *agreed to*.

CONSOLIDATED FUND (APPROPRIATION) BILL.

On Motion of Mr. DODSON, Bill to apply a sum, out of the Consolidated Fund and the Surplus of Ways and Means, to the Service of the year ending thirty-first March, one thousand eight hundred and sixty-seven, and to appropriate the Supplies granted in this Session of Parliament, *ordered* to be brought in by Mr. DODSON, MR. CHANCELLOR of the EXCHEQUER, and Mr. HUNT.

Bill *presented*, and read the first time.

BILLS OF SALE ACT (1854) AMENDMENT

[STAMPS] BILL.

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to provide that every Affidavit renewing the Registration of a Bill of Sale shall bear an adhesive Common Law Stamp of the value of Five Shillings.

Resolution *t* be reported upon *Monday* next

PRISONS BILL.

On Motion of Mr. Secretary WALPOLE, Bill for the amendment of the Laws relating to Prisons, *ordered* to be brought in by Mr. Secretary WALPOLE and Mr. SOLICITOR GENERAL.

Bill *presented*, and read the first time. [Bill 250.]

CATTLE DISEASES PREVENTION ACT AMENDMENT (NO. 2) BILL.

Acts read; considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to amend the Cattle Diseases Prevention Act.

Resolution reported:—Bill ordered to be brought in by Mr. Secretary WALPOLE, Mr. CHANCELLOR of the EXCHEQUER, and Mr. HUNT.

Bill presented, and read the first time. [Bill 251.]

House adjourned at a quarter before two o'clock, till Monday next.

HOUSE OF LORDS,

Monday, July 30, 1866.

MINUTES.]—PUBLIC BILLS—*First Reading*—Railway Companies' Securities* (240).

Second Reading—Parochial Buildings (Scotland) Act Amendment* (226); Thames Navigation* (214), and referred to Select Committee; Fees (Public Departments)* (233); Parishes (Scotland) Act (1844) Amendment* (235); County Assessments (221).

Committee—New Forest Poor Relief* (203); Rochdale Vicarage* (241); Straits Settlements* (242); Courts of Justice* (218); Inland Revenue* (229); Colonial Branch Mints* (227).

Report—New Forest Poor Relief* (203); Courts of Justice* (218); Inland Revenue* (229); Colonial Branch Mints* (227); Oyster and Mussel Fisheries* (243).

Third Reading—Consecration of Churchyards (No. 2) (193), Order discharged; British Columbia* (213); Oyster Bed Licences (Ireland)* (203); Land Tax Commissioners' Names* (179); Militia Pay*; Drainage and Improvement of Lands Act (Ireland) Provisional Order* (217); Public Works, Harbours, &c.* (219); Public Works Loans (Ireland)* (226); Foreign Jurisdiction Act Amendment* (165).

Royal Assent—Sheriff Court Houses (Scotland) Act (1860) Amendment [29 & 30 Vict. c. 53]; Revising Barristers' Qualifications [29 & 30 Vict. c. 54]; Postmaster General [29 & 30 Vict. c. 55]; Pier and Harbour Orders Confirmation (No. 2) [29 & 30 Vict. c. 56]; Charitable Trusts Deeds Enrolment [28 & 30 Vict. c. 57].

THE PRAYER AGAINST THE CATTLE PESTILENCE AND CHOLERA.

QUESTION.

LORD EBURY, who had given notice to move for Returns relating to Queen Anne's Bounty, observed that, as he found very similar information had been furnished to the other House of Parliament, he should

not press his Motion. He would take that opportunity, however, of putting a question to the noble Earl at the head of the Government with respect to the prayer drawn up last year by the Archbishop of Canterbury, and read in every church, praying for Divine intervention for the repression of the cattle disease, and beseeching Divine protection against the threatened visitation of cholera. Appropriate as the prayer was at the time of its composition, he thought that circumstances had occurred which would render desirable its reconstruction—the cattle plague had been nearly stamped out, while the cholera, which was ravaging other countries at that time, was now fatally prevalent here. He wished, therefore, to know, Whether there was any intention of substituting a fresh form of petition, invoking Divine aid and assistance under present calamities and visitations?

THE EARL OF DERBY said, he admitted that the language of the prayer was not at the present time so applicable as it was at the time when it was composed. He believed, however, that the introduction and continued use of the prayer in our churches had given considerable satisfaction throughout the country. In reply to the question which the noble Lord had put to him, he had to state that he was not aware that at present any intention had been formed of altering the prayer at present in use; but he had no doubt the subject would receive attention from the most rev. Primate and other heads of the Church. The murrain was by no means stamped out, as it prevailed to a large extent among sheep; but, as respected cholera, the language of the prayer was hardly appropriate, for since cholera had broken out in this country the petition against its visitation was scarcely reconcilable with fact.

CONSECRATION OF CHURCHYARDS

(No. 2) BILL—(No. 193).

(The Lord Redesdale).

THIRD READING.

Moved, "That the Order of the Day for the Third Reading of this Bill be discharged."—(The Lord Redesdale.)

LORD STANLEY OF ALDERLEY objected to the Bill being dropped. It was generally agreed to be a very useful measure; and although objections had been raised by the right rev. Bench to the Bill as first introduced, the required alterations had been made in the present Bill.

LORD REDESDALE regretted to be compelled to withdraw the Bill, but on such a subject he held that it was desirable there should be a general concurrence of opinion. As that could not be secured, he deemed it best, under all the circumstances of the case, to withdraw the Bill.

LORD STANLEY OF ALDERLEY said, that no reason having been given for the withdrawal of the Bill, he should feel it his duty to divide the House against the Motion.

On Question? their Lordships *divided*:—Contents 28; Not-Contents 19: Majority 9.

CONTENTS.

Canterbury, Archp.	Leven and Melville, E.
Chelmsford, L. (<i>L. Chancellor.</i>)	Malmesbury, E.
	Powis, E.
	Shrewsbury, E.
Buckingham and Chandos, D.	Hawarden, V.
Belmore, E.	Limerick, &c., Bp.
Carnarvon, E.	London, Bp.
Chichester, E.	Manchester, Bp.
Dartmouth, E.	Churchill, L.
Derby, E.	Colville of Culross, L.
Devon, E.	Congleton, L.
Doncaster, E. (<i>D. Bucleuch and Queensberry.</i>)	Raglan, L.
Graham, E. (<i>D. Montrose.</i>)	Redesdale, L. [<i>Teller.</i>]
Harrowby, E.	Silchester, L. (<i>E. Longford.</i>) [<i>Teller.</i>]
	Sondes, L.
	Southampton, L.

NOT-CONTENTS.

Normanby, M.	Ebury, L.
Amherst, E.	Foley, L.
Clarendon, E.	Hunsdon, L. (<i>V. Falkland.</i>)
Kimberley, E. [<i>Teller.</i>]	Lyveden, L.
Lucan, E.	Minster, L. (<i>M. Conyngham.</i>)
Romney, E.	Mostyn, L.
Russell, E.	Ponsonby, L. (<i>E. Bessborough.</i>)
De Vespi, V.	Romilly, L.
Clermont, L.	Stanley of Alderley, L.
Cranworth, L.	[<i>Teller.</i>]

Resolved in the Affirmative; Order of the Day for the Third Reading *discharged* accordingly.

ROCHDALE VICARAGE BILL—(No. 241.) (*The Earl of Chichester.*)

COMMITTEE.

House in Committee (according to Order).

Clause 12 (Application of the surplus of the annual Proceeds.)

THE EARL OF POWIS *moved* an Amendment
Lord Stanley of Alderley

ment empowering the Commissioners, after they had carried out the other objects of the Bill, to provide, with the concurrence of the Bishop of the diocese, additional curates to celebrate Divine service in the town of Rochdale.

THE EARL OF CHICHESTER objected to the Amendment.

THE EARL OF DERBY said, he was prepared to support the Amendment.

THE BISHOP OF MANCHESTER said, he could not, in behalf of those with whom he acted, consent to the Amendment proposed.

Amendment negatived.

Amendments made: The Report thereof to be received *To-morrow*; and Bill to be printed as amended (No. 241).

COUNTY ASSESSMENTS BILL—(No. 221.) (*The Earl of Devon.*)

SECOND READING.

Order of the Day for the Second Reading read.

THE EARL OF DEVON, in moving the second reading of this Bill, said, that the 15 & 16 *Vict.* c. 81 gave power to the Justices in Quarter Sessions to appoint a committee to arrange the bases of the county rate. The 25 & 26 *Vict.* called the Union Assessment Committee Act, constituted in each union a committee for the purpose of settling the basis of the assessment for Poor Law purposes. A question had arisen as to whether the latter Act did not deprive the committee of the Justices of the powers given to them by the former one. This Bill declared that nothing in the Union Assessment Committee Act should apply to any assessment made in pursuance of the provisions of the 15 & 16 *Vict.* c. 81.

Moved, "That the Bill be now read 2^a."
—(*The Earl of Devon.*)

LORD CRANWORTH expressed his approval of the object of the Bill.

LORD REDESDALE observed, that the Union Assessment Act was passed for the purpose of securing a uniform rating throughout the county; but the present Bill would in effect create two rates, that for the county being different from the parish rate. The Union Assessment Act was not, perhaps, perfect, and it might be very desirable that something should be done to amend it; but he thought the remedy now proposed was far from satisfac-

tory. It seemed to have been introduced because certain county committees had surmised that their power had been taken away from them by the Act he had referred to, and to promote the interests of the surveyors. He should move that the Bill be read a second time that day three months.

Amendment *moved*, to leave out ("now,") and insert ("this Day Three Months.")

THE EARL OF DEVON said, he was as anxious as any of their Lordships to secure uniform rating, and he would like to see a Bill introduced to effect this object; but that was not likely to be done for some time to come, and until then it was desirable that the Amendment the present Bill proposed should be made.

THE EARL OF CHICHESTER said, that it appeared, from the doubts prevailing as to the Acts now in force, that something should be done, and he would therefore give his support to the Bill.

THE EARL OF KIMBERLEY said, he understood the Bill would rectify the inequality which had been introduced into the union by the county rate. If that were so, the Bill would effect a very important improvement.

On Question, that ("now") stand Part of the Motion? *Resolved* in the *Affirmative*; Bill read 2^a accordingly, and *committed* to a Committee of the Whole House *To-morrow*.

THAMES NAVIGATION BILL.

Read 2^a (according to Order); the Order of the Day for Consideration of Standing Orders Nos. 37 & 38., in order to their being dispensed with, *discharged*; Bill *committed*: The Committee to be proposed by the Committee of Selection.

List of the Committee—E. Leven and Melville, E. Lucan, L. Foley, L. Raglan, L. Lyveden, (Chairman).

House adjourned at half past Six o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Monday, July 30, 1866.

MINUTES.]—NEW MEMBER SWORN—Hon. George William Barrington *for* Eye.

SELECT COMMITTEE—*Report*—Master and Servant [No. 449]; Metropolitan Local Government, &c. [No. 452].

PUBLIC BILLS—*Ordered*—Expiring Laws Continuance.*

First Reading—Expiring Laws Continuance* [255].

Second Reading—Consolidated Fund (Appropriation); Cattle Diseases Prevention Act Amendment (No. 2)* [251]; Ecclesiastical Commission* [252] [*Lords*]; Prisons* [250].

Committee—Public Health (*re-comm.*) [202]; Reformatory Schools (*re-comm.*) [184]; Industrial Schools (*re-comm.*)* [185] [*R.P.*]; Landed Estates Court, &c. (Ireland)* [174]; New Zealand* [225]; Common Law Courts (Fees and Salaries)* [240]; Bills of Sale Act (1854) Amendment* [235]; Naval Discipline (*re-comm.*)* [231]; Dockyard Extensions* [246]; Bankruptcy Law Amendment, &c.* [106].

Report—Public Health (*re-comm.*) [253]; Reformatory Schools (*re-comm.*) [184]; Landed Estates Court, &c. (Ireland)* [174]; New Zealand* [225]; Common Law Courts (Fees and Salaries)* [240]; Bills of Sale Act (1854) Amendment* [235]; Naval Discipline (*re-comm.*)* [231]; Dockyard Extensions* [246]; Bankruptcy Law Amendment, &c.* [106].

Considered as amended—Turnpike Acts Continuance* [229]; Local Government Supplemental (No. 4)* [234]; Railways (Ireland) Temporary Advances* [220]; Oysters Cultivation (Ireland)* [243].

Third Reading—Turnpike Trusts Arrangements* [228]; Poor Law Amendment* [221]; New South Wales and Van Diemen's Land Government* [244] [*Lords*]; Public Libraries Act Amendment* [44], and *passed*.

Withdrawn—Fortifications (Provision for Expenses) [244]; Traffic Regulation (Metropolis)* [227]; Prisons (Ireland)* [207]; Poor Relief (Ireland) Law Amendment* [153]; Hares and Rabbits (Scotland)* [210]; Cattle Diseases Prevention Act (1866) Amendment* [200].

ARMY ORDNANCE CORPS.—QUESTION.

MAJOR JERVIS said, he would beg to ask the Secretary of State for War, Whether any measures have been agreed on with the Treasury with the view of increasing the retiring allowances for the Ordnance Corps, and thus render them more efficient?

GENERAL PEEL said, in reply, that no measures had as yet been agreed upon with the Treasury with reference to the proposed addition to the annual retiring allowances of the Royal Artillery and Engineers. The proposition from the Treasury was of such a nature as to necessitate further correspondence with the Horse Guards.

IRELAND—RESIGNATION OF MR.

NAPIER.—QUESTION.

MR. O'BEIRNE said, he rose to ask the Chief Secretary for Ireland, If the appoint-

ment of Mr. Blackburne as Lord Chancellor of Ireland is merely provisional, and if Mr. Napier has actually been appointed the Lord Justice of Appeal?

LORD NAAS: Sir, I think the best answer which I can give to the question of the hon. Member will be, if the House will permit me, by reading a letter which Mr. Napier addressed on Saturday to Lord Derby. The letter is as follows:—

"1, Whitehall Gardens, July 28, 1866.

"My dear Lord Derby,—When you were pleased to offer me the office of Lord Justice of Appeal in Ireland, I was conscious of my partial defect of hearing, but not having experienced any difficulty from that defect when I presided as Lord Chancellor in the Court of Appeal, and having been assured by those on whom I could implicitly rely that it had not since increased, I accepted the offer which you made to me. I find, however, that an impression has been created in the public mind that the defect in question exists to an extent which might interfere with the satisfactory discharge of my judicial duties. I believe the impression to be mistaken. Competent and disinterested friends who have had the best opportunity of judging are of this opinion. But when I consider how important it is that the administration of justice should be above all possible exception, and how desirable it is that the nomination to so high an office should not be open to a moment's cavil, I think I best fulfil the duty which I owe to the public, to your Lordship, and to myself, by withdrawing my acceptance of the office. Believe me to be, my dear Lord Derby, most sincerely yours,

JOSEPH NAPIER.

"Earl of Derby, K. G., &c."

I think, Sir, I may be allowed to say that I feel sure the House and the public will give Mr. Napier every credit for the honourable and distinguished manner in which he has behaved on this trying occasion. He has made a very great sacrifice—a sacrifice which few public men in his position were ever called upon to make. I believe the House fully appreciates the motives which actuated him, and feels with me that that sacrifice is made from a pure regard to the interests of the public.

MR. MAGUIRE wished to ask the noble Lord, whether he had received a similar letter from Lord Chancellor Blackburne?

[No answer was given to this question.]

IRELAND—LAND TENURE.—QUESTION.

MR. REARDEN said, he wished to ask the Chief Secretary for Ireland, Whether it is the intention of Her Majesty's Government to introduce a like Bill for the Tenure and Improvement of Land in Ireland to that which was introduced by Her Majesty's Government in 1852, and which contained a clause granting compensation

Mr. O'Beirne

for retrospective as well as future durable improvements?

LORD NAAS: Sir, I have only to say what I already stated the other day in the debate on the withdrawal of the Tenure of Land (Ireland) Bill, that the question will occupy the most serious consideration of the Government during the recess; and if the Government can see its way to introduce a Bill which would have the effect in their opinion of giving to tenants in Ireland compensation for *bonâ fide* improvements they would introduce such a measure. With regard to the Bill of 1852, I must express my individual opinion that I doubt whether any Bill of that description would now receive the assent of any party in this House.

METROPOLIS—HYDE PARK.—QUESTION.

MR. DARBY GRIFFITH said, he would beg to ask the First Commissioner of Works, Whether, before the railings of the Park are re-placed in Park Lane, it will be taken into consideration whether it would be desirable to take advantage of the present opportunity for widening any part of Park Lane; and whether he has observed the very defective quality of the brickwork supporting the railing, and if care will be taken that the new railing shall be of an improved and stronger construction?

LORD JOHN MANNERS: Sir, I answer both the questions put by the hon. Gentleman in the affirmative.

BOARD OF TRADE—METEOROLOGICAL DEPARTMENT.—QUESTION.

COLONEL SYKES said, he rose to ask the President of the Board of Trade, On what footing the Meteorological Department of the Board of Trade is to be placed for the future; how far the Recommendations contained in the Report of the three scientific Meteorologists to whom the subject was referred are to be carried out; and whether the Storm Signals are to be continued in the manner the late Admiral Fitzroy used them?

SIR STAFFORD NORTHCOTE: I have to state, Sir, that after the death of Admiral Fitzroy a committee was appointed, consisting of gentlemen nominated by the Royal Society, a gentleman from the Hydrographic Department of the Board of Admiralty, and one of the Secretaries of the Board of Trade, to consider the position of the Meteorological Department. The result of their deliberations was that

they presented a long Report, which has been laid before the House. I found when I came to the Board of Trade that no step had been taken upon it. The effect of the Report is that a recommendation was made that the Meteorological Department, wherever placed, should continue the scientific inquiries which were originally contemplated when it was first appointed, but which to a considerable extent had been suspended or not prosecuted with so much industry as they might be, in order that more might be done in the way of predicting the weather and giving notice of probable storms. The recommendations of the committee were that the scientific inquiries should be prosecuted more vigorously than hitherto, and that the Royal Society, or some similar body, should undertake the greater portion of that part of the business, the Board of Trade or the Admiralty undertaking those portions which were simply Executive. With regard to the predictions of the weather, considerable doubt has been thrown upon the utility of the old system, and the recommendation was that storms should still be predicted, but that no attempt should be made to predict the directions from which they would come. But this would involve an alteration in the whole department and a great deal of expense. It would be further necessary to communicate with the Royal Society and the Board of Admiralty on the subject of the recommendation, and also to take into consideration the question of expense. The matter, however, will be considered as soon as possible; but it is impossible to state at present what decision will be arrived at.

ARMY—PURDAY'S EXPANDING BULLET. QUESTION.

MR. OLIPHANT said, he would beg to ask the Secretary of State for War, Whether his attention has been called to the Purday's Expanding Bullet?

GENERAL PEEL: My attention, Sir, has been privately drawn to Mr. Purday's expanding bullet. The subject has been referred to the Ordnance Committee, and I received a letter from Mr. Purday this morning offering to give every assistance that he could.

ARMY—PRUSSIAN CARTRIDGE POUCHES.—QUESTION.

LORD EUSTACE CECIL said, he would beg to ask the Secretary of State

for War, Whether the attention of the War Department has been drawn to the fact that every Prussian soldier carries two cartridge pouches fastened to his waist-belt in front, and is thus enabled to fire with greater rapidity in action; whether the War Department has had under its consideration the pattern of light ammunition waggons attached to battalions of Prussian riflemen on service; and whether, on the issue of breech-loading rifles, there is any intention of introducing into our service cartridge pouches and light ammunition waggons of a similar kind to those now in use in the Prussian army?

GENERAL PEEL: Sir, I have received reports from the military attaché on the subject of the two cartridge pouches carried in front by the Prussian soldiers, and I hope to receive further details on the subject, and also as to the amount of ammunition they are able to discharge in the course of an action, as to which there have been very different accounts. I am not aware that the pattern of the ammunition wagon of the Prussian army has been received. The question is an important one, and will be fully considered.

MUNICIPAL BOROUGH—QUESTION.

MR. HORSMAN said, he wished to ask the Secretary of State for the Home Department, When the Return as to Municipal Boroughs (England and Wales) ordered by the House on the 23rd March will be presented?

MR. WALPOLE replied, that several of the Returns had not yet come in. As soon as they had all been made they would be presented.

ELECTORAL RETURNS.—QUESTION.

MR. HORSMAN said, he wished to ask the President of the Poor Law Board, When the Electoral Return, ordered by the House on the 6th June, will be presented?

MR. GATHORNE HARDY, in reply, said, one-half of the information had not come in. The Return would be presented as soon as the whole of the information had been received. He proposed that they should be all delivered in a complete form during the recess.

ARMY—THE LANCASTER RIFLE. QUESTION.

MR. OSBORNE said, he rose to ask the Secretary of State for War, If it be

true that the Lancaster smooth oval-bore rifle (as supplied to the Royal Engineers) when converted to the Snider breech-loader, with the Boxer cartridge, had given much better shooting than either the Enfield or five-grooved rifles?

GENERAL PEEL, in reply, said, it was quite true. He believed that the Lancaster rifle, both before and after conversion, had shot better than the Enfield or five-grooved rifle. It was his intention to order that the Lancaster smooth oval-bore rifle should be converted into breech-loaders.

REGULATION OF THEATRES AND PLACES OF AMUSEMENT.

QUESTION.

LORD ERNEST BRUCE said, he would beg to ask the Secretary of State for the Home Department, Whether it is the intention of Her Majesty's Government, early next Session, to bring in a Bill for the better regulation of Theatres and places of Public Entertainment in accordance with the Report of a Committee of this House on Theatrical Licences and Regulations?

MR. WALPOLE: Sir, this is a subject which must undergo considerable investigation during the recess. I cannot say whether any Bill will be brought in in accordance with the Report of the Committee; but a Bill will certainly be prepared on the subject.

THE CATTLE PLAGUE.

QUESTION.

SIR JERVOISE JERVOISE said, he wished to ask the Vice President of the Committee of Council on Education, If his attention has been called to the statement that the Cattle Plague has lately been spreading in one or two counties; that in the West of England a flock of 450 sheep have been slaughtered by order of the Local Committee; that thirty-eight head of cattle were slaughtered by order of Professor Simonds; that in Staffordshire a fresh outbreak is reported, and forty-four animals slaughtered as a precautionary measure; and whether he has observed that great doubt is thrown on the origin of the disease, and on the beneficial effect obtained, or to be expected, from attempts to stamp it out at a great sacrifice of property?

MR. CORRY: There has, Sir, been

Mr. Osborne

unfortunately a fresh outbreak of the cattle disease, affecting sheep also on two contiguous farms in Somersetshire. Previous to the report of Professor Simonds, who had been sent down to inquire into the subject, forty-seven cattle and 171 sheep had either been slaughtered or had died. After the receipt of his report the local authorities had properly ordered the whole of the remaining stock on the two farms to be slaughtered. I am happy to say that in general the disease, so far from spreading, is on the decrease, and that during the last week the number of attacks in England and Wales was the smallest recorded since the first Returns. No information has been received of any fresh outbreak of the disease in Staffordshire to any considerable extent. With regard to the last part of the Question of the hon. Baronet, doubts might exist as to the origin of the disease; but from whatever cause it originated there is not the slightest doubt, in the opinion of the most competent authorities, that the disease is communicable in the highest degree from sick to healthy animals.

INDIA—BANDA AND KIRWEE PRIZE MONEY.—QUESTION.

COLONEL NORTH said, he would beg to ask the Secretary of State for India, Upon what grounds the sum of about £52,000 has been deducted from the Banda and Kirwee Prize Fund as compensation for loss of revenue alleged to have been sustained by the Indian Government in the Banda Collectorate?

VISCOUNT CRANBOURNE said, in reply, that it appeared from the communication from the Secretary to the Government, North-West Provinces, to the Secretary to the Government of India, Foreign Department, No. 438, dated Nynee Tal, 4th of November, 1862, that in July, 1858, Mr. Mayne, who was the Civil Officer who accompanied the army of re-occupation in the Banda district, took the sum of 981,578 rupees from the money appropriated by Major General Whitlock's column to recover the amount of land revenue supposed to have been collected from our subjects by the Raos of Kirwee. It appeared, however, from the account rendered by the collector of Banda, that of that amount 523,253 4 6 rupees only were credited to collections so made by Narain Rao, the balance being credited to the Prize Fund.

BRITISH MINISTER AT FRANKFORT.
QUESTION.

MR. OTWAY said, he would beg to ask the noble Lord the Secretary of State for Foreign Affairs, Whether instructions have been sent to the British Minister at Frankfort to follow the steps of the Representatives of other States accredited to the German Confederation, who left Frankfort and established themselves in the city of Augsburg? He also wished to ask what are the intentions of the Government with regard to continuing a British Minister at the seat of the Diet?

LORD STANLEY: Sir, in answer to the first Question of the hon. Gentleman, I have to say that instructions were sent on the 20th June by my predecessor to Sir Alexander Malet. Those instructions were that he was to follow the Diet to any place where it would hold its sittings within the limits of the German Confederation. Those instructions were repeated by me on the 12th July. Sir Alexander Malet followed the Diet to Augsburg on the 16th. When Austria seceded from the Confederation he asked leave to return to Frankfort. In reply to the second Question, as the intentions of Her Majesty's Government with respect to the continuance of the British Minister at the German Confederation, my answer is that in the present state of affairs we must look upon the Germanic Confederation as having practically ceased to exist. The answer, therefore, is obvious.

TRAFFIC REGULATION METROPOLIS
BILL.—QUESTION.

MR. ALDERMAN LAWRENCE said, he wished to ask, Whether it is intended to proceed with the Traffic Regulation Metropolis Bill?

MR. WALPOLE, in reply, said, as the Bill in question required more consideration than could be given to it at the end of the Session, he proposed to move that the Order of the Day with respect to it be discharged.

SUSPENSION OF THE HABEAS CORPUS
ACT IN IRELAND.—QUESTION.

MR. MAGUIRE said, he rose to ask the noble Lord the Chief Secretary for Ireland, Whether he intends to bring in his Bill for the further suspension of the Habeas Corpus Act in Ireland at such a

time as would afford the Irish Members an opportunity of a full discussion upon it?

LORD NAAS: I propose, Sir, to ask leave to introduce the Bill referred to to-morrow night, and to place it on the paper for a second reading as the first Order of the Day at the Thursday evening sitting.

MR. BRIGHT AND THE REFORM
LEAGUE.—ADJOURNMENT.

PERSONAL EXPLANATION.

MR. BAILLIE COCHRANE: I ask permission to make an explanation of a personal nature, and in order to facilitate my doing so I shall conclude with a Motion. I have seen attacks made upon me in the organ of the hon. Member for Birmingham, and as these attacks have been copied and widely circulated I think it is incumbent on me to notice them. I regret that I have been previously unable to do so, having been prevented from attending the House both on Thursday and Friday evenings. The charge made against me was that I stated in this House, when it was not the fact, that the letter of the hon. Member for Birmingham inciting the collection of the mobs in the Royal Park was written subsequently to the speech of my right hon. Friend the Secretary of State for the Home Department and the statement of the right hon. Baronet the late Home Secretary. Now it appears that in making that statement I was wrong. [*Cheers from the Opposition.*] Perhaps hon. Members opposite who have given that cheer will not again cheer in the interest of the hon. Member for Birmingham when they hear the entire of my statement. It is perfectly true that the letter was dated on the 19th of July, and that the debate took place on the 19th. The writing of the letter, therefore, preceded the discussion; but it is equally true that the publication of that letter did not take place until Monday, the 23rd of July, and it was sent for publication on the 22nd of July. Therefore, when the hon. Member sent his letter for publication in the morning papers of the 23rd of July, he must have perused the debate that had taken place in this House on the 19th of July. The mistake which I made was, I should have used the word "published" instead of the word "written." With that exception my statement was perfectly accurate. This, then, presented only another feature showing the want of frankness with which the hon. Member for Bir-

mingham has behaved throughout these painful discussions. The charge of misstatement, and in one case of falsehood, which has been brought against me will not prevent me from expressing the opinion which I still hold, that the letter of the hon. Gentleman was a most pernicious letter. ["Order, order!"]

MR. HADFIELD rose to order. He asked whether it was fair of the hon. Gentleman to attack an hon. Member thus in his absence.

MR. SPEAKER said, he understood the hon. Member for Honiton to rise for the purpose of making a personal explanation. The distinction between that and making a charge against others was very great. But when any charge was to be made against a newspaper, the rule of the House was that the objectionable paragraph should be read at the table, and then the Member complaining should proceed to make a Motion. The hon. Gentleman rose to make a personal explanation, and he must confine himself within the limits of his explanation.

MR. BAILLIE COCHRANE : I bow, of course, to your authority, Sir, although I have been grossly attacked. I maintain that I have virtually stated the exact truth; and the charge of misstatement may be applied to the hon. Member for Birmingham and not to me. [*Cries of "Move, move!"*] I move that the House do adjourn.

MR. M'LAREN said, he begged to second the Motion for adjournment, considering that the hon. Member for Honiton had only added aggravation to his original charge—the aggravation being as unfounded as was the original charge. The hon. Member had stated that night that although the hon. Member for Birmingham wrote the letter on the 19th instant, which, as had been admitted, was before the speeches referred to were delivered—the hon. Member for Honiton had stated another gross inaccuracy, by saying that the hon. Member for Birmingham sent the letter to the newspapers on the 22nd. [MR. BAILLIE COCHRANE : I said it appeared so.] And the letter appeared on the 23rd. His belief was that the hon. Gentleman the Member for Birmingham never sent the letter for publication. It was addressed to a private individual, and that individual probably sent it to the newspapers. It was not because any of them addressed a letter to an individual and he forwarded it to the newspapers for publication some

days afterwards, that the original writer was to be called to account for the other's publishing it.

Motion made, and Question proposed, "That this House do now adjourn."—
(*Mr. Baillie Cochrane.*)

MR. BAILLIE COCHRANE : Will the House permit me—"Order, order!"

MR. HADFIELD called the attention of the House to the fact that these statements were made in the absence of the hon. Gentleman the Member for Birmingham. The hon. Gentleman the Member for Birmingham was the last man in Great Britain and Ireland to shrink from responsibility in consequence of any letter he had ever written or any act he had ever committed. This course of proceeding was not in accordance with the usual practice of the House or with English feeling.

MR. MAGUIRE said, he took advantage of the Motion before the House to inform the noble Lord the Chief Secretary for Ireland that he should move an Amendment to the further extension of the Suspension of the Habeas Corpus Act in Ireland on the second reading on the proposed extension Bill.

Motion, by leave, *withdrawn.*

CONSOLIDATED FUND (APPROPRIATION) BILL.

(*Mr. Dodson, Mr. Chancellor of the Exchequer, Mr. Hunt.*)

SECOND READING.

Order for Second Reading read.

MR. HUNT moved the second reading of this Bill.

MR. DARBY GRIFFITH complained of the practice of asking the House to read important Bills a second time before they were printed, and in the hands of hon. Members.

MR. HUNT agreed with the hon. Gentleman the Member for Devizes that it was most desirable that Bills should not be read a second time before they were printed and in the hands of Members, and it was his wish that copies of this Bill should be in the office that morning. On inquiry he was informed that it had not been the practice to have printed copies of the Appropriation Bill ready before the day for going into Committee on the Bill. He thought it was objectionable, and he requested that for the future copies should be ready before the second reading. In consequence of that the printers were im-

Mr. Baillie Cochrane

mediately communicated with, and he had now a copy of the Bill in his hand, and any hon. Gentleman could get one at the Paper Office. He hoped the Bill would be allowed now to be read a second time.

Bill read a second time and committed for *To-morrow*.

FORTIFICATIONS (PROVISIONS FOR EXPENSES) BILL—[BILL 244.]

(*Mr. Dodson, General Peel, Mr. Hunt.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

MR. OSBORNE said, he had not the advantage of a seat in that House when this Bill was read a second time, and he believed that down to that time no explanation had been given by the late Secretary of State for War as to the precise state of the fortifications or of the alterations that had been introduced into them. A very strong opinion prevailed as to the inutility of these forts and the great waste of money that had been lavished on their erection. Of late the whole thing had undergone a considerable change, because one of the five forts had been struck off the list, and for one of the others they had not yet been able to find a foundation. None of the vessels recommended as floating defences had been constructed, although, according to the Report made five years ago, these constituted the most material parts of the harbour defences. It would further appear that they were embarked in a design for the erection of fortifications (without even a gun to place in them), which were to be armour-plated, the cost of which was never contemplated when the original Estimate was made. The original Estimate was for £11,000,000, but if they were to properly carry it out according to the improved science which had since developed itself, the cost would not be £11,000,000 only, but much nearer £30,000,000. It appeared to him to be very much like throwing good money after bad. In consequence of the lateness of the Session, and the short time the right hon. Gentleman the Secretary for War had been in office, he could hardly expect him in fairness to give the required explanation; but he wished he could have seen the noble Marquess the late Secretary of State for War (the Marquess of Hartington) in

his place to have asked him for an explanation upon the subject. He did not mean to object to go into Committee on the Bill. He was aware it was useless for him to divide the House. He had divided the House time out of number in the former Parliament on this question of fortifications, but he got no support, and he should not now attempt it. He thought, however, that before a large sum of money was granted some explanations should be given as to the precise state of the fortifications, and what was the ultimate design of the Government with respect to them.

GENERAL PEEL could not, from having only recently accepted office, give a precise account of the present state of the fortifications. Parliament having already sanctioned the raising of sufficient money to carry on, until next Session, the works named in the schedule of the Bill before the House, there would have been no necessity for bringing in this Bill were it not that he wished to call the attention of the House, and to obtain its approval, to a new work, estimated to cost £50,000, which had not yet been sanctioned. He could not, of course, give his approval to the application of money to a work which had not been included in the schedules of previous Acts. The £50,000 he referred to was for providing and fixing iron shields and generally re-modelling the river batteries at Tilbury Fort and the fort on the opposite shore at Gravesend. The Defence Commission had recommended in their original Report that these works should be re-modelled, but no steps had as yet been taken to carry them into effect. Meanwhile, as the new batteries in progress below Gravesend could not be finished for about two years, owing to its having been necessary to give time for their foundations to settle, it was necessary that the works at Tilbury Fort and the Fort opposite to it should no longer be delayed, for at present the Thames is defenceless against the attack of an iron-clad ship. He originally proposed to move for power to raise £350,000, of which £300,000 was for the purpose of providing iron shields, turrets, and turntables for some of the sea batteries at the places named in the schedule; but the Estimates for these services were not sufficiently completed to enable him to state with accuracy the total amount that would be required for this purpose, and he had not yet considered what works, if any, of those mentioned in previous Acts could be dispensed

with, in order that the total expenditure should be as little as possible in excess of the amount already brought before Parliament.

MR. GLADSTONE: I have received the information given to us by the right hon. Gentleman the Secretary of State for War with great surprise, and in the first place I must correct a misapprehension under which the hon. Gentleman the Member for Nottingham and other hon. Members labour. The hon. Gentleman has repeatedly stated here that the Estimate for fortifications amounted to £11,000,000. [Mr. OSBORNE: Originally.] That is not the case. The Estimate was for £11,000,000 for the whole plan of fortifications designed and promulgated by the Defence Commissioners; but Her Majesty's Government of that date never assented to that plan. He did not mean to say that they came to a conclusion unfavourable to it, but a great portion of the plan was postponed, and they did not ask from Parliament any assent, expressed or implied, to any such project as that now before the House. The amount of the Estimate for which Lord Palmerston's Government asked the House was a trifle over £5,000,000. As matters went on there happened in regard to the works what happened in regard to most civil works and all military works — the Estimate grew considerably, and it came to between £6,000,000 and £7,000,000. The number and nature of the works to which the assent of Parliament had been given was never altered, and in successive years, as it became necessary, fresh sums of money had to be asked for from Parliament for executing these works, and no others. I mention this because the financial basis of the plan is altogether peculiar and exceptional. The right hon. Baronet the President of the Board of Trade (Sir Stafford Northcote) objected at the time, and with great force, to the scheme of constructing fortifications on loans. I joined with him in that opinion, but I concurred in it because, at the time the scheme was approved of, we were suffering from a very heavy war expenditure which rendered it totally impossible for us to meet the charge by taxation. The right hon. Gentleman the Secretary of State for War has not, I think, seen the importance of the proposal he makes. When I first saw that he was coming down to so small a sum as £50,000, I was somewhat puzzled, because it appeared to me that in all likelihood he would find that

out of the sums authorized to be raised there was a sufficient margin for meeting that moderate sum. I now understand from him that this £50,000 is required and intended for the commencement of altogether new works. [General PEEL: It was recommended by the Defence Commission.] I must confess that, so far as I am concerned, I object to a question of this kind being raised in the last week of the Session in this manner—by letting in a small piece here and another there, involving an expenditure in new works of £50,000 to-day and £100,000 to-morrow. That, in my opinion, will be a most serious error on the part of the House. These charges, in my opinion, should be made in the Estimates at the commencement of the Session, or at a time when the House is able to give its best attention to the subject.

GENERAL PEEL: I have reduced the Estimates to meet this additional charge.

MR. GLADSTONE: The right hon. Gentleman has reduced the Estimates, but he does not appear to be sufficiently alive to this principle, that in 1860, under most peculiar circumstances, and when the public mind was fraught with alarm, a proposal was made not only for a large extension of fortifications, but that the expenses should be defrayed by loan; and I think that the peculiar circumstances of the period justified that it should be defrayed in that peculiar manner. But I confess that I know of no reason why in a period of financial ease, and with an annual surplus, if new works are needed, that we should resort further to the expedient of loans. If new works are requisite, I want to know why they are not to be put in the annual Estimates. I have not had an opportunity of communicating with the noble Marquess the late Secretary for War; and I have no knowledge that this was mentioned to the late Cabinet, or there being any intention on his part to make this proposal to Parliament at this period of the Session. Unless my right hon. Friend opposite is prepared to state that it was, I must assume that it was not the intention of the noble Marquess to do so. On general grounds it is most inexpedient that such works should be proposed at such a period of the Session, although my right hon. Friend might know that the expense would be confined within moderate bounds. I am jealous of establishing a precedent in this respect. The practice was to bring these matters before the House at the commence-

General Peel

ment of the Session, when the House was fresh, and able to give full attention to subjects which are so important and so difficult to carry out, and that practice ought not to be departed from, especially in the construction of works the cost of which has to be defrayed in this exceptional manner, except it can be justified by circumstances out of the general line, and they certainly do not now exist. Originally, the Estimate for these fortifications was £5,000,000; now it stood at £7,000,000. It is all very well for the right hon. Gentleman to say that he has made provision for this sum of £50,000 by reducing the Estimates; but what security is there that that sum will not be returned to the Estimates, and that professional men will not, before the conclusion of the works, show that some further outlay is absolutely necessary? I submit to the House and to Her Majesty's Government that this is a disclosure entirely new, and I do not think that any hon. Member was aware of what was intended to be done by this Bill before he heard the speech of the right hon. Gentleman the Secretary of State for War. I had no idea or expectation that a proposition would have been made in the last week of the Session to ask the House to sanction any new military defences, and still less that we should be asked to give our sanction to such a large undertaking under the peculiar financial conditions attending the same. Lord Palmerston, I think, partook of my convictions, that Parliament would not consent to an enlargement of the plan of fortifications. It is really such a departure from all the ordinary principles of peace expenditure as to be only justified in a state of war, or as a matter of expediency; and I hope my right hon. Friend will take into his consideration the circumstances under which provision was made for this expenditure in 1860. I shall accede with great reluctance at this period of the Session to the proposal for £50,000 to be expended for new works, because I dislike treating by way of Supplementary Estimates anything that can be included in the next year's Estimates. If the right hon. Gentleman is prepared to state that the matter is urgent, and that he cannot on the part of the Government be a party to its postponement until next year, I will not take on myself the responsibility of resisting the proposal; but I entreat him and the House not to attempt to commit the House to an expression of opinion in favour of new

works on the principle of providing for fortifications in a time of peace and surplus by way of loan. I have no wish to do anything which might savour of obstructing public business, but should my suggestion not be approved of by the Government, I must reserve to myself the right of taking such a course as I might deem advisable at a further stage of the Bill.

GENERAL PEEL said, that what the right hon. Gentleman objected to might be struck out in Committee.

MR. GLADSTONE said, that if the works were done by way of Supplementary Estimate it would then go in the natural course into the Appropriation Act, and it would not then be an irregular Act.

THE CHANCELLOR OF THE EXCHEQUER: I wish to remind the House that Her Majesty's present Government is not responsible for defraying the expense of a system of fortifications by a loan, and that several Members who sit on the Ministerial Benches, on this side of the House, very much disapproved of the plan at the time. I quite agree that it should be the last resource for such a purpose. The right hon. Gentleman the Member for South Lancashire is not quite correct in the objection he has raised against our making an application of this kind so late in the Session. I find by reference that Lord Palmerston himself so late as the 23rd July, 1860, made a most important application to this House with reference to fortifications and works. [MR. GLADSTONE: It was known all the Session.] The House must also be aware that so far as money is concerned my right hon. Friend the Secretary of State for War has it in his possession, and that all he wished to do was, acting on the recommendation of the Defence Commission, to bring the matter under the attention of the House. If the House is prepared to say—and I am not inclined to dispute it—that the present course is an objectionable one, that it is too late in the Session to propose it, we will not press it. I wish, however, the House to clearly understand that the proposition is one in accordance with the authority of the Defence Commission, and that it is not brought forward later in the Session than the great scheme of Lord Palmerston was brought forward. We are not asking for any fresh Vote, my right hon. Friend being in possession of the funds necessary for the work.

COLONEL SYKES rose to make his annual protest against the expenditure of public money for these fortifications. He

was an advocate for maintaining and properly securing our dockyards, but he considered the works in progress quite unnecessary. Many of the forts were, in his opinion, quite unnecessary, and if the whole army of England were to man the works which it was proposed to erect, they would not be sufficient for the purpose, some of which were thirty miles in length: £5,150,000 had been already expended, as he considered, uselessly. The real defence of England was the strong hands and stout hearts of the people, not bricks and mortar. He trusted that many of the proposed works would be abandoned.

CAPTAIN VIVIAN was very glad to hear the course which the Government had resolved to pursue; for if they had done otherwise he should have felt bound to oppose the Vote. If he had had the honour of a seat in the House when the scheme of fortification was proposed, he should have voted with the minority against it. He thought that this great scheme of fortification was a mistake, and that we had committed ourselves to a great plan when scientific men were divided in opinion as to what was the best mode of fortification. At Plymouth they were facing large works there with polished granite, which many believed was the worst possible material with which they could attempt to construct fortifications. The Secretary for War had said that the forts were to be faced with iron; but the Americans gave us their experience, that the fortification which gave the Federals the most trouble was Fort Moultrie, in Charleston Harbour. It was originally stone, and the garrison suffered severely, whilst the stone remained; but as soon as the stone was knocked to pieces and became almost dust, then the enemy's shot had little effect upon it, and they were never able to take it. He thought there was great folly in expending £8,000,000 for that which in ten or fifteen years would probably become valueless. There was, at all events, no pressing necessity for the money now asked, and he was glad that the proposal was to be withdrawn.

MR. NEWDEGATE observed, that the present proposal was to modify that of 1860, and to render it consistent with the state of knowledge of the present period. The hon. and gallant Member (Captain Vivian) could hardly object to the present proposition, unless he objected to all fortifications. The hon. Member for Nottingham (Mr. Osborne) had formerly opposed all fortification, and especially the con-

struction of the Spithead forts. He (Mr. Newdegate) had supported Lord Palmerston in the proposal to erect those forts, and the repulse of the Spanish attack upon the port of Lima had amply justified his vote in favour of the forts at Spithead. The experience of the American and other wars taught us much, and the Spanish fleet in America had recently had marked experience of the power of land fortifications against ships. What more powerful corroboration could they have of the soundness of Lord Palmerston's opinion than this proof of the strength of the forts against the Spanish fleet? This experience should not be thrown away, and agreeing with the Government in the views which had induced them to avail themselves of recent experience, he thought that it was not unreasonable that the House should be asked for this money. He did not see what useful result could ensue from postponement, considering the experience of other countries in reference to this subject.

SIR EDWARD COLEBROOKE said, that the question seemed to be whether the time had not arrived when the further sums which were wanted should be taken by annual Vote, instead of the expense being thrown on posterity. He considered the original plan of fortifications wild and extravagant, and nothing contributed so much to enable the Government to carry out this particular plan than the mode of taking the Vote out of the ordinary course of Supply and leaving to our successors to pay the terminable annuities. He thought that the time had arrived when the Votes for the money required should be taken in the ordinary course. He wished it to be understood that he did not wish to pre-judge the case of this particular fort; he only said let the Vote for the money be introduced in Committee of Supply, and then ample consideration would be given to any plan for fortifying our dockyards and rivers.

MR. DARBY GRIFFITH concurred in the opinion that the time had come when we should close our capital account, and put the charge upon the annual revenue. He said this with more freedom because he had supported the proposition of Lord Palmerston under the pressure of the occasion, and in consideration that the money would not immediately come out of the pockets of the people. But the principle adopted upon an emergency of that kind ought certainly to have a limit.

Colonel Sykes

He was very glad that the Chancellor of the Exchequer did not oppose the proposition to reserve this question for consideration in the Estimates for next year.

SIR STAFFORD NORTHCOTE said, that the feeling of Her Majesty's Government and their supporters had never been very strongly in favour of the course that had been taken by Gentlemen sitting opposite, of providing for this particular class of expenditure by means of terminable annuities. Indeed, at the time it was first proposed many of them objected to it. At present, however, the practice had gone on so long that the right hon. Gentleman the Secretary for War thought that the only course he had to pursue was to proceed upon the same principle that the House had sanctioned for several years, and therefore, believing that the works in question were absolutely necessary, he had thought it desirable to call the immediate attention of the House to the subject by bringing in the Bill in order that they might discuss the question. The right hon. Gentleman wished at the same time to strike out of the scheme already sanctioned the part authorizing the construction of a central arsenal, and he had done so by means of a clause inserted in the Bill before them. The Government, however, now thought that after the opinions which had been expressed in the House upon the subject it would be better to withdraw the Bill for the present, and to proceed next year in the ordinary and convenient form of presenting an Estimate for these works, so that the House would have a fair opportunity of discussing the necessity for them. Her Majesty's Government concurred in the condemnation which the right hon. Gentleman opposite had passed upon the system of bringing in Supplemental Estimates.

MR. HORSMAN thought the House did not fully remember the circumstances under which the Resolution of 1860 was taken to construct these works by means of a loan. There were then two questions before the House—first, the question as to building the fortifications, and next, whether the expenditure for them should be defrayed by means of a loan. But there was another more important question, and that was the limited time that was allowed to finish the works. As the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone) had said that at the time that Resolution was agreed to the country was in a state of alarm, virtually

in a state of war; that was the state to which they had come. [MR. GLADSTONE: I did not say "war."] The question, which was very much before the House during that Session, was the defenceless state of the country, and over and over again it was urged upon the Government that the coast was improperly defended, and the consequence was that a report was laid before them suggesting that certain fortifications should be constructed, and hon. Members had then a full opportunity of discussing the question. There was an Estimate originally of £11,000,000 for the expenditure; but, at the same time, there was an estimate given to them as to the amount to be spent in each year, and the time required for completing each fort, some of which were to take five years, some ten, and some fifteen years. And then it was that the Resolution was brought forward that, considering the large amount to be spent in three years or the work would be useless, it was impossible to pay the money within that period out of the taxation, and therefore that it was necessary to pay for it by a loan or to give up the idea of paying for it at all. This principle was not intended to be adopted with the money to be raised for future years; and its adoption then only arose from the state of alarm which they were in, and of the necessity of proceeding as rapidly as possible. It had escaped his recollection that any objection to this course was then urged by hon. Gentlemen opposite, though he did recollect that there were objections by the hon. Member (Mr. Osborne), and others, who objected to fortifications altogether.

MR. WATKIN thought that the House was much indebted to the Government for giving way to the feeling expressed in regard to this Vote. Since Lord Palmerston brought forward the proposition in 1860 they had the experience of the American war, and there had also been the experiment of fronting the forts at Cronstadt with iron. In America, earthworks, which were the cheapest fortifications that could be made, had withstood the whole power of the North, and that they could be constructed in a few months. He had himself gone over the earthworks at Richmond, and he found that fortifications which extended twenty miles had been constructed in less than a year, and he believed he was in compass when he said that the whole cost had not exceeded £500,000. This was, of course, without the harbour fortifi-

cations. Many of these enormous earthworks stood repeated attacks, and these cheap fortifications, which could be rapidly constructed, were the strongest obstacle the Northern forces had. He suggested that there should be another Commission to consider the question.

MR. KINGLAKE thought the hon. Gentleman mistaken in assuming that forts were so useless as he supposed. They were wanted for the purpose of enabling the few to act against the many. The hon. Gentleman had spoken of the great result derived by the Americans from earthworks, but the Americans were acting with large armies, and it was precisely for the purpose of dispensing with large armies that forts were required. Another hon. and gallant Gentleman seemed to think that forts were of little value against ships. [Captain VIVIAN: I never said that; I alluded to granite forts.] His own impression was—and certainly, the experience of the Russian war supported it—that granite forts with casemates were invulnerable against attacks by ships. This, at all events, was the result of the bombardment of Sebastopol.

MR. O'BEIRNE said, that the experiment which had been carried on at Shoeburyness and elsewhere had proved that granite forts were utterly useless against heavy guns. A mixed system of granite fortifications faced with iron was much better; but forts made altogether of iron were well-nigh invulnerable. He thought that the question should be further examined before they went to the enormous expense contemplated.

Motion, by leave, *withdrawn*.

Bill *withdrawn*.

PUBLIC HEALTH (*re-committed*) BILL.

(*Mr. Bruce, Mr. Chichester Fortescue,
Sir George Grey.*)

[BILL 202.] COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clause 23 (Addition to Definition of Nuisance.)

MR. COWEN moved to insert after "workplace" the words "not being a smelting-house."

MR. POWELL objected to leaving out smelting-houses from the operation of the Bill.

MR. BRUCE said, it never was the in-

Mr. Watkin

tention of the Government to interfere with smelting-houses. Parliament had legislated against alkali works and coke works, but had declined to interfere with the manufacture of copper. It had proceeded on the wise and cautious policy of only legislating against smoke and noxious vapours, when it was established beyond doubt that effectual means existed for suppressing them. It had been shown that these means existed in the case of the vapour from alkali works and coke, but it had not been proved to be the case with respect to copper. When such a case was made out it would be desirable to adopt the same legislation for copper works. At the same time, the Amendment was not necessary, because it was never intended that the clause should interfere with copper works.

Amendment *negatived*.

MR. AYRTON said, it should be remembered that, though this clause provided against the emission of smoke from furnaces, no attempt was made in the Bill to prevent the emission of chemical vapours from arsenic works and other manufactories of that nature, which was infinitely more injurious to public health than smoke. He held in his hand a treatise, the author of which, a scientific man, clearly demonstrated that smoke, so far from being injurious, destroyed the elements of contagion and infection that existed in the air. It was within the recollection of the House that when the cholera visited England, Birmingham, the most smoky of towns, was almost entirely free from the disease.

MR. ADDERLEY considered that the freedom of Birmingham from cholera on the occasion referred to by the hon. Member arose, not from its smoke, but from the fact of its high and healthy situation. In Bilston and other parts of the black country where there was no lack of smoke the ravages of cholera were more extensive than in any other part of the country.

SIR ROBERT PEEL said, that though the hon. Member for the Tower Hamlets might be right in saying that the Bill did not provide for every evil, yet it would remedy a great many that now existed. The measure had not the scope which many hon. Members desired, but he thought the country owed a debt of gratitude to his right hon. Friend (Mr. Bruce) for having taken up and dealt with the subject. It was a most difficult one to deal with, and if the Bill succeeded in its operation great good

would be done. He agreed with the right hon. Gentleman (Mr. Adderley) that Birmingham escaped the cholera, not because of its smoke, but because of its situation, and of its drainage. He trusted that the Bill would pass this Session, and that every effort would be made at both sides of the House to secure that result.

Clause *agreed to.*

Clauses 24 to 26, inclusive, *agreed to.*

Clause 27 (On Complaint of neglect of Duty of Nuisance Authority in abating Nuisances, Justices may enforce such Duty) *struck out.*

Clause 28 (Power to cause Premises to be cleansed, lime-washed, or otherwise disinfected.)

SIR JERVOISE JERVOISE thought the word "infection" which occurs in this clause ought to be defined. The medical officer, before surveying a house which was supposed to be infected, was recommended by the Committee of Privy Council to have on a particular dress, consisting of "strong water-tight boots, reaching to the knees, and greased all over, a waterproof coat closely buttoned up to the neck and at the wrists, and the head covered with a cap which takes the hair well in." He hoped the medical officer would be clothed in this safety dress before he embarked in the dreadful danger of visiting these nuisances, especially as he had to report to the nuisance authority; or, going into these pest-houses, he would himself come out pestiferous. It was the more necessary that there should be a definition of "infection," from the visitation of cholera with which we were threatened. He had formerly asked a question on this subject, and referred to the fact that the Emperor of the French had been visiting the cholera hospitals in Paris. There was also the experiment mentioned in the newspapers of a young student named Jerard, who, to show that cholera was not infectious, took the perspiration off the forehead of a dying man, and the fur off his tongue, and put them in his own mouth. It was announced that the Emperor of the French had for the second time visited the cholera patients in the hospitals at Amiens. A Commission which inquired into the ravages of the yellow fever at Bermuda reported that it was not infectious; and he could give a long list of similar conclusions respecting diseases that were supposed to be infectious.

The Appendix to the Sixth Report of the Medical Officer of the Privy Council, whom he could not acquit of sometimes creating unnecessary alarm, contained the satisfactory intelligence that for twenty-eight years there had not been a case of small-pox among the attendants at the Small-pox Hospital, although outside its doors some one had taken the disease. It was true that the attendants were vaccinated, but was vaccination held to be a preventive? By no means, and Dr. Jenner knew it; and even some whom he vaccinated had been attacked with small-pox. In conclusion, he moved that the clause be postponed.

MR. BRUCE said, he did not know whether the hon. Baronet would admit that any disease was infectious; but the public generally were satisfied that infection existed in many cases, and if there were only one or two disorders that were infectious, a sufficient case was made out for the retention of the clause.

MR. ALDERMAN LUSK said, it had been pointed out to him that while a local authority had power to compel a landlord to fumigate and limewash a house, it had no power to make him close it for a short time, although on public grounds that might be desirable.

Amendment, by leave, *withdrawn.*

MR. CHILDERS proposed to substitute for the words "the nuisance authority may" the words "it shall be the duty of the nuisance authority to" (cleanse and disinfect).

MR. WALPOLE accepted the Amendment, having intended to propose one similar to it.

MR. AYRTON objected that this Amendment would place a community at the entire mercy of "any legally qualified medical practitioner," on whose certificate the cleansing was to take place. It was a most monstrous proposition to invest "any legally qualified medical practitioner" with such domineering functions.

MR. BRUCE replied that the words "if it appear to the nuisance authority" (that cleansing would prevent infection) invested that authority with discretion.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 29 (Nuisance Authorities may provide Carriages for Conveyance of infected Persons.)

MR. BRUCE pointed out that in some

places—as, for instance, towns having a hospital—carriages were not required. He preferred, therefore, that the clause should remain permissive.

MR. MELLER moved an Amendment to the effect that the clause should not apply to carriages licensed by the Commissioners of Police in London, or by the local authorities in the country.

MR. ADDERLEY appealed to the hon. Gentleman to withdraw the Amendment.

Amendment, by leave, *withdrawn*.

MR. POWELL moved to add the words, “Provided such carriage shall be disinfected.”

MR. HENLEY remarked that the House ought to be informed what disinfecting meant. The particular process to be used ought to be specified in the Act.

MR. BRUCE said, that there were several modes of effective disinfection well known to medical men and at hospitals.

MR. HENLEY said, that might be, but would the right hon. Gentleman kindly inform the House what the method was?

SIR JERVOISE JERVOISE pointed out that there were great doubts as to what was the most efficacious system of disinfection. A work recently published on the subject stated that one of the methods employed made matters worse than they were before. He thought it was desirable that the particular process to be made use of should be specified in the Act.

MR. WALPOLE said, that was a matter which might safely be determined by the authorities.

Amendment, by leave, *withdrawn*.

Clause *agreed to*.

Clause 30 (Removal of Persons sick of infectious Disorders, and without proper Lodging, in any District.)

MR. AYRTON remarked that it enacted that any Justice of the Peace might order any person to be attended to, lodged, and maintained at the expense and without the consent of the local authority. This was to be done in the case of any person who was unprovided with proper lodging and accommodation. Now, according to the law of the land, such a person would have to be maintained and taken care of by the Board of Guardians, and the cost of maintenance would be imposed upon the whole union rated for the relief of the poor. On what principle, then, was it that power was to be given to a Justice of the Peace to order a person to be maintained at the expense of the local authority without the

consent of such authority, which, he might remark, was not necessarily the body chargeable with the maintenance of the poor.

MR. WALPOLE thought that the objection of the hon. Gentleman would be met by the provision of Clause 35.

MR. BRUCE said, the object of the clause was to provide for the case of a vagrant who came into a town, was lodged in a low lodging-house, and then was seized with typhus fever or small-pox. In such a case the great object would be to get the man to the hospital as quickly as possible, and the power was therefore intrusted to the medical officer and the Justice of the Peace who were at hand. If application were made to the Board of Guardians, who sat perhaps once a week, the whole object would be frustrated.

MR. AYRTON thought the matter should be placed in the hands of the relieving officer, and that the infected person should be sent to the parish infirmary. The expenses should be defrayed out of the poor rates.

MR. SELWYN did not think the clause was well drawn, but it was plain that its object was to provide for a different class from paupers. In this case a man was to be removed against his will for the sake of the public good.

MR. HENLEY agreed with the hon. and learned Gentleman that the clause was badly drawn; and he doubted whether under it a Justice of the Peace could send a patient to any hospital except one provided by himself.

MR. AYRTON objected to the novel regulation that persons were to be dragged from their houses against their will by an order of justices which might be granted behind their back.

MR. STEPHEN CAVE remarked that the clause did not apply to persons occupying a house, but to persons living in common lodging-houses.

Clause, as amended, *agreed to*.

Clause 31 (Places for the reception of dead bodies may be provided at the public expense.)

In the absence of Mr. WALPOLE,

MR. ADDERLEY moved the insertion of words giving authority for burials by the relieving officer.

Amendment *agreed to*.

Clause, as amended, *ordered to stand part of the Bill*.

Clauses 32 and 33 *agreed to*.

Mr. Bruce

Clause 34 (Lodging-houses.)

MR. GRAVES said, he thought the clause ought to be made to apply to houses the rooms of which were let as separate tenements. He had one in his eye. It was a house of five rooms, each room being occupied by a family. He moved to insert the words, "fixing the number of persons who may occupy a house or part of a house in lodgings, or occupied by members of more than one family."

MR. BRUCE agreed to the Amendment.

MR. HENLEY said, when they remembered the number of houses in London and other large towns which were let in lodgings, he thought the power given by this clause was a very large power, and there ought to be some restrictions on it. He moved to insert the words, "in the day time," so that the officers to be appointed under this Bill might not have the power of "rampaging" these houses at any time of night.

COLONEL SYKES thought the Amendment would make the clause comparatively inoperative. It was only at night that this overcrowding took place. He had once visited a place in London where he had found twenty-two human beings and one dead body in a room twelve feet square. It was surprising that people would tolerate such a state of things, which the very beasts of the fields would not submit to.

MR. BRUCE said, that out of fifty cases of typhus reported by an inspector at Newcastle only one had occurred in a common lodging-house, which could be visited night and day. Notwithstanding the praiseworthy energy which was shown in carrying out the law, the inspectors found themselves helpless for want of a power such as this clause would give them.

MR. COWEN expressed the opinion that the Bill had been well drawn, and would meet especially the case of Newcastle most effectually.

Amendment negatived.

Clause, as amended, *agreed to.*

Clause 35 (Power to provide Hospitals.)

MR. WALPOLE moved that that portion relative to the sanction of the Poor Law Board to any proceedings of the nuisance authority be left out.

MR. HENLEY pointed out that it had got into a very unfortunate position. The House had deliberately taken the matter out of the hands of the guardians, and put it into the hands of the Sewers authorities,

who could not possibly know anything about it.

Amendment agreed to.

Clause, as amended, *ordered to stand part of the Bill.*

Clause 36 (Penalty on any Person, with infectious Disorder, exposing himself, or on any Person in charge of such Sufferer causing such Exposure.)

MR. HENLEY requested the right hon. Gentleman to state how people were to avoid spreading infection.

SIR JERVOISE JERVOISE took the opportunity of reminding his right hon. Friend of the statement of the Medical Officer of the Privy Council, to the effect that medical men were constantly conveying scarlet fever to their own children. If the thing could be avoided at all, they, being medical men, must be held to have been guilty of committing such an enormity wilfully. But, as if that were not enough, these people were to be taken before the magistrates, to infect them.

MR. BRUCE observed, that there was no doubt of the truth of the remark of the hon. Baronet; and even when medical men had changed their clothes and washed themselves after visiting a patient afflicted with an infectious disease, they had been the means of conveying that disease to others. He presumed, however, that no man suffering from scarlet fever would dangerously expose himself.

COLONEL SYKES suggested that the words "without proper precautions" should be omitted, leaving the clause to run—"Any person suffering from any dangerous infectious disease who shall wilfully expose himself."

MR. BRUCE said, that that would prevent any such person from being removed to an hospital, or from going from home for a change of air.

SIR JERVOISE JERVOISE asked what the country practitioner was to do? He would have to take a whole wardrobe about the country with him.

Amendment negatived.

Clause *ordered to stand part of the Bill.*

Clause 37 (Penalty on Persons letting Houses in which infected Persons have been lodging.)

MR. ALDERMAN SALOMONS moved to substitute for "inn" the words "a house licensed for the sale of exciseable liquors."

MR. BRUCE said, that the Amendment would exclude "temperance hotels." He

believed the word "inn" would include beerhouses.

Amendment negatived.

Clause agreed to.

Remaining clauses agreed to.

MR. GRAVES moved a clause relating to cases of cellar occupation, which had been declared illegal both by general and local Acts; but, inasmuch as the penalty prescribed was a money one, the occupier by reason of his poverty was entirely beyond the law. The result was that the Act was totally inoperative. This clause would empower the nuisance authority, where there had been two convictions within three months, to permanently close the cellars.

Clause agreed to.

Schedules and the Preambles agreed to.

MR. ALDERMAN SALOMONS expressed the hope that a Consolidation Bill would be prepared during the recess.

MR. ADDERLEY said, that this Bill had been brought in with a view to the ultimate consolidation of the law on the subject, and he purposed introducing a Consolidation Bill next year.

Bill reported; as amended, to be considered upon Thursday, and to be printed. [Bill 253.]

REFORMATORY SCHOOLS (*re-committed*) BILL.

(*Mr. Knatchbull-Hugessen, Sir George Grey.*)

[BILL 184.] COMMITTEE.

Bill considered in Committee.

(*In the Committee.*)

Commitment of Offenders to, and their Status at, a Certified Reformatory School.

Clause 14 (Power of Parent to change School.)

In the absence of Mr. O'REILLY,

LORD EDWARD HOWARD moved an Amendment, the object of which was to add "godfather or godmother" to those—parent, step-parent, guardian, or nearest adult relative—who might apply to have an offender removed from a reformatory school that was not, to one that was, conducted according to his religious persuasion.

MR. ADDERLEY appealed to the noble Lord to state on what principle the Amendment was based?

LORD EDWARD HOWARD thought the right hon. Gentleman ought to explain the omission of those who stood next to the parents of a child.

MR. NEWDEGATE said, that the point had been raised on the Poor Law

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Bill, and the power vested in the Poor Law Guardians, who, however, had nothing to do with reformatory schools. No one ever heard of a Church of England godparent interfering in such a case; Dissenters baptised without sponsors; and, therefore, this was a claim on the part of Roman Catholic godfathers and godmothers. Of these there was no recognized registry, and therefore the priest would declare whom he liked to be godparents. Nothing was better known than that the ministers of no sect, that no class of persons, were so unscrupulous in proselytism as the Roman priesthood. The proposal was a plea for liberality where it was not necessary, and it was part of an organized system of Roman Catholic aggression. It was a singular fact that the Members of that House appeared to be very much behind the intelligence of the world at large upon this subject. This continued Ultramontane system of aggression was felt, and the necessity for resisting it was recognized by the Justices of the Peace and by the Poor Law Guardians of this country. It was perfectly understood in Italy, in Germany, and in France, not to mention other European countries. The agency by which these social aggressions were carried on in this country were well known. One of the principal of these was the Society of St. Vincent de Paul, which advertised its proceedings in bazaars, and other means for the collection of money. All this was done under the plea of charity, but charity was only a plea. This was perfectly understood in Paris—nay, it had been avowed by the members of this Ultramontane society themselves. In a very remarkable work published by M. Cayla, about three years ago in Paris, the passage, of which he would read a translation, occurs. After describing this Society of St. Vincent de Paul as a revival of formulary societies, all under the direction of the Jesuits, but under different names, and showing that M. Ozanan, who was called the founder of the society in France, was merely the reviver of this society, M. Cayla writes—

"Yes! Charity is to the Society of St. Vincent de Paul what the instruction of youth is and ever has been to the disciples of Loyola, a sure means, efficacious, latent, mysterious, but incessantly working for the advantage of Ultramontanism. Frederick Ozanan had at least the merit of frankness the day on which he said to the Florence Conference (of the society, in 1853), 'Charity is the pretext, Catholicism is the aim.' Let us make no mistake. Such a monopoly of charity may become a formidable power, particularly with the avowed aim of causing the idea of the tempo-

ral power (of the Papacy) to triumph; that is to say, Jesuitism, for there is an abuse of language in these words that ought to be observed."

The power of this Society of St. Vincent de Paul became so great in France, and so dangerous to the Government, that, when M. de Persigny was Minister of the Interior, he had issued a decree for the suppression of this society; but the decree seemed not to have been permanently effective. To show that this society was and had for some time been operative in this country as in others, he (Mr. Newdegate) must refer to another French author, M. Habenech, who, in 1861, had published a work entitled *Les Jesuites*, in which he refers to this Society of St. Vincent de Paul, which he calls a sect. It now remains to ascertain to what number of persons this sect amounts; but our knowledge on this point is defective. A member of the society informed me that in France they amounted to 40,000 active and affiliated members: this amount we know to be below the fact. We have only one statistic which we can make use of, which is their receipts, and which, in 1859, amounted to 4,736,241 francs. If we take the numbers given in this statistic, they have as chief seats for Government, or direction, belonging to the Conferences, in France, 831; Belgium, 301; Germany, 98; Sardinian States, 67; British Isles, 27; Spain, 179; Ireland, 42; Low Countries, 75; Scotland, 11; Italy (States of the Church), 26; Algeria, Colonies, United States, Parma, Modena, Malta, Tuscany, 51—total, 1,708. This Ultramontane agency had largely increased since 1861 in this country, as was notorious to every person who chose not to shut his eyes to what appeared in the newspapers—especially the Roman Catholic newspapers—and it was as the representatives of this agency that the Roman Catholic Members of that House were seeking opportunities for its aggression upon and proselytism within the reformatory schools through the intervention of that House. The claims of alleged Roman Catholic godfathers and godmothers would lead to endless disputes, and, as Roman Catholics had reformatories of their own to which children of their faith could be sent, he objected to the Amendment as calculated unnecessarily to introduce discord and confusion in Protestant reformatories.

MR. MONSELL thought the Committee would be very glad to get rid of these religious discussions. The hon. Gentleman

had spoken of an organized system of aggression; the only question which they ought to consider was whether there ought not to be some organized system of defence. It was notorious that a number of Roman Catholic children in the metropolis were being brought up in the Protestant religion contrary to the wishes of their parents, and all that was asked was that this should be remedied. God forbid that any attempt should be made to interfere with the religion of Protestant children. He did not believe that any Member of the House, except, perhaps, the hon. Gentleman who had just spoken, would say that a system of proselytizing children was legitimate on whatever side it was attempted. If the hon. Gentleman wished to proselytize in this way, let him get up boldly and say so; but, if not, he surely could not object to so reasonable a proposal.

MR. KNATCHBULL-HUGESSEN thought it did not matter much whether the words proposed were inserted or not, as in any case application might be made to the Secretary of State, who would judge whether the transfer should or should not be made. He was inclined to think that the words should be inserted, but did not think they ought to raise a religious discussion on the subject.

MR. M'LAREN said, that if this Bill merely applied to England, he might not object so much to the Amendment; but, as the Bill also applied to Scotland, he wished to point out how the words proposed to be inserted in the clause would injuriously affect the interests of the poor in Scotland. Persons unconnected with any church, or who had never joined any church in Scotland, went to the Roman Catholic priest in that country to have their children baptized. If the children did not belong to a particular denomination they could not be baptized according to the Protestant faith, but the Roman Catholics thought they were conferring a benefit by baptizing the child. The consequence of this was that in many large towns there were a very large number of children baptized according to the Roman Catholic faith, merely because their parents did not belong to any particular Protestant denomination; and if these words were inserted the result would be all the nominal godfather's and godmother's of the children might claim them as being Roman Catholics, merely because of their having been baptized by the Roman Catholic priest. This

would act injuriously to the interests of the poor people, who did not belong to any particular Protestant denomination in Scotland, and whose children had consequently to be baptized by the Roman Catholic priest, and therefore he trusted that the words would be either refused altogether, or the operation of them would not be extended to Scotland.

SIR GEORGE BOWYER remarked that it was altogether a mistake to suppose that the names of godfathers and godmothers of Catholic children were not entered in the register of baptisms. The hon. Member for North Warwickshire had asserted that priests would themselves assume to be godfathers and godmothers.

MR. NEWDEGATE explained that he had only said they would claim to be godfathers.

SIR GEORGE BOWYER said, that assertion was quite as absurd as the other. There was no such thing as a priest standing as godfather to children in his own parish, the whole question was whether this clause were to be carried into effect or not. As to talking of the guardians of these children, you might as well talk of their bankers. With regard to the children referred to by the hon. Member for Edinburgh, if their godfathers and godmothers were not Catholics, they would of course not require them to be sent to Roman Catholic reformatories.

THE ATTORNEY GENERAL could not help thinking that rather more was made of the expected operation of the clause than it really deserved. The Committee should remember that the 12th clause, which had been passed, provided that the authorities should endeavour to ascertain the religious persuasion to which each juvenile offender belonged, and so far as possible, selection should be made of a school to which to send the child, which was conducted in accordance with the faith of the religious denomination to which the child belonged. The authorities, however, in the absence of any guide, might make some mistake; and the object of this clause was to rectify any such error, by enabling the parents or guardians of the child to come forward for that purpose. He would move two Amendments to the clause which he hoped would carry out the desired object and meet the views of the Committee generally. He moved, in place of the words "parent, step-parent, or nearest adult relatives," contained in the clause, the insertion of the words "parent, step-

Mr. M'Laren

parent, or guardian; or if there be no parent, step-parent, or guardian, then the god-parent, or the nearest adult relative." The next Amendment would be, having allowed those persons to go before the Justices to show to what denomination the child belonged, to give power to the Justices that they "shall, upon proof of such offender's religious persuasion, comply with the request so made." He believed those Amendments would solve the difficulty and make the clause quite fair.

SIR ROBERT PEELE said, he should not hesitate to support the Amendments proposed by the Attorney General. He regretted that the subject of godfathers and godmothers had been introduced into the discussion. They were not to be found in the Irish Reformatory Act. As the clause had been drawn up by the late Home Secretary, with the approval of the Under Secretary, in order to meet the claims of the Roman Catholics, he thought there could be no reason for altering it. He was as desirous as any man that justice should be done to the Roman Catholics; but he did not concur with the right hon. Gentleman the Member for Limerick, that the Amendment of the noble Lord the Member for Arundel was required to protect Roman Catholic children from contamination. ["No, no!"] [MR. MONSELL: I never said that.] He had taken down the right hon. Gentleman's words, and he understood them to be, "The object we have in view is not to interfere with Protestant feeling, but to protect the Catholic children from contamination." [MR. MONSELL: No; from proselytism.] He would at once accept the right hon. Gentleman's statement of the word he had used. He did not, however, think, that the Amendment was required to protect those children from contamination. ["Oh, oh!"] He begged pardon—from proselytism. The hon. Member for Dundalk had ridiculed the idea of casting any suspicion on the Society of St. Vincent de Paul. Now, he did not himself know anything of the constitution of that society, but seeing that it had been condemned by the Catholic Government of France, he thought the hon. Member was not justified in saying there was no ground for caution in respect of the Society of St. Vincent de Paul. No one would object to the suggestion of the Attorney General; but he thought the Amendment of the noble Lord was not called for.

MR. ADDERLEY observed, that in the

framing of the Bill there was a desire to introduce as little innovation as possible in the law as it now stood. At this period of the Session it would be impossible to make such innovations, especially on religious points, in respect of which the House of Commons was so sensitive. He thought the proposition of the Attorney General would meet with general approbation; but he trusted that hon. Members would refrain from attempts to alter the law.

MR. CANDLISH thought it safer to adhere to the clause as it stood.

MR. HENLEY hoped the Amendment of the noble Lord the Member for Arundel would be withdrawn. He was extremely sorry it had been proposed. The object of the clause was to enable magistrates to transfer from a reformatory not in connection with his religion to one in connection with the religion to which he belonged any child who, in the first instance, might have been sent to a reformatory of the former class. He thought any magistrate would act on the clause as a matter of course.

THE CHAIRMAN said, the question before the Committee was not the suggestion of the Attorney General, but the Amendment of the noble Lord the Member for Arundel, and the question was should that Amendment be withdrawn.

MR. BRUCE suggested that as in the Roman Catholic Church the names of the godfathers and godmothers were registered with the names of the child and its parents, the testimony of the former as to the child's religion would be the most valuable that could be given next to that of the parents.

MR. KINNAIRD asked the right hon. Gentleman whether he forgot that there was such a country as Scotland, where among the great mass of the people there were no godfathers nor godmothers.

MR. BRUCE replied that as in Scotland the Roman Catholics were 7 per cent of the population, while in England they were only 3 per cent, there was more reason for some such provision as he had advocated in the former country than there was in the latter.

MR. NEWDEGATE observed, that the right hon. Gentleman the Member for Limerick (Mr. Monsell) had spoken as if the discussion were due to him (Mr. Newdegate); but he must remind the right hon. Gentleman that it had been raised by the Amendment of the noble Lord the Member for Arundel and those of other Roman Catholic Members. There

was a new phase of opinion to which these hon. Gentlemen were attempting to give effect in that House, and this was that if on such occasions as the present a Protestant Member ventured to oppose a proposition coming from a Roman Catholic Member, his opposition was treated as an unfortunate instance of Protestant irritability. Every such opposition was to be cried down by some hon. Gentlemen who called themselves Liberal as an insult offered to Roman Catholics. This was a new phase of Parliamentary proceeding. The Roman Catholics were represented as being the most sensitive persons in the world. Well, they were if they had not their own way; but their religion was known to be the most intolerant in the world. He would cite an instance of an attempt at Roman Catholic proselytism which had appeared before the Law Courts not more than some months ago. He (Mr. Newdegate) would read from a summary of the proceedings, which could be authenticated—

"Mrs. Pettindreigh is the wife of a solicitor's clerk, the mother of a family, and a Protestant. In the month of June, 1861, Mrs. and Mr. Pettindreigh hired the apartments of a Mrs. Kennedy, then occupying No. 50, Carlton Street, Kentish Town, London, and it is important to our narrative that Mrs. Kennedy was a Roman Catholic. There was kindness and apparently friendship between Mrs. Kennedy and Mrs. Pettindreigh. It was Mrs. Pettindreigh's habit to send her children to the Sunday school. Mrs. Kennedy, without consulting the parents of the children and without their knowledge, took the children to the Fortress Terrace Dominican Chapel, and a girl of four years of age was baptized by the priest."

The Committee may hence understand how the Roman Catholic priests manage these baptisms. Now, in the case of this child Pettindreigh, no doubt some sort of sponsors were employed. Were such the persons whom the Committee intend to decide the religion of the child if sent to a reformatory or industrial school?

"Such was Mrs. Kennedy's zeal for the faith, and such her disregard of parental rights. When Mrs. Pettindreigh made the discovery she was naturally indignant. From that hour Mrs. Kennedy and Mrs. Tigar, also a Roman Catholic, began a system of persecution which they continued for years. Mrs. Pettindreigh was openly charged with almost every moral and some criminal offences; her name was introduced into obscene songs, and these were sung opposite her door. Her children were subjected to every possible kind of indignity, and, in the presence of the mother, one of these women 'opened the little boy's mouth, spat in it, and called it a bastard.' The mother was constantly met in the street with terms of reproach,

opprobrium, and insult, and on one occasion violently assaulted. Mr. Pettindreigh's attempts to obtain protection from police magistrates were unsuccessful. A series of libels were concocted and written, one of these by a Mr. Charles Morris, which appeared in the columns of a morning newspaper. The matter in due form was brought before the Guildhall Police Court, when Mr. Morris, through his solicitor, admitted the falsehood of his statements, and made the very extraordinary defence 'that he (Morris) had acted entirely on his moral and religious principles, and that he believed he was doing a good action.' The apology and retraction were accepted, and the case ended. The libel by Mr. Morris was a trifle compared with the anonymous libels addressed to the landlords of the various lodgings occupied by the Pettindreighs. One of these libellous letters was the subject of a civil action tried before Mr. Justice Smith in the Court of Common Pleas on June the 30th of last year. This was the case of *Pettindreigh v. Tigar*. The jury could not agree, the dissentient juror being, it is alleged, a Roman Catholic. On the second trial, the case, by consent, was deferred, and Mr. Alfred Wills was appointed arbitrator. The evidence was voluminous and conclusive against the defendant. At the close of a three days' trial Mrs. Kennedy came forward and avowed herself the author of the libel. The results were, as we stated last week, an award in favour of Mrs. Tigar, and the subsequent conviction at the Old Bailey of her coadjutor, Mrs. Kennedy. The Pettindreighs were subject to persecution of an extraordinary and malignant kind, extending over nearly five years. The facts of this remarkable case have been deposed to on oath, and the witnesses subjected to the ordeal of cross-examination."

He (Mr. Newdegate) adduced this case for the benefit of those hon. Members who treated lightly the statement that most unscrupulous proselytism was extensively carried on in this country by the Roman Catholic priesthood and their agents; and for the particulars he referred them to the evidence taken when the subject was brought before the courts in the several trials to which the persecution of Mrs. Pettindreigh and her children had occasioned. The facts were illustrative of a system against which the people expected to be guarded by law. An organization existed in this country, that of St. Vincent de Paul, which had proved very troublesome in the adjoining country of France in political matters, and its evil influence was spreading to a considerable extent. According to the statistics laid before the French Government, there were in the British Isles twenty-seven Conferences in the year 1861, but since then they had greatly increased both in this country and on the Continent. Under these circumstances, the Amendment proposed by the noble Lord the Member for Arundel would be very prejudicial to the

Mr. Newdegate

reformatory schools, and he felt it his duty to oppose it.

Motion, by leave, *withdrawn*.

Amendment proposed, in page 5, line 8, after the word "guardian," to insert the words "or if there be no parent, step-parent, or guardian, then the god-parent." —(*Mr. Attorney General*.)

MR. M'LAREN objected to the insertion of the words "godfather or god-mother," because the god-parents would precede the nearest relatives. Besides, the clause stated that on the application of the godfather not that the magistrate might comply with the request, but that he should do so.

MR. KNATCHBULL - HUGESSEN said, it would be the duty of the magistrate to act impartially, and determine, according to the evidence brought before him, whether he should accede to the application of the god-parent.

MR. GATHORNE HARDY thought that no harm would come of them because they were guarded by the words "upon proof of such father's religious persuasion."

MR. NEWDEGATE wished to know whether the statement of the god-parents as to the religion of a child were to be received as coming from a guardian.

MR. GATHORNE HARDY said, the clause empowered the magistrate to send the child to the school connected with the religion of the child's nearest relative, in the event of an application to that effect being made to the parent or next relative of the child.

SIR ROBERT PEEL asked, whether it would not be much better to adhere to the original wording of the clause? He quite agreed with the proposal of the right hon. Gentleman the Member for North Staffordshire, and preferred it to that of the Attorney General.

MR. CHICHESTER FORTESCUE defended the principle of securing the child from being brought up in any religion but that of its parents or next of kin.

SIR ROBERT PEEL denied being actuated by illiberal feelings in defending the clause as framed by the Attorney General.

MR. SYNAN reminded the right hon. Baronet that he had himself introduced the words "godfather and godmother" into the Reformatory Bill.

Question put, "That those words be there inserted."

The Committee *divided*:—Ayes 83; Noes 49: Majority 34.

MR. HENLEY moved the omission from the clause of the words “or justices or magistrates having a like jurisdiction,” on the ground that it would be very inconvenient to give magistrates who had taken no previous part in the matter power to interfere.

Amendment agreed to.

MR. AYRTON remarked that the Bill provided that on discovering the religious persuasion of a child in a reformatory they should have him sent to a reformatory for children of his own religion. But they could not have one magistrate pronouncing judgment and another reversing it.

MR. McLAREN said, the whole object of the clause was to correct a mistake. A boy might be sent to a wrong school because the magistrate had not evidence before him that was clear. It appeared that mistakes had been made, and he knew that many mistakes had been made, and the object was to give time to find out the truth.

SIR ROBERT PEEL said, it was most important that the Committee should know who had charge of the Bill. The question of the hon. Member for the Tower Hamlets demanded attention, but he could look to no one in particular from whom to expect an answer. Much difference of opinion seemed to exist on the Treasury Bench with respect to the Bill; he had expected, from what had fallen from his right hon. Friend the Member for North Staffordshire, that he would have voted in the same lobby as himself; indeed, the Chairman would be justified in calling his right hon. Friend to the table and questioning him as to whether he had not voted in the wrong lobby by mistake. Under the circumstances, he thought it desirable that the Government should have time to consider the Bill with a view to decide whether they would adopt it or not, and he therefore moved that the Chairman report Progress.

SIR ROUNDELL PALMER defended the clause, and urged that this was a very innocent clause, and that the words objected to were merely to make plain what went before, and gave justices power to amend any mistake that might have been made.

THE CHANCELLOR OF THE EXCHEQUER hoped the right hon. Baronet would not press his Motion for reporting

Progress. This was a very important measure, and he himself did not grudge any time that had been spent upon its consideration. The right hon. Baronet was under an unintentional error in supposing that there was any difference of opinion on that (the Treasury) Bench upon this point. It was one upon which they had made up their minds.

SIR ROBERT PEEL said, that after the appeal made to him he would not press his Motion. The House, however, had a right to know who really had charge of the Bill.

MR. WALPOLE said, he regarded the Bill as one of great value, and he had therefore adopted it, with certain alterations. It was in perfect harmony with the legislation adopted two or three days ago with respect to workhouses.

Motion, by leave, withdrawn.

MR. McLAREN said, it had been found by experience that fourteen days was too short a period for the correction of any mistakes that might have been made, and it was desirable in the interests of all parties, whether Roman Catholics or Protestants, that a little further time for consideration should be allowed. He proposed, therefore, in line 23, to leave out the word “fourteen” and insert “thirty.”

Amendment agreed to.

Clause, as amended, ordered to stand part of the Bill.

Clauses 15 to 22, inclusive, *agreed to.*

Clause 23 (Parents liable to Contribute towards the Maintenance of their Children while detained in Reformatories.)

MR. POWELL moved an Amendment, the object of which was to keep the law in its existing state. If the clause were agreed to in its present form, it would be impossible to fix the parent or guardian of the child with a weekly charge without going a most circuitous route. He proposed to keep the law in its present form on this subject, retaining a power to the magistrate at the time the child was sentenced to decide what sum, if any, was to be paid for the maintenance of the child during the period it was in the reformatory.

MR. AYRTON thought the clause an oppressive one, and that it would be pregnant with very great evil. They had no right to call upon poor people to pay for the maintenance of their children in a reformatory, when no law existed for people

in other grades of society to pay for their children while in prison for committing a crime.

MR. ADDERLEY said, it was the principle of all the Reformatory Acts that the parents or guardians should contribute to the support of their children. If nothing had to be paid towards the maintenance of these children, it would be an incentive on the part of the parents to neglect their children in order to get them into an establishment where they would be kept free of cost to them.

MR. POWELL would not press his Amendment after what had fallen from the right hon. Gentleman below him (Mr. Adderley), but he regretted that any changes in the law should be made which would lead to unnecessary expense.

Amendment, by leave, *withdrawn*.

Clause ordered to stand part of the Bill.

Clause 24.

LORD EDWARD HOWARD proposed an Amendment to the effect that the names of the children should be recorded in a book kept for the purpose.

House resumed.

Bill reported; as amended, to be considered *To-morrow*.

House adjourned at Two o'clock.

HOUSE OF LORDS,

Tuesday, July 31, 1866.

MINUTES.]—SELECT COMMITTEE—*Report*—On Thames Navigation (214).

PUBLIC BILLS—*First Reading*—Turnpike Trusts Arrangements * (247); Poor Law Amendment * (248); Public Libraries Act Amendment * (249).

Second Reading—Local Government Supplemental (No. 2) * (201); Local Government Supplemental (No. 3) * (202); Land Drainage Supplemental (No. 2) * (224); Railway Companies' Securities (240).

Committee—Suburban Commons (222), now Metropolitan Commons (250); Parochial Buildings (Scotland) Act Amendment * (226); Fees (Public Departments) * (233); Parishes (Scotland) Act (1844) Amendment * (235); County Assessments * (221).

Report—Parochial Buildings (Scotland) Act Amendment * (226); Fees (Public Departments) * (233); Parishes (Scotland) Act (1844) Amendment * (235); Rochdale Vicarage * (251); County Assessments * (221).

Mr. Ayrton

Third Reading—New Forest Poor Relief * (205); Courts of Justice * (218); Inland Revenue * (229); Colonial Branch Mints * (227); Oyster and Mussel Fisheries * (212), and *passed*.

CONFEDERATION OF THE BRITISH NORTH AMERICAN PROVINCES.

QUESTION.

LORD LYVEDEN said, as he understood the project of the Confederation of the British Provinces of North America was now more likely to be carried into effect than at any former period, and that the assent of most of the colonies had been obtained to it. He also understood that delegates from several of the Provinces had arrived in this country to confer with the Colonial Secretary on the subject. Certainly no time could be more opportune than the present was for the passing of such a measure, when the United States had shown so friendly a feeling in interfering to prevent the invasion of Canada, and the colonists had behaved with such gallantry and loyalty in repelling invasion. No doubt we were now approaching the close of the Session, and there would be great difficulty in passing the necessary measure on the subject—still, the subject ought not to pass *sub silentio*. He would, therefore, ask the Secretary for the Colonies to inform the House, Whether he intended to submit any measure upon this subject in the present Session; whether it would not be desirable to act immediately in this matter, or whether he saw any reason for delay?

THE EARL OF CARNARVON: It would be impossible to overrate the importance of the subject to which the noble Lord has drawn attention. I should say that, of all the questions that come within the range of the Colonial Administration, there is none that is more important than the question of the Confederation of the British North American Colonies; it is also of vast importance to the inhabitants of those colonies, as affecting their own future fortunes and the destinies of the colonies themselves. This is a question not of to-day merely—it is one that for several years has been the subject of anxious thought and deliberation by successive Governments. It dates back certainly as far as the time of Lord Durham. No doubt the chief result of the matter at that time was the legislative union of the two Canadas; still, it is clear that Lord Durham's Report contemplated the incorporation of the other British North

American Provinces. From that time no active practical steps were taken until 1858, when Sir Edmund Head, Governor General of the British North American Provinces, in opening his Parliament, announced the revival of the question of Confederation. That year delegates came over to this country and made proposals to the Home Government. These were entertained; but no progress was made, and the delegates returned to North America without having accomplished the object they had in view. In October, 1864, delegates from Canada, Nova Scotia, New Brunswick, Newfoundland, and Prince Edward's Island met at Quebec for the consideration of this subject, and they passed a long series of resolutions relative to the terms and principles upon which a measure of this nature could be carried out, which have since been known by the name of the Quebec Resolutions. Difficulties arose and delays intervened; and it is only a fortnight since we received what may be regarded as the last piece of documentary evidence required of the feeling in favour of incorporation. We have received the Resolutions of the Assembly of New Brunswick announcing their final adhesion to the scheme, and requesting the Government to appoint delegates to confer upon the matter. On Saturday last the delegates of New Brunswick and Nova Scotia reached this country, and it is understood that they are to be followed in a few days by the Canadian deputies. This may seem to be a very lengthy and tedious mode of procedure; but I am bound to say, looking to the great magnitude of this question and the many details involved in it, the great interest, both national and individual, raised by this discussion, I am not surprised at the delay. I am bound to say further that the conclusion at which the colonies have arrived in favour of a great Confederation has not been arrived at without great sacrifice of personal and local feeling; but it comes to us as the unanimous decision of the local Government of the colonies. Under these circumstances, I conceive it is the duty of Her Majesty's Government not only to lend a respectful attention to the representations which these delegates may make to us, but, if I may say so, to meet them half way, and to facilitate the object they have in view, so far as they are in conformity with the wishes of the colonies and with the interests and policy of this country. And when

I say "consistent with the interests and policy of this country," I mean that everything which can deepen and broaden the constitutional foundations of those great colonies and give life and strength to their political organization must be not only consistent, but identical with the interests and policy of this country. The noble Lord asks me as to the intentions of Her Majesty's Government. I can only say in answer that this great measure raises so many and such complicated questions that time, at all events, must be given for the consideration of them by the Government and the delegates. The Canadian delegates have not yet arrived, nor, as I have said, is it absolutely certain that they have left Canada. Under these circumstances, looking at the advanced period of the Session, looking also at the absence of those delegates whose presence is absolutely necessary to the practical consideration of the question, it is obviously impossible for the Government to submit to Parliament a measure on so important and complicated a matter. It will be my duty during the recess to enter fully and frankly into communication with the delegates of Canada, Nova Scotia, and New Brunswick, and to endeavour with them to arrive—as I trust we may—at such a conclusion as will be satisfactory both to the colonies and the mother country.

THE MARQUESS OF NORMANBY: As this is a question which affects the interest of the great colonies over which I recently presided, I trust your Lordships will permit me to make one or two remarks. I think that Her Majesty's Government act wisely in postponing any legislation on this question. It is one so vast and of such vital importance to the colonies affected that, although I am in favour of the union of the North American Colonies, I feel that justice could not be done if it were attempted this year. The question is one which demands the most careful deliberation and much consideration. Although the union has received the sanction of the Legislature of the colony over which I presided, still there is in that colony considerable opposition to the measure; and so much does the success of the union depend upon the unanimity and the cordiality with which it is received by the people, that I trust Her Majesty's Government will use the time they will now have at their disposal in endeavouring to frame a measure, to be submitted to Parliament next year, which shall overcome the objections which are now, I

believe, conscientiously entertained by the opponents of the scheme. I do not concur with their views, for I think that the union of the North American Colonies is essentially necessary; but, at the same time, there are details which it will be well to consider with a view to removing objections that do exist. I trust, therefore, Her Majesty's Government will give careful consideration to the arguments of those who oppose union, and that they will succeed in framing a measure that will meet with universal approval.

SUBURBAN COMMONS (*now* METROPOLITAN COMMONS) BILL—(No. 222.)

(*The Earl of Belmore.*)

COMMITTEE.

Order of the Day for the House to be put into Committee read.

LORD REDESDALE objected that the Bill which had been introduced into the House of Commons as the Commons (Metropolis) Bill, and referred to a Select Committee, had been altered both in name and scope, so that, instead of affecting only commons within fifteen miles of the metropolis, it now applied to all commons within two miles of any town containing 10,000 inhabitants, and would therefore affect the rights of landowners in nearly every part of the kingdom. This alteration had been made practically without any notice at all, and he was sure that many who would be affected by it were not aware of the alterations which had been made. Under these circumstances, it was a question whether they should proceed further with the Bill.

THE EARL OF BELMORE explained that the object of the Bill was to authorize the preservation of suburban commons within the metropolitan police district, and also within two miles of any town containing 10,000 inhabitants, or within certain greater distances of towns containing larger populations. In the case of any common which it was desired to preserve for public recreation a scheme was to be drawn up by the local authority and presented to the Inclosure Commissioners, who were to inquire into the statements of the memorial; the scheme was then to be printed and circulated; and when finally settled was to be certified by the Commissioners under their seal. The expenses of the local authority were to be defrayed by a local rate. There were clauses at the end protecting the rights of the Crown and of the lords of manors.

The Marquess of Normanby

LORD CRANWORTH said, that the statement seemed to involve an objection to the Bill more forcible than any which had been stated—namely, that it would interfere with the rights of property.

THE EARL OF BELMORE said, the Bill had been brought in by the late Government, and had been referred by them to a Select Committee, in which the title of the Bill was changed, and its operation extended. Care had been taken, however, to protect manorial rights.

House in Committee; Amendments made; the Report thereof to be received on *Thursday* next; and Bill to be *printed*, as amended. (No. 250.)

RAILWAY COMPANIES' SECURITIES BILL—(No. 240.)

(*The Earl of Belmore.*)

SECOND READING.

Order of the Day for the Second Reading read.

THE EARL OF BELMORE said, the measure had been brought in by the late President of the Board of Trade, and was founded in great measure on the Report of a Committee of their Lordships' House appointed three years ago, and re-appointed two years ago on the Motion of the late Lord Donoughmore. He (the Earl of Belmore) had, at the suggestion of that noble Lord, brought in a Bill on the subject last Session; but after being sent down to the House of Commons it was withdrawn, in consequence of the late period of the Session and the opposition which it was found likely to encounter. That Bill, however, was founded on the second Report of the Committee, whereas the present Bill was founded on the first Report. The chief object of the measure was to compel Railway Companies to make every half year certain returns relating to the state of their borrowing powers, and to deposit such returns in some public office, so that they might be open to the inspection of intending lenders amongst the public.

Bill read 2^a, and committed to a Committee of the Whole House on *Thursday* next.

SHEEP DISEASE IN SCOTLAND.

QUESTION.

THE DUKE OF BUCCLEUCH asked the noble Duke the President of the Council, Whether the time had not arrived when

the restrictive orders against the removal of sheep in Scotland could be modified or rescinded? The question was one of very great importance. He believed that sheep in the South of Scotland were in as healthy a state as they ever were known to be, and that the mortality among those animals was below the average. On the morrow the first great sheep sale would take place, and it would be followed by many more in August, September, and October, at which hundreds of thousands of sheep would come into the market. Unless the restrictions on removal were discontinued very great inconvenience would be experienced.

THE DUKE OF BUCKINGHAM said, the question had been under consideration for the last three weeks, and the Government had hoped that the cattle disease in Scotland would have completely ceased ere this, and that all restrictions against removals could have been taken off. But, unfortunately, during the month of July some fresh cases had broken out in Perthshire, and the last information received made it quite impossible to pass any order absolutely abolishing all restrictions. He was happy to say, however, that from information which had been received at the Privy Council Office it would appear there had been no fresh case for the last eight or nine days; and he therefore hoped that before very long the whole country might be declared free from disease, and sheep might be allowed to pass freely from one part of Scotland to another. He might observe, that at present removals could take place on licenses from the local authorities.

House adjourned at Six o'clock,
to Thursday next, half
past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, July 31, 1866.

MINUTES.]—NEW MEMBER SWORN—John Edward Walsh, L.L.D., for Dublin University.
PUBLIC BILLS—Ordered—Patriotic Fund*; Habeas Corpus Suspension (Ireland) Act Continuance.*

First Reading—Habeas Corpus Suspension (Ireland) Act Continuance [256]; Patriotic Fund* [257]; Foreign Jurisdiction Act Amendment* [258] [Lords].

Second Reading—Constabulary Force (Ireland)* [224]; Expiring Laws Continuance* [255].

Committee—Consolidated Fund Appropriation*; Cattle Diseases Prevention Act Amendment (No. 2) [251]; Prisons* [250].

Report—Consolidated Fund Appropriation*; Cattle Diseases Prevention Act Amendment (No. 2) [251]; Prisons* [250].

Considered as amended—Attorneys and Solicitors (Ireland)* [172] [Lords]; Landed Estates Court, &c. (Ireland)* [174]; New Zealand* [225].

Third Reading—Artizans and Labourers' Dwellings (re-comm.)* [194]; Turnpike Acts Continuance* [229]; Local Government Supplemental (No. 4)* [234]; Railways (Ireland) Temporary Advances* [220]; Bills of Sale Act (1854) Amendment* [235]; Oysters Cultivation (Ireland)* [243]; Naval Discipline* [231]; Dockyard Extensions* [246].

CURRENCY AND BANKING.

MOTION FOR A ROYAL COMMISSION.

MR. WATKIN* rose to move—

"That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to issue a Royal Commission, directed to the investigation of the causes which have led to the late severe and protracted pressure in the money market, and to the continuance for a long period of a minimum rate of discount of 10 per cent at the Bank of England; and also to investigate the Laws at present affecting Currency and Banking in the United Kingdom, and to report what (if any) alterations have become expedient therein; and further, that it be an Instruction to the Commissioners to present their Report and the Evidence taken by them on or before the 1st February, 1867."

He said: Sir, the right hon. Gentleman the Chancellor of the Exchequer informed his hearers, in a speech made a short time ago at Aylesbury, that all that was required to rescue us from the difficulties which everybody deplored, was time, peace, and an abundant harvest. Now, Sir, time has elapsed since the speech of the right hon. Gentleman—peace has been, we trust, restored, and as far as the harvest is concerned, from all the indications around us we have every reason to indulge the hope that an abundant yield is almost within our reach. Yet notwithstanding these circumstances, the minimum rate of discount at the Bank of England is still 10 per cent, while the rate of discount in Paris is $3\frac{1}{2}$ per cent; at St. Petersburg, $5\frac{1}{2}$ per cent; at Berlin and Brussels, 6 per cent; at Amsterdam, 7 per cent; and at Vienna, 5 per cent. Addressing myself to the question of inquiry—for it is inquiry only that I ask for—I may say at once that I need not alarm those hon. Gentlemen who represent great monetary interests by holding over them the danger that I shall either advocate the Birmingham theory, the theory of Scotch banking,

or any other of those general theories which some of them seem to be so much, if not so needlessly, afraid of. But I think I may say that the opinion of this House, and of the monetary and commercial interests of the country, may be divided into four classes. The first consists of those who think with myself that inquiry, being desired by the country, ought to be initiated by this House. The next class is composed of those who consider that past inquiries have sufficed to give us almost all the information we need, in order to amended legislation, and therefore that we ought to legislate at once. Then, again, there are those who consider that neither inquiry nor legislation is required—those whom we may, perhaps, call believers in the absolute perfection of our present banking and currency arrangements; and the fourth class consists of those who may be looked upon as somewhat inimical to, and perhaps even afraid of, inquiry. With regard to the last class, so far as they represent the great banking institutions of this country, they must be treated as to some extent upon their trial; because the late Chancellor of the Exchequer, with, I think, the consent of this House, gave the Bank of England enormous powers to deal with an emergency, and I think it is only fair to themselves, as far as they are concerned, that instead of opposing inquiry—instead of obstructing the fullest investigation into the manner in which they have performed the trust reposed in them, they should be foremost in demanding inquiry and offering those explanations which a great portion of the commercial and manufacturing interests certainly do demand. Sir, unanimous consent attributes recent difficulty to financial and commercial operations under certain laws. We have had great distress, great difficulty, and great embarrassment, and our writers and speakers in public have attributed them mainly either to errors of legislation, or to the misuse of beneficial legislation on the part of the commercial, banking, and trading classes. But in either case, and in both cases, we ought, as legislators, as those who make the laws, who watch their working and correct them where amendment is requisite, to bottom and probe those difficulties in every way, in order that if further or amended legislation is necessary, we may next Session initiate it and carry it through. This House is always anxious to find precedents for anything it pro-

poses to do, and I am bound to quote such as exist. After the deep distress and panic of 1837, we had a Committee of this House, presided over, if I remember rightly, by the present Lord Halifax; after the panic of 1847, we had a Committee presided over by Sir Francis Baring; and after 1857 we had a Committee presided over by the right hon. Gentleman the late Secretary for the Colonies; so that in every case where commercial difficulty, leading to panic, and those disarrangements which have recently again appeared, has arisen, this House has stepped in to inquire into the facts, and to inquire into those facts while they were fresh in the memory of everybody, and when, therefore, the best and surest evidence could be obtained. Some friends of mine have said to me, "All this may be very true, but why do you propose a Commission and not a Committee?" My answer is, that I had hoped that the late Government would have proposed a Committee on the operation of the Banking and Currency Laws at an early period of this Session. I think they gave almost a pledge to this House that they would do so; but we have now arrived at such a period of the Session that the appointment of a Committee would simply mean the shelving of the question till next year, and next year we should have a Committee which would occupy the whole of the Session; so that instead of legislating in 1867, if it should be found necessary to legislate, the whole question would be hung up until 1868, which may possibly be a period of prosperity, and if so, would be again forgotten until brought to our minds by a commercial panic, say in 1876. Under these circumstances, I think, if we are to inquire at all, those who are in favour of inquiry will say we ought to inquire now. We cannot inquire now by a Committee, but we may inquire by a Commission. To meet the objection of those who say that this House ought not to delegate its powers, that, in point of fact, these inquiries are so important that they ought to be in the custody of the House itself, I say that it is quite in the power of Her Majesty, by the advice of her Ministers, to order that the Commission that may be appointed shall consist exclusively of Members of this and the other House; and if this be so, if we can have a Commission so composed, I want to know what objection there can be to the appointment of a Commission instead

of a Committee, for in this sense a Commission is practically a Committee of this House, except in name, and of course would have all the powers necessary to elucidate the question. But I should not leave this part of the subject without repeating to the House the pledge that we received from the late Chancellor of the Exchequer last year. The right hon. Gentleman introduced a Bill which was called the Bank Notes Issue Bill, and in withdrawing it he said—

"Her Majesty's Government, however, do not propose to abandon their intention of prosecuting the subject; and, in the absence of such an agreement as I have referred to, they may conceive it to be their duty to take up the question on a future occasion upon broader grounds, and they reserve to themselves the power of determining whether it would or would not be right that on the first convenient opportunity, which I am not prepared to say will occur during the short remainder of the Session, they should invite the assistance of Parliament to investigate this subject by means of a Committee."—[3 *Hansard*, clxxix. 1123.]

I and others thought that that statement conveyed a pledge that the whole subject should be investigated, because it is clear you could not investigate the question of the country issues without inquiring into the operation of the issues of the Bank of England; and you could not go into that without discussing the whole position of the Bank as a bank of issue on the one side, and a bank of recourse on the other. It is stated that on occasions of this kind the House should have a certain amount of pressure put upon it on the part of the public. So far as I am concerned, I may state, that since giving notice of this Motion I have received letters from almost all parts of England, and from many parts of the Continent, and the whole mass of the correspondence urgently pleads for inquiry. In addition to this, we are aware that the right hon. Gentleman opposite received an important deputation from Scotland a short time ago, and he enunciated, by the way, to that deputation some very sound doctrines in reference to the impossibility of an over-issue of strictly convertible bank notes. Besides this, the Chambers of Commerce of Leeds, Manchester, Birmingham, and other places, have taken action, memorializing the Government, or instructing their members to move in the question. If the slightest hint had been given by those Members of this House who are connected with commerce, that pressure was required to be brought to bear upon Parliament, I am bound to say, and I think I shall be cor-

roborated by many who are connected with large manufacturing and commercial constituencies, that the table of this House would have been loaded with petitions in favour of searching investigation. Look to the language of the public press, and you will find that it contains considerable complaint and remonstrance. I will only trouble the House with one or two quotations out of scores. For instance, the *Economist*, which is looked upon as representing the monetary and commercial classes, said on the 30th June—

"It is alleged that the Bank Directors do not reduce the rate because 10 per cent was fixed in the Treasury letter, and because they are still held to that letter. They reason, it is said, 'that a large sum must in the ordinary course of the quarterly payments go out to the public—that may reduce our banking reserve to £5,000,000 or thereabouts, and if a drain of gold should then set in, the banking department would be in danger, and we should want another letter. But supposing this to be the reasoning of the Bank Directors, it only transfers the blame from them to Mr. Gladstone; it does not prove that the rate ought not to be reduced, it only shows who is the obstacle to reducing it; and it is matter of grave regret, that owing to the present interregnum we cannot search into this matter at once, or discuss it, or obtain upon it the judgment of Parliament.'"

That interregnum is now over, and we are now in a position to obtain the judgment of Parliament on this question. Then, again, the paper which is called the leading journal of this country, in an article which appeared on the 13th of July, says—and the passage is somewhat remarkable, and I quote it because of another remarkable article which has appeared in *The Times* of this morning—

"We sometimes read with surprise of districts in the East, separated only by a few hundred miles, where the populations are respectively in abundance and starvation; but the fact that money should be seeking employment at 3 per cent in a country separated from us by only twenty miles of channel, while here it is eagerly sought at 10 per cent, argues some still more fatal deficiency of contrivance. Of course, nothing can prevent the consequences of rash and dishonest speculation; but when those consequences have been thoroughly worked out, there ought to be some power to prevent the needless extension of mischief and anxiety such as has been witnessed during the last five or six weeks. Speculation was hopelessly crushed in the middle of May, and no devices of all the most practised operators in London could have availed to restore it for several years to come. Since that date the effect of the pressure has simply been to break down the value of properties that were not inherently unsound, to embarrass all the regular trading transactions of the country, and to pave the way for that future accumulation of unemployed capital which will bring all the evils of a

discount rate equally abnormal in the other direction. In ordinary times the mutual relations of credit between England and the Continent work sufficiently well to preserve some approach to an equality in the terms for money; and when this desirable condition is accidentally interrupted, it is a reproach that no means are found to remedy the difficulty."

I go, therefore, so far as to say that that is strong evidence at all events in favour of an inquiry into those evils which are so ably and forcibly described. The great panic through which we—I will hardly say have passed, but are passing, is rendered peculiar by two or three circumstances. The one is, by the longer continuance of this excessive rate of discount than the commercial history of the country has under any previous circumstances shown. The second is, that the Directors of the Bank of England, who are assumed to possess more knowledge than the ordinary average of commercial men, seem to have been entirely taken aback and by surprise. The third is, that the Bank of England during that pressure, if public report be true, did what they had never done before in our commercial experience, they actually refused to lend money upon Consols. [Mr. HUBBARD gave a gesture of dissent.] Yes, I say, I repeat the Bank of the nation refused to lend money on the national security. Give us a Commission and I have no doubt it can be proved. If you had visited the Bank parlour last February, I believe you would have been told—I have no doubt this was the language held—that the idea of such a panic as that of 1857, and of another letter being required from the Government to suspend the Bank Act, was absolutely impossible, so well was the diagnosis now known. You would almost have been laughed out of the premises if you had ventured to express such a suspicion; and yet, coming as it were almost like a clap of thunder, they found themselves in the middle of a difficulty, and the Bank was obliged to come again to the late Chancellor of the Exchequer, and, besetting him throughout the whole of the day, they managed at last, at twelve o'clock at night, to induce him, very reluctantly no doubt, to consent to their committing this breach of the Act of Parliament. We all of us remember that remarkable Friday night. I happened, fortunately for myself and for my nerves, to be down in the country at the time. When I returned at eleven o'clock at night, the first thing I did was, as usual, to pay my duty to the

Mr. Watkin

gentleman who occupies a little room at one side of the door. I went to one Mr. Brand to report myself to him as an effective vote in this House, but I was ordered immediately away from the door by the messenger, who looked more horrified than any one ever saw him look before or since. I was informed that there was no admittance to the room, because the noble Lord then at the head of the Government and the right hon. Gentleman the late Chancellor of the Exchequer were "sitting on the Bank." I thought that was a rather odd phrase, but looking around I saw a group of Directors of the Bank of England, with my hon. Friend the Member for the City of London in their midst, who appeared to be inspiring them with the greatest possible confidence, and in another corner a group of directors of joint-stock banks, with the hon. Member for Greenwich amongst them, looking with as much hopefulness as his genial and hopeful nature would enable him to assume. I asked what all this meant, and I was told that these gentlemen had come to apply to the Chancellor of the Exchequer to void this Act of Parliament. While the Bank of England Directors attacked the right hon. Gentleman in the front, the directors of the joint-stock banks assailed him in the rear, almost, I say, from midday to midnight; and the result was that they at length succeeded in constraining the right hon. Gentleman to allow them for the third time to break this law in pieces. But that was not all, because, having issued a letter holding out promises to the commercial interests of the country which gave them great encouragement, and which promises were not carried out by the Bank of England, as I shall now show, a most remarkable despatch was written by the noble Lord the Secretary of State for Foreign Affairs. The noble Lord did then what I believe no foreign Secretary has ever done before. He issued a letter to all the representatives of England on the Continent of Europe, and in that letter, which is certainly an able document, he said that the inhabitants of this country had for some time been overtrading—that they had been endeavouring to accumulate fortunes without going through a sufficient process of labour—that the stoppage of Messrs. Overend and Gurney, a company founded on the limited liability principle, was the great culminating point of disaster, and that the Government were compelled to

step in to enable that accommodation to be given to commerce by the Bank, which under the strict reading of the Act could not be afforded. There is one incident which it is necessary to ascertain in this inquiry—namely, under what circumstances and upon whose prompting was it that this letter of the Foreign Minister was written—a letter couched in language not calculated to allay, but to excite alarm in the commercial world abroad. That letter held out hopes to people abroad which to some extent were delusive, because the noble Lord said that though the pressure was excessively severe, yet the causes of it were of such an unusual character, that the Government were satisfied that the commercial and monetary classes would pass out of the peril of this panic with greater ease and much less difficulty than they had ever done under previous pressures. I say those hopes have not been realized. If the information upon which that letter was written were correct, I say that the act of the Bank of England in retaining so long this rate of 10 per cent discount cannot be justified. If, on the other hand, the circumstances known to the Government and the Bank were more grave than the country at large believed, then I think that in a diplomatic document of that kind so hopeful a view of the case ought not to have been taken. It is hardly to be believed that the Bank of England suggested such a despatch, still less such representations. I now beg the House to consider for a moment what this infliction of 10 per cent really means. I have no sympathy with those who have been guilty of wild and reckless speculations. I condemn them; and say that those who embark in such ventures must take the chances of their fortune; but, on the other hand, my sympathy is, I admit, with the great mass of the hard working capitalists of this country of the second and third class, who are careful, substantial, and prudent men, and who, whenever these things occur, are brought down, from no fault of their own, to share in one common disaster, and are made the victims of circumstances for which they are in no way accountable. What, I say, is the effect of 10 per cent discount? It means a tax of more than double the usual amount upon 300 million of current bills, or a transfer of many millions of trade and manufacturing profits to money-dealing profits. It means a

general derangement of business, an excessive and unhealthy fall of prices, the ruin of some who deserve to be ruined, but the ruin of far more who have committed no offence whatever. It is estimated that the fall in the prices of commodities and securities since the 11th of May is above £100,000,000. This loss, perhaps, does not affect so much the large capitalist who can afford to hold; but it is obvious that smaller men, deprived of their ordinary banking accommodation, are compelled to realize, and of course lose their proportion of this vast sum. Worse than all, it means a large reduction of employment, and great privation amongst the labouring people. It is a remarkable fact, and I recommend it to the attention of those who follow me, that while commerce is taxed in this way, and a large number of labourers are thrown out of employment, the profits of the Bank of England are larger than usual. The amount of "rest" in the Bank two days before the issue of the Government letter was £3,237,000, and on the 25th July, being the date of the last Return, it was £3,740,000. That means an excess in the shape of profit put by and available to the amount of upwards of £500,000, or $3\frac{1}{2}$ per cent in eleven weeks, or 17 per cent per annum on the whole capital of the Bank of England. Take another view of the matter, which bears also on the past and the permanent operation of the Act of 1844. In 1847 the price of Bank Stock was 180; in 1865, after two panics, it had risen to 250. It is perfectly clear, therefore, that whatever may be the effect on the commerce of the country, the operation of the Act of 1844 on the interests of the Bank is largely to increase the resources of its stockholders. I do not blame the Bank of England for this—I blame the system. The Directors are bound to make a dividend for their stockholders, and they are men of the highest capacity and standing in the country, for whom every one entertains the greatest respect. Under the operation of the present law, the first duty of the Directors is to make a dividend for their stockholders, and their second is to take care of the interests of the public. The result is, that if they commit an error of prudence it is naturally one that goes in favour of the stockholders and against the public, rather than the opposite. There is another remarkable circumstance. Within the last twenty years we have had three panics—one in 1847, another in 1857, and a third in

1866, and in every succeeding period the severity of the pressure, as shown by the rate of discount, increased over the preceding one. In 1847 the penal rate fixed under the Government letter was 8 per cent, and it endured for a period of four weeks, and was followed by a rate of 3 per cent within three months of the date of imposing 8 per cent. In 1857 the penal rate was 10 per cent for a period of six weeks, and within three months of the date of imposing that 10 per cent the Bank rate was down to 3 per cent; while in 1866 we have had a minimum penal rate of 10 per cent, which has lasted for nearly three months already. It is obvious from these facts that some cause, some law of aggravation, is at work producing this gradually increasing severity of pressure, and I venture to maintain that it is the duty of this House to trace out that cause, and to apply if possible a remedy. It is contended that severe pressure is salutary, because it represses undue speculation and diminishes the disposition of men to venture on dangerous paths of trade, and because, also, it checks the undue advance in the price of labour. There may be something in that; but the Report of the Committee of the House of Lords in 1857 contained a remarkable paragraph in reference to labour. The Lords' Report of 1848 said—

“The working classes are the heaviest sufferers from monetary derangements, in consequence of the destruction of that credit and confidence on which commercial transactions are based, and by which the employment of labour is sustained.”

The working classes have obviously most to lose by an unsound, and most to gain by a sound, system of banking and currency; and they cannot protect themselves. I contend that the labour of a country can never be too fully employed, for labour is the main source and origin of wealth, and wealth is capital. Labour, it is true, may be over-employed in one class of production and under-employed in another; as, for instance, it has recently, perhaps, been over-employed in constructing public works and buildings, and under-employed in developing the resources of the soil. But who will venture to contend, when it is alleged that capital is scarce, that the cure for such an evil can be found in throwing labour out of employment, and thus checking the production of wealth? Yet that appears to be the favourite remedy of the moment—certainly it is the logical and inevitable result of 10 per cent.

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Can a financial system be sound which can only correct itself in times of distrust by stopping the production of wealth? Some of our authorities of finance, interested no doubt in high prices of money, seem to regard commerce and manufactures as if made for the Bank of the nation. But why should we grant special banking privileges? Not to subordinate industry to the privileged Bank, but to support and assist and facilitate industry through it. We establish the Bank for commerce—the life-blood of our country—not commerce for the Bank; and when the latter becomes antagonistic to the former it is certainly time to inquire.

In discussing these questions, the House must not overlook some of the special grievances springing from this long-continued penal rate of discount, and which deserve inquiry. Take, for instance, the case of those who borrow money at what is called “the Bank rate.” That rate has been taken heretofore to represent an average rate of not exceeding 5 per cent; and in the case of loans contracted a few months ago, both lender and borrower expected and meant some such average rate. But when a penal rate of 10 per cent is inflicted upon commerce by the Bank of England, and continues long after the rate outside the Bank has been reduced to 6½ or 7 per cent, clearly the action of the Bank alters the whole position of such loans against the borrower and in favour of the lender, neither of whom could foresee the policy of the Bank. I believe, Sir, that this exceptional grievance applies to loans of many millions in amount; and I say again that such a grievance merits inquiry. If we delegate to the gentlemen in Threadneedle Street the power of hoisting at the right time the storm signal, there ought to be some means of protecting those who suffer damage from that signal being kept flying needlessly long. Another class who suffer are the second and third-rate houses, who chiefly carry on our foreign trade, and many of whose operations are entirely suspended by the continuance of this 10 per cent discount. Take the case, for instance, of a firm trading with Hayti, with whom I am acquainted. They have a fair capital of their own, which has sufficed for a safe and steady business for forty years; but as their returns take nine months generally to come home, they are obliged to obtain advances. For these advances they pay 5 per cent, or the Bank

rate, and a commission. So long as money can be obtained at 5 per cent they can go on at sufficient profit; but the moment money is at 10 per cent it is positive destruction to their trade profit, because they cannot stand competition with merchants in France, who are enabled to get discounts at $3\frac{1}{2}$, 4, and $4\frac{1}{2}$ per cent. Again, they can usually sell their cargoes of coffee and sugar "to arrive." But during the recent state of the discount market they have often been unable to do so; and in the case of this house, cargoes have been sent on to Continental ports and sold there instead of coming, as usual, into the port of London for the profit of our merchants at home. But I contend, Sir, that the action of the Bank is defeating its professed object of attracting money back again to the Bank, and thereby increasing its reserves and enabling it to do more business at a more moderate rate. I will quote a case as to which I have no doubt the hon. Members for Liverpool and Birkenhead will corroborate me. It applies to the cotton trade done at Liverpool with the manufacturing districts of Lancashire and Cheshire. A correspondent from Liverpool, a gentleman of undoubted position and experience, writes to me as follows. He says—

"The cotton of Liverpool is ordinarily sold for ten days' payment in three months bankers' bills; now, under the 10 per cent rule cash is required, and this alone keeps some £3,000,000 of notes needlessly in the provinces."

This effect is injurious to the Bank of England itself, because these notes are kept in the provinces for circulation instead of reverting to the Bank. In fact, a currency of bills has to be substituted by a currency of bank notes. The cotton consumer has to find cash in place of credit, and he draws down into Lancashire the money for that purpose. Sir, we have been told by the Chancellor of the Exchequer, on a recent occasion, that our difficulties have arisen "from want of capital and not from want of credit." [The CHANCELLOR of the EXCHEQUER: No, not from want of currency.] Very well. Want of capital and not want of currency. Then, Sir, I must show where the currency has gone, and that it is hoarded and not in circulation; that it is passive when it should be active. Now, I contend that this country never was so rich as it is at this period; and if riches constitute capital, then that in the length and breadth of England, Wales,

Scotland, and Ireland, we never had a larger capital. Take improved land, houses, ships, railways, all that can be classed under the word property—we never had so much. Take production. We never were producing commodities at so rapid a rate as at the date of the late Chancellor's letter to the Bank. Take capital in the sense of the medium available for the discount of bills—we never had more. Take our trade. Take the savings of the working classes. Take the private deposits at the Bank of England; these, Sir, are at this moment between £7,000,000 and £8,000,000 in excess of the usual average. Take again the bank notes in circulation—here we find an excess of £5,000,000 beyond the usual amount. In fact, the country was never richer than it is at present; it never owed so little nor had so much owing to it. The amount of notes issued by the Bank and in circulation by the last return was £28,000,000, and every one admits that this is a time when there is less trade and fewer transactions than heretofore. This circulation is evidently not active. Why then, I repeat, is it passive? I believe it arises mainly in consequence of the alarm on the Continent of Europe, and at home, caused by the letter of the late Foreign Secretary, and the action of the Bank of England. The Continent, alarmed, would have your money and not your bills, and bankers and merchants at home are protecting themselves by holding a much larger reserve of notes than they ever held before in anticipation of another storm. You persist in threatening them with that storm; you keep your signal flying, and they believe you. It is contended that evil causes have been at work inevitably producing severe pressure. It is true I make those who follow me a present of the admission. But, Sir, I contend that these evil causes may be mainly traced either to the direct consequences of erroneous legislation, or to the abuse outside of legislation in itself defensible; and that they have been aggravated and driven into panic by the other causes which I have asked the House also to investigate. One of the causes has been our railway legislation. Parliament passed last year 300 Railway Bills, and nearly 400, with a nominal capital of £176,000,000, have been proposed this year. Let us look at the way in which this authorization of outlay has been permitted. The old-fashioned plan was this: If a company

wished to promote a Railway Bill, they had first to present a subscription contract, containing the names of all the subscribers to the project, who were individually responsible for the amounts set down opposite their names; and, in addition, the promoters were bound to show that the undertaking would pay at least 5 per cent. If a scheme will not pay, the money laid out upon it is only a waste of so much of the National capital. All that is now thrown overboard. Noble Lords and hon. Gentlemen are naturally anxious to have railways through their properties, and great facilities are now afforded to any persons to bring forward Railway Bills. The result has carried with it a stigma on the honour of Parliament and of this country. The system has bred a class of men who trade upon obtaining Acts of Parliament, who, when they obtain them, either sell the projects to established companies under threat, or carry them out themselves upon a system of finance which has had a great deal to do with the ruin and devastation which we have seen in various quarters. This is an Act of Parliament cause; but then there is the action of individuals, under powers given by what is called limited liability—powers which every one will admit have been grossly and shamefully abused. I will take the case of Overend, Gurney, and Co. Every banker in London knew that for years that firm had done a class of business which was in every sense bad and rotten, and had entered into speculations which did not form any part of the legitimate business of bankers. When the concern was made over to the limited liability company, representations were made to the deluded public which were afterwards shown to be in no way founded in fact. The list of such companies is unfortunately a long and discreditable one. If the abuse of the Limited Liability Act produces such results, surely that fact ought to form a good ground for inquiry. Well, then, wherever I look, I must say that I think inquiry is needed, and, therefore, is the duty of this House. But everybody must admit, after making every allowance for these and other causes of pressure and disturbance, that the panic of 1866 has been pre-eminently and exceptionally a credit panic. The letter of the late Foreign Secretary so describes it: he says that for the first time the banking stability of the country has been brought into discredit. Then, Sir, let me

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ask the House to consider for a moment what credit is. It is not solely a matter of arithmetic—of imports and exports, of revenue and expenditure, or of balances in banks. It is to some extent ideal. It is affected as much by moral as by material considerations. It is influenced by the hopes and fears—often the prejudices—of mankind. In our case our credit in the world at large has hitherto stood high not simply because we are rich, but because of the conviction that this country is the greatest and the richest, the most honest and the most honourable, and that our Government and our people are prudent and sagacious as well as honest, rich, and honourable. Then that being so, it is a question of serious moment to inquire whether the action taken by the late Government had a tendency to perpetuate that idea abroad, or to crush it out of the minds of the people of the Continent. Sir, I much fear that it had the latter effect. What happened in Madrid? A well-known gentleman from Liverpool wrote to me—

“Our credit in Europe is so damaged that I hear of bank notes sent from Madrid to Liverpool to be sold ‘at best,’ and proceeds to be re-mitted.”

Foreigners arrived at this conclusion because the Foreign Minister had spread it abroad everywhere in Europe, in an official despatch, that it was necessary to break an Act of Parliament; and they believed that an act of bankruptcy had been committed, or that there was a danger of it. I think now, Sir, we should inquire what the Bank has done with the authority intrusted to them after so much representation and pressure by the late Chancellor of the Exchequer on the 11th of May last. I hope that to this I shall get a distinct and specific answer, and also have the opportunity of laying it before a Commission of Inquiry. I want to know why the precedent of 1857 was not followed in 1866. Our trade, I need not say, is double the volume of 1857, and our operations in every direction are more and more extended; therefore, of necessity, when pressure comes, it must be more extensive. Being so, it must require a larger amount of assistance on the part of the Bank of Recourse, which the Bank of England claims to be. And yet, notwithstanding there was greater need for assistance—notwithstanding that the panic was one affecting banking credit, and despite the necessity that the banking capacity of

the Bank of Recourse should be equal to the difficulty, nothing was done. The Bank in 1857, the moment it received the letter of the Chancellor of the Exchequer, transferred £2,000,000 from the issue department and lent it to the banking department for use, and did not repay it till the 24th of December. In 1866 the Bank never transferred one shilling. The Bank Directors even sent round and borrowed bank notes from their customers to prevent their infringing the Act, and it was not infringed. They have not given the accommodation which, under the circumstances, we had a right to expect would have been rendered. What was the object of the letter? To aid the business of the country. What right had they to keep the letter unless it were to enable them to relieve the commerce of the country? The Government letter indicated clearly that their intention in giving it was to relieve commerce—not a few large firms, but the commerce of England and Scotland—commerce in general, so far as the Bank found the securities sound and good. The comparative figures on this part of the case are very remarkable. First, as to the circulation of the Bank. In 1857, the day before the letter of the Government—the 12th of November—the circulation was £21,000,000; on the 9th of May, 1866, the circulation was £22,810,000. On the 23rd of December, 1857, when there was a reduction of the rate to 8 per cent, the circulation was only £20,130,000; in 1866, now, after three months at 10 per cent, the circulation is £27,890,000. Now, as to the issue reserve of bullion. In 1857 it was £5,710,000; whereas in 1866 it was £7,340,000 at the dates of the Government letters. There was nearly £2,000,000 more gold in the issue department when the strain came in 1866 than in 1857. In November, 1857, the banking reserve of bullion was £2,700,000; and now the reserve of bullion in that department is £12,890,000. In November, 1857, the banking reserve was £1,460,000; in 1866 it was £5,810,000; but it was reduced, according to the statement of the Bank, when they got the authorization to break their Act, to £3,000,000. But in December, 1857, when the rate of discount was reduced to 8 per cent, the banking reserve was £7,970,000; it fell the next week to £6,610,000; and the week following it stood at £7,620,000, when the rate went down to 6 per cent. The Return of last week showed this re-

serve to be only £3,440,000. In 1857, when the rate of discount was reduced to 8 per cent, the total stock of bullion was £10,750,000; at the date of the last Return it is £13,770,000, or nearly £3,000,000 more. But, Sir, we find that the Bank, regarded as one concern, is able to afford, still, enormous assistance to trade; but we find that, separated as it is, it fails us in the hour of need. It comes to this, that if the Bank of England were conducted as it was before 1844, when there was no separation of the two departments—if the Bank of England were conducted as the Bank of France is now—for, apart from the appointment of the Governor of the Bank of France by Imperial authority there is small difference—if these two departments, the issue department and the banking department, were combined in one, the Bank having a reasonable discretion to fall back upon its large stock of bullion in the issue department, would use that discretion, and these panics would be met by the easy operation of ordinary arrangement. But the Bank, instead of this, are always looking to the amount of their banking reserve, which they cannot increase out of the issue department, and the result is that they lock up their resources. The figure is now only £3,440,000, and this with an export and import trade of £500,000,000, with £30,000,000 in the savings banks, and a revenue of £70,000,000! If they had used their power the relief, I believe, would have been almost instantaneous. Suppose they had taken a bold course, and had at the period of the late panic transferred £5,000,000 from the issue department to the banking department, which would not have been out of proportion to that which was done in 1857—suppose, in point of fact, they had increased the banking capacity of the Bank £5,000,000, only £5,000,000, with a total export and import trade of £500,000,000—that, I believe, would have been sufficient to turn the scale. Instead of Continental nations laughing at us, their faith in us would have returned, confidence would have been restored, and we should have been able to tide over our difficulties. Everything which has taken place was predicted long ago by one of the most eminent financial authorities in the country, the hon. Member for Kendal (Mr. Glyn). In the debate of December, 1857, the hon. Member said—

“He agreed also with those who, though they

found some advantage in the Act, yet saw in it a restriction which was attended with the most disastrous effects. . . . First, there was the separation of the banking and issue departments. . . . That division was, no doubt, a wholesome plan so long as it was confined to the circle of that establishment, and as carried out by the directors themselves; but, when it was made by statute a regulatory part of the Act, it was attended by most disastrous effects. . . . With respect to the other point, the limitation of the circulation on securities to £14,475,000, there, he confessed, he found the greatest difficulty of the question. He thought no person who had watched the progress of the crisis in 1847, and again in 1857, could fail to arrive at the conviction that, although the pressure was not caused by the Act, yet the pressure existing, the limitation of power of issue upon securities became in itself a primary cause of evil. The existence of the pressure tended to reduce the reserves of the Bank, and then what did every prudent man do? . . . In such a time a man with engagements to meet, honourably determined to make every sacrifice to meet them, whatever the rate of discount might be. . . . He would purchase currency at 10 or 20 per cent, in short, at any cost, for the fulfilment of his honourable engagements, and therefore his proceedings, and those of others, who acted likewise, still more reduced the Bank reserves."—[3 *Hansard*, cxlviii. 186.]

I hardly need contend, Sir, for I think everyone must agree, that there is a proportion, be it what it may, or however irregular or easily affected, between the trade and transactions of a country and both its circulation and its banking facilities. And that being so, there must be a proportion between the issue and accommodation capacity of the Bank of England and the demands for currency and accommodation from other bankers and trade at large. And I ask the House whether, now, in 1866, after an interval of twenty-two years, and in view of so enormous—and, so far as 1844 is concerned, unexpected—augmentation of the business of the country, it is not expedient to inquire whether these proportions, whatever they be, are in operation. Is the limitation of issue upon securities of 1844 wise in 1866? Is the limit of its power of accommodation which that issue and the amount of its proprietary capital together give, enough or not enough in 1866, with three times the trade and trade necessities of 1844? Does it not seem, *primâ facie* at all events, that the channel is now too narrow for the flood? And should the House refuse to inquire whether it is or is not expedient to revise the Act of 1844 in the interests of industry and commerce? A good deal was formerly said about the Bank of France; and I remember a noble Lord in another place,

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who is considered the great apostle and advocate of the Act of 1844, when examined before the Lords Committee, said he looked on the action of the Bank of France as quackery, and that it was not based on any scientific principle. If the action of the Bank of England is scientific while that of the Bank of France is not, all I can say is, that science has rendered, recently, very little service to the commerce of this country. There were three objects which Sir Robert Peel proposed to accomplish by the Act of 1844—first, to secure the convertibility of the note, which really has never been endangered; secondly, to check undue speculation; and thirdly, to prevent panics. Now, the last two objects have not been attained, for speculation at times since 1844 has been more rife than it has ever been since 1825, and a steady rate of discount, essential as this is to the proper carrying on of business, has not been secured. In fact, since 1844 there have been 133 changes in the rate of discount, and the fluctuation has been no less than 500 per cent, for on several occasions it has been reduced to 2 per cent—thus fostering undue speculation, and calling forth the strong condemnation of the House of Lords Committee in 1848, while the Commons Committee resolving at the same time by a majority of only two that an alteration of the Act was inexpedient. From 1858 to 1866 the changes have been 85, and during that period the Government has three times been obliged to authorize a suspension of the Act. The Bank of France, on the other hand, has only made 34 changes, and the rate has seldom been more than 4 or 5, and at present is $3\frac{1}{2}$ per cent, while the reserve of bullion is £25,000,000. The operation of the Act of 1844 is such that the issue department may be rich to repletion, while the banking department is almost bankrupt. This effect was predicted at the time by one of the highest authorities, for in Mr. Tooke's *Inquiry into the Currency Principle* we find these words—(March, 1844)—

"While the circulating department would still have £6,000,000 of bullion, the deposit department would have no alternative but to stop payment—a most absurd, however disastrous, state of things. But it would be too disastrous and too absurd to be allowed to take its course. If such a crisis were to happen, as most probable it would, at the time when the dividends on the public funds became due, the Government would be imperatively called upon to interfere and prevent so ridiculous, however lamentable, a catas-

trophe, and the only interference that could meet the emergency would be to authorize a temporary transfer of coin from the issuing to the banking department."

Perhaps the highest authority in France, M. Michel Chevalier, not long ago wrote a letter in which, after observing that undoubtedly the English were their own masters, and were free not only to make a bad law, but also to keep it, he passed the following opinion on the Act of 1844:—

"The arrangement is vicious; it is an erroneous one. It offends the soundest ideas in regard to credit; it entirely prevents the use of the invaluable auxiliary of credit in surmounting difficulties. What is still more surprising, it still exists in all its rigour, although at two periods, in 1847 and 1857, it has brought ruin on the country to such an extent that the Government, roused by so many unexpected bankruptcies, deemed it necessary to suspend the law, and on its own responsibility authorize the Bank to issue notes beyond the law. It would be difficult to instance a law which has proved less successful than the Act of 1844."

M. Chevalier goes on to say—

"It was the belief of Sir Robert Peel that it would render crises more rare. On the contrary, they have become more frequent and severe. They have become so by Act of Parliament. Never has experience confuted more energetically the provisions of legislation."

But I need not rely upon Mr. Tooke and M. Chevalier; I can call as witnesses both the present and the late Chancellor of the Exchequer. The present Chancellor, in 1857, was of opinion that immediate legislation was required, and unless he now prefers an inquiry, the right hon. Gentleman will I hope now be able to reassure the commercial world by stating what kind of legislation he intends to propose. Speaking on the 11th of December, 1857, the right hon. Gentleman said—

"Believing as I do that the law by its enactments forcing the Bank to treat a foreign and a domestic drain by the same means, not only occasions, but aggravates distress and distrust among the commercial classes of this country, I think we should endeavour to meet that difficulty by remodelling the law in that respect."

With these remarks I entirely agree, except that with the new facts before us I wish inquiry to precede legislation. The late Chancellor, speaking in the same debate, used these words—

"But I do feel that there is great force in what has been said by my hon. Friend the Member for Kendal, whose great experience in these matters, as well as his natural ability, give much weight to the judgment which he has delivered in this House. My hon. Friend says that the existence of a limit, as it is determined by the Act of 1844, has a decided and powerful tendency to create an

apprehension gradually deepening into panic, which panic increases the commercial pressure, and finally brings about a suspension of the law itself, so that the very rigour of its provisions in certain states of public feeling and of the public mind becomes an operative cause of the irregular relaxation of the law."—[3 *Hansard*, cxlviii. 647.]

The right hon. Gentleman went on to remark that even Lord Overstone, always a strenuous defender of the Act of 1844, had admitted the desirability of vesting some dispensing power either in the Government or in the Directors to check this "rigour" of the law. Another distinguished man, the late Sir George Lewis, is quoted by the *Economist*, and no doubt correctly, as having said—

"Peel's Act did great good, except for a week once in ten years, but in that week it did so much evil as almost to counterbalance the good which it had effected before."

Now, I think, Sir, I have called witnesses enough against the laws affecting the Bank of England. I have shown that they are not approved by the present Chancellor of the Exchequer, nor approved by the late Chancellor of the Exchequer, that they are not approved by the hon. Member for Kendal, who is at the head of one of the largest banking establishments in the world, and I might go on to quote the head of the house of Baring. I believe also that the hon. Member for Westminster and the present professors of political economy at Oxford and Cambridge are opposed to the limitation of the issue; and, in point of fact, I have hosts of authority to show the evils of our present legislation. No Director of the Bank of England will tell me that if he had the power without making all the disturbance of coming to the Chancellor of the Exchequer, without the necessity of a letter from the Foreign Secretary to every Court of Europe—that if without that there had been some self-acting power which would have enabled him to cope with the difficulty as men do cope with difficulties, the emergency would not have been more easily met and the panic would not have arisen.

I feel, Sir, that the House has extended to me an unusual indulgence, and I refrain from doing more than suggesting that the whole question of issue, the state of joint-stock banking, and the anomalies and differences in the constitution and action of the banks of England, Ireland, and Scotland, are subjects which should be included in any inquiry by this House. And now, Sir, thanking the House for its patience and kindness, let me repeat, that

all I ask for is inquiry. I ask for it because there is much to be inquired into—evils of legislation, evils which amended legislation may cope with, evils in the practice of the Bank of England. I ask for it because the press and the public opinion of the country demand inquiry with a view to legislative remedy. Sir, let me ask the House this question—assuming that the ruling price of discount in this country were to be 10 per cent and that of France 4 per cent, how long would the commercial supremacy of our country continue? For how long would competitive commerce be possible? Let the House, then, measure the evils of to-day by that test, extreme as it may be. Unnaturally high discount can only mean reduced profits and lower wages; for the interest of money is an element of cost, and the more the passive partner in transactions receives, the less is available for profits and wages. I have endeavoured to avoid the discussion of abstract questions; and I trust that that inquiry which on every previous occasion of panic the Government have volunteered, may now be granted, for it would, indeed, be unfortunate if an impression should go abroad, erroneous as it would be, that this House is indifferent to the embarrassment and suffering which have prevailed during the last few months, and which still afflict us.

MR. AKROYD, in seconding the Motion, said, he could not imagine a stronger or a more severe condemnation of the existing law than to allow it to be assumed that the present state of the money-market was the natural and normal consequences of the Bank Charter Act of 1844, because if that were so they must lay at the door of that Act a state of things unprecedented in this country. He laboured under the disadvantage of prejudice, which seemed to exist against any private Member undertaking to find fault with the existing state of our monetary system; but notwithstanding that prejudice he ventured to second the Motion, and, in doing so, to briefly state his reasons. The cases for inquiry rested primarily on the fact that the late Chancellor of the Exchequer had set aside an Act of Parliament, and he should like to know if the present Chancellor of the Exchequer endorsed the sanction so given, because he considered it was no slight matter for any Government to set aside an Act of Parliament without the House instituting an inquiry into the cause of it. An inquiry followed the suspension

of the Bank Charter Act in 1857; but there was this difference between the crisis of 1857 and the present one, that in the former year the Bank Directors exceeded their authorized issue by £2,000,000, which they had not done since the recent suspension. It appeared to him that the Report of the Committee of Inquiry which followed the crisis of 1857 distinctly contemplated further inquiry. It alluded to the question whether the Act of 1844 should remain intact or be subject to revision in times of pressure. It was evident that the time was ripe for further inquiry, and that they must now deal with other branches of the question, though it would be for the House to consider the mode of the inquiry, whether by Royal Commission or Special Commission. There were several additional reasons which tended to the same conclusion, and one of them was that the French had last year instituted an inquiry by an Imperial Commission into the same subject. That inquiry was of a most searching character, and was even extended into this country. At the time it was being carried on he had the honour of holding the position of Chairman of the Halifax Chamber of Commerce, and he remembered some of the questions under consideration by the French Commission were addressed to that Chamber. Among the questions they asked were the following:—What were the causes of the monetary crises of 1863 and 1864? What was the effect of a limited issue on a monetary pressure? Did the Bank of France fulfil all the functions of a bank of issue?—and, if not, what alterations should be effected in its constitution? Did the existence of a high rate of discount tend to bring back bullion into the Bank? This last question raised a very important point for inquiry in this country. For the first time a high rate of discount had failed to restore the stock of bullion held by the Bank of England, although it had ruled for some time past at 10 per cent. That high rate, indeed, had, as he (Mr. Akroyd) thought, tended rather to aggravate the prevailing distrust, for they had even heard of discredit attaching to English securities in the Continental money-markets. The demand for inquiry arose not only from the mercantile and trading classes, but also from the recognized organs of public opinion, which specially devoted themselves to the consideration of these questions. In the ordinary state of commercial credit bills of exchange formed the basis of mer-

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cantile currency, and there was little need for bank notes in business transactions, the proportion of these to bills not being one-twentieth part. But in times of panic, when credit was disturbed, there was more call for bank notes, and it was certainly very unfortunate that at the moment when Bank of England notes were most in request, the Bank Charter Act should step in and prevent the Directors of the Bank from augmenting their issues. In making these remarks he was far from intending to pass any censure upon the Directors of the Bank of England, especially as they constituted a joint-stock bank, not a national bank, and were bound only by the terms of their charter. He did consider, however, that they ought to possess a certain discretionary power similar to that which had been exercised by the Bank of France. He hoped that Her Majesty's Government would be disposed to assent to the Motion for an inquiry. The Government of this country showed a general desire to give what relief it could to suffering classes of the community, as had been conspicuously shown of late in the calamities which had fallen upon the agricultural body. Yet the mercantile community were now in a much more grave position, and he trusted the House would give the Motion of his hon. Friend the Member for Stockport its favourable consideration.

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to issue a Royal Commission directed to the investigation of the causes which have led to the late severe and protracted pressure in the money market, and to the continuance, for a long period, of a minimum rate of discount of 10 per cent at the Bank of England; and also to investigate the Laws at present affecting Currency and Banking in the United Kingdom, and to report what (if any) alterations have become expedient therein; and, further, that it be an Instruction to the Commissioners to present their Report and the Evidence taken by them on or before the 1st February, 1867."—(*Mr. Watkin.*)

SIR STAFFORD NORTHCOTE: Sir, I think no one can be surprised that this question should have been brought under the notice of Parliament. Indeed, I may go further and say that I think we should have been surprised if the question had not been brought before the attention of Parliament before its prorogation; for, undoubtedly, nothing would be more unfortunate than that an idea should be allowed to go forth to the country that

Parliament or the Government were indifferent to the serious circumstances which we have recently witnessed. Most assuredly there is no feeling of indifference on the part of the Government, and equally certain is it that there is no indifference on the part of this House. When so serious a state of affairs arises, and when such large interests are so gravely affected, it is, of course, natural that the attention of the House of Commons should be directed to those circumstances. But still more natural and still more imperative is it, when a measure has been taken by Her Majesty's Government pointing towards the suspension of an Act of Parliament, that some inquiry should be made in Parliament as to the grounds on which the Government of the day had thought it right to give their sanction to a suspension of the law, and that some question should be raised as to how far legislation can be held to be satisfactory and right with respect to which it is necessary from time to time to have recourse to so very serious a measure as that which was resorted to by the late Government with reference to the possible suspension of the Bank Act of 1844. Therefore the Government do not at all complain of the course which the hon. Member for Stockport (Mr. Watkin) has taken in calling their attention to the subject, and demanding, in the name of the country, an investigation into the circumstances in which we are placed, and into the state of the law as bearing upon the commercial distress and banking currency of the country. I may say at once, on the part of the Government, that they respond entirely to the feeling of the country and to the wish—which is obviously the wish of the House—that an investigation should take place into the position in which we stand, and into the causes, as far as it is possible to investigate them, of the commercial distress and the prevalence of the present high rate of discount. But as to the manner in which that investigation should be conducted, I hope I shall be able to satisfy the House—at all events, I shall have to state on the part of the Government—that in their opinion the measure recommended by the hon. Member for Stockport, the issue of a Royal Commission at the present time to inquire into these matters, with an Instruction, as he says, to report before the 1st of February next, would not be the best measure they could take. I am bound to ask the hon. Member for Stockport what exactly are

the functions which he thinks this Royal Commission of Inquiry should undertake. Is it to be a Commission which is to inquire into facts, or is it to be a Commission which is to inquire into principles? I think he will see that there is very great difference between the two. If we are to investigate a number of facts, requiring a great amount of time to ascertain and bring together, undoubtedly a Royal Commission may be, and very often is, a very convenient instrument for the purpose; but if we are to discuss principles, and if we are to investigate the principles upon which our legislation is founded, I do not myself think that a Royal Commission ought to be considered a proper substitute either for the action of the Government or for that of Parliament. If you were to appoint a Royal Commission in this case, for the purpose of investigating all the principles of legislation which affect our currency and banking, the first question that would arise would be, how is that Commission to be constituted? We know perfectly well that different opinions prevail, and are ably maintained by the different schools of opinion, on all the questions that bear upon this subject; and if a Royal Commission were to be appointed it would be necessary to place upon that Commission men in whose skill and intelligence, and in whose experience also, the country would have confidence. We also know that when it should become our duty to make a selection of the gentlemen—few in number as they necessarily must be—to be placed in that important position, we could not select gentlemen who were merely known to be gentlemen of intelligence and experience, but we should have to select gentlemen whose views upon these questions were perfectly well known and familiar to the world, and probably it would not be very difficult, as soon as they were named, and the object of the Commission made public, to foresee what the general verdict of that Commission would be upon some of the main principles which would have to be brought before it. If that were the case, at once the authority of a Commission, and therefore the use of a Commission as far as the investigation of principles is concerned, would be at an end. Those who were satisfied with the opinions of the gentlemen who might be the majority in the Commission would, of course, anticipate the proceedings, and foresee that their opinions would be well brought for-

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ward, well argued, and very ably, no doubt, elaborated; while, on the other hand, the minority, who would not be satisfied, would say, "Because you have constituted the Commission on this or the other basis, you have failed to obtain a fair verdict. We dispute, and have always disputed, the doctrines of those gentlemen forming the majority of the Commission, and we also dispute the conclusion at which they have arrived." This being the case, we should not be much forwarder when we got the Report of the Royal Commission than we are at the present time. I do not think it would be possible to obtain the Report of the Royal Commission if it were appointed at the early date named by the hon. Member for Stockport; but even when you had got the Report it would be necessary that the Government of the day should prepare measures of legislation founded upon or arising out of it, and it would be for the Government, after all, to consider whether they were able to adopt all the recommendations, or some of them, or whether, indeed, they should propose something entirely different from the Report of the Commissioners. I think we should be only preparing embarrassments for ourselves, and not forwarding any useful solution of this difficult question, by deputing a Royal Commission to go and look for a policy on the question of currency and banking. Now, the hon. Member for Stockport has said that it was not his wish to lead the House into a general discussion on the principles of our currency laws, and as far as it is possible in discussions of this nature he has kept to his pledge, and he has avoided leading us into many of those discussions on details which perhaps might have arisen upon this subject. He has said that all he desires is that a Commission should be appointed to investigate the facts bearing upon the causes of the present state of things. It is obvious, however, that when you come to investigate causes it is not sufficient merely to collect facts, but to collect them with a view to certain conclusions, and select them upon some kind of principles. When you investigate facts, the question of causes necessarily arises. But even were it possible for us to establish a Commission merely to investigate facts, I venture to ask the hon. Gentleman whether it is possible that the facts which would have to guide us to legislation could now be efficiently investigated. The hon. Member has said that to a great extent and primarily the existing commercial distress

results from the action of individuals and the imprudent conduct of certain firms. He says also that the consequences of the proceedings to which he refers are aggravated by the state of our currency laws. Well, then, the first thing would be to inquire into the details of these individual transactions. It would be necessary to ascertain how it has happened that the firms whose failures have led to such considerable embarrassment have got into these financial difficulties. I ask him whether, at this moment, when we have the remains at all events of the panic still upon us, and with a number of houses and firms still feeling more or less the shock of the panic—how far it would be possible to carry on the investigation so as to get at the truth of the facts? Would it be possible to go from this firm to that and to ask them, "What are the circumstances in which you find yourself placed? At what period was it that you began to find yourselves in a position of difficulty? What failures most materially affected you? Under what circumstances did you find it necessary to apply to the Bank of England for assistance, and under what circumstances did the Bank of England consider it necessary or prudent to refuse your application?" It would be impossible to expect answers to such questions as these, unless, indeed, the Royal Commission pursued its inquiry in secret. I ask the hon. Gentleman does he mean that the inquiry should be conducted in public or in secret? If the Commission is to inquire into such matters as those that I have referred to the common sense of every one of us will convince us that it would be necessary that its labours should be conducted in secret. But in that case the Report of the Royal Commission would be very materially impaired, because you would only have its conclusions, and in the absence of the evidence upon which those conclusions were founded the public would give to them just that weight which their former opinions predisposed them to give. I am bound to say that, in this case, and under these circumstances, it does not appear that a Royal Commission would be the best mode of carrying on such an investigation as is desired; and, even if it were the best mode, I think that just now, when we are still labouring under the effects of the recent commercial distress, the time would be particularly inappropriate for the issue of such a Commission. There is one other circumstance, bearing upon the present

state of things, to which I would for a moment advert, because I think I gathered from my hon. Friend the Member for Halifax (Mr. Akroyd) that he considers it a reason for inquiry at the present moment, though it seems to me to be a reason against immediate inquiry. I refer to the inquiry now going on in behalf of the French Government into many of the questions which bear materially upon the subject which we are now asked to issue a Commission to investigate. I confess I cannot altogether see the force of the hon. Gentleman's argument, that because the French Government has issued a Commission, therefore it must be a peculiarly appropriate time for us to do the same. I think the hon. Gentleman would have been nearer the truth if he had said that at a moment when we are expecting the results of that Commission, we should wait and see what are the conclusions at which it arrives, before we ourselves plunge into a similar inquiry. The inquiry directed by the French Government was begun nearly two years ago. The Commission has been carrying on a very minute and a very extended inquiry from the commencement of 1865, and as yet their labours have had no result. If, then, we are considering how we shall most rapidly deal with this question, I do not think we shall be greatly encouraged by the result of this Commission to plunge into another inquiry of the same character. It will be surely wiser to wait for the result of the French Commission before deciding whether we shall refer the whole question of the principles of our currency and banking system to a Royal Commission. With regard to the practical position of affairs, I think there can be no doubt whatever that it is one which requires the serious attention of the Government and of Parliament. If we look back to all that has taken place since the passing of the Bank Act of 1844, it is impossible for us not to be struck by the fact that there have now been three periods at which the operation of that Act has been found to jar upon the commerce of the country so sensibly that its provisions were of necessity suspended. That is evidently in itself a fact well deserving of investigation. Twice, indeed, already it has been made the subject of inquiry; and twice the Committees which have sat upon the subject—once in the House of Lords, and once in the Commons—have failed to produce any recommendations which have been accepted by Parliament as

indicating the mode of getting out of the difficulties that were attributed to the working of the Act. Now, again, for the third time, something of the same kind has happened. But upon the present occasion, as the hon. Member has pointed out, there are circumstances which distinguish the panic from the panics of 1847 and 1857. We have new facts before us, and it is undoubtedly reasonable to inquire how far the experience we have of the practical working of the Act renders it important and necessary, if we are to maintain the principle of the Act, that we should attempt to improve the machinery by which it is carried into effect. It would be most unwise and unreasonable if the Government were now to say, "We adhere with such tenacity to every detail of the Act of 1844 that whatever may be the experience of its working, whatever may be the inconveniences which are sustained at periods like the present, we will not permit or give our assent to a single alteration in a single provision of the Act." At the same time, if the Government were to assent to the inquiry, which points, or appears to point, to the Act of 1844 as one of the main causes of the difficulty under which we have lately laboured, and are now labouring to a certain extent—if we were to do this, I think the Government would be acting falsely and wrong, and would be creating an impression which they do not entertain that the commercial pressure and inconvenience may be traced to the principle of the Act of 1844, and that we must look to the repeal or material alteration of the Act, or the abandonment of its principle, for the cure of the evils which we find occurring periodically. I am bound to say that though the present Government are in no particular sense bound to defend the Act of 1844—that is to say, have no particular parental interest in that Act—yet, upon the whole, they do believe that the principles upon which the Act of 1844 is based are the sound and true principles upon which our currency should rest. Whether, however, consistently with that general doctrine, it is possible to introduce into the machinery of that Act any improvement which may render its working smoother and less inconvenient—whether the experience of the past panics and present crisis may suggest measures which may from time to time render financial pressure less severe, or which may give effect to the principles of the Act without producing the distress

which sometimes accompanies its operation—upon this point the Government can only say that they will give the matter their most serious consideration, will endeavour to investigate carefully all the circumstances which have attended recent panics, and especially the present crisis, will bestow earnest attention upon the details of the working of the Act throughout the present time, and if they find that it is in their power at the commencement of the next Session to propose any measure which, in their opinion, will improve its working, they will do so with the greatest pleasure. If, on the other hand, they find it is not in their power to propose anything likely to be satisfactory, then the Government will not object, but, on the contrary, will think it perfectly fair and reasonable that a Committee of this House should be appointed to inquire into the circumstances of the case and to investigate the position in which we stand. Should that course be adopted I think our position will be a far better one than if we were now to issue a Commission; because it must be obvious to every one that if any inquiries of this sort are to be of real use they ought to be guided by some general principle upon which we are tolerably agreed, and this is especially true of a subject like this, upon which so much controversy and difference of opinion has existed. Upon such a subject a mere fishing Commission which is to go and look for a policy without any decision by the House as to the principles upon which it is to proceed, is likely to do very little good and indeed to bear no fruit at all. We hope that we may be able to investigate the subject during the recess, and if we are able to introduce any measure next Session, that measure may be referred to a Committee of this House for examination. If, on the other hand, the Government, upon full consideration of all the circumstances of the case, think it impossible, without doing more harm than good, to introduce a change in the law, then the Gentlemen who are dissatisfied with that conclusion will challenge it in this House, and the Government will be perfectly ready to assent to the appointment of a Committee to consider the decision at which they have arrived, and before that Committee they will be prepared to justify the views which they may entertain. As I have thus stated the views of the Government upon this matter, and as I hope the House will believe that the matter is one which will receive our earnest,

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candid, and impartial consideration, I might, perhaps, abstain from saying anything more upon this subject. But there are one or two observations which I feel it important to make in order that our position and our views may not be misunderstood. The hon. Member (Mr. Watkin) has called attention to the fact that this is what is called a credit panic, and the hon. Member for Halifax has very correctly, I think, described what the peculiar features of a credit panic are, and how, at the moment when what is called the credit currency of the country collapses, there is a pressure upon the ordinary currency of the country, and the Bank Act of 1844 to a certain extent prevents the expansion of currency just at the moment when such an expansion is most desired by the public. I do not know whether the hon. Member infers that there should be such an expansion of the currency as should supply the want which the collapse of credit has occasioned. It is no doubt one of the peculiar and distinguished features of the commerce and adventure of England that it is so largely supported by the wonderful system of credit. It is impossible to exaggerate the immense value of the services which this system of credit has rendered to the industry of England. It has enabled us with a large capital to perform the work which otherwise would have required an enormous capital, and with a moderate amount of capital to do the work of a much larger amount. I understand the nature of the case to be something like this:—A manufacturer or merchant, carrying on business and having the command of a certain amount of capital, is enabled to invest the whole of his own capital in business, and to live, during the time his capital is out, and before it returns to him, upon the assistance which he derives from the unemployed capital of others. He is able, to a certain extent, to borrow the unemployed or loanable capital of others, in order to enable him to await the return of investments he has made. At a moment of pressure, when loanable capital becomes scarce, and must therefore be supplied at a higher price, no doubt the merchant or manufacturer who is living on the expectation of being able to borrow at a reasonable rate of interest finds his operations seriously embarrassed by the great rise in the rate of interest, and the difficulty of obtaining money. Nothing can be more natural than that such a state of things

should cause distress and inconvenience to the soundest and most legitimate business of the country. But we must remember that although the loanable capital of the country is large, it is not unlimited; and if a demand is made for loanable capital out of proportion to its amount, great as that may be, it is impossible it should not become scarce, and, being scarce, that it should not be high in price. That is, I believe, the real explanation of what has recently taken place. The hon. Gentleman says the capital of England is enormous, and he finds fault with the Chancellor of the Exchequer for saying that there is at the present moment a deficiency of capital, but it is perfectly possible that both these two propositions may be equally true, and that the capital of the country may be enormous and yet deficient. My right hon. Friend was speaking not generally of the capital of the country, but of that portion of the capital which is available for the purposes of loans and discounts. If you choose to lock up an enormous amount of capital in investments and securities, however excellent the undertakings themselves may be, if you cannot immediately and at pleasure withdraw it, of course the capital available for loans and the daily business of life is proportionately restricted. Setting apart altogether for a moment any question about imprudence or unsound speculation, that is in itself, I believe, the explanation of the circumstances in which we are placed, that an enormous proportion of the capital of this country, and a yearly increasing proportion, is locked up in securities from which you cannot immediately withdraw it. Look at the enormous sums raised for railways and for foreign undertakings in which the money of this country is invested. Look also at the immense amount invested in trade itself. I will not weary the House with statistics, but a Return which has been moved for by the hon. Member for Manchester shows that the amount of capital authorized to be raised by the railway and other Bills which have been passed this year and last is £176,000,000. The savings of the country are sometimes estimated at not more than £100,000,000 a year. Obviously the capital to be raised must come out of the savings of the country; and such large investments, however sound, which you cannot immediately withdraw, and the securities of which you cannot immediately realize, must necessarily produce a pressure upon the money-market, from which commercial

interests expect to be supplied. The whole question, therefore, comes to this:—If you find there is such a pressure, if it is the case that the commercial interests cannot supply themselves, if money is not at the rate of discount which they think they have a right to expect and upon which they have reckoned, because of the large amount invested in permanent securities which cannot be immediately realized, the question arises, ought anybody, and, if anybody, who is it that ought, to provide the trading interests with money to meet their demands? The question is, can you, and if you can, ought you to make money when money is scarce? I believe that is the real question at the root of these difficulties. It is a question upon which there are two opinions. People are divided into two hopelessly antagonistic schools upon the subject. There are those who say that the money which there is in the country represents the capital, the loanable capital, or gold, or this, that, and the other, for there are different theories as to what money exactly is. They say that when there is little you must cut your coat according to your cloth, and that if you have little money you cannot expect to be able to get a great deal of money cheap. There is the other school which says that when this is the case you ought to look to your credit, that money is only a form of credit, and that you ought not to attempt to cut your coat according to your cloth, but that you ought to make your coat of the size convenient to you, and that if you cannot get the cloth you ought to get something which looks like it. These are, I believe, the real differences which exist between opposite schools upon this question, and it is hopeless for you to investigate practical questions tending to legislation unless you have made up your mind on which of the two theories you intend to proceed. I have no hesitation in saying, on the part of the Government, that they are not of opinion that it is possible, or, if possible, that it is desirable, to meet the difficulties which arise when money has been used up and there is not a sufficiency of loanable capital in the country by any fictitious creation of money. That being so, in the inquiries they may institute into the practical working of the law as it now stands they will be guided by that principle, and they will endeavour to ascertain whether the details of the Act of 1844 can be so far modified as to enable the country to adhere to that principle without the inconvenience which at present

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arises. Unquestionably the inconveniences are such as no man looking at the subject impartially can fail to recognize. It is impossible to deny the truth of what has been stated by both the hon. Gentlemen who have addressed us, that at the present moment this peculiar kind of panic affects the credit of England, and that the operation of the law and the necessity for authorizing the suspension of an Act of Parliament have had a serious and prejudicial effect upon the credit of England. There is, in fact, so to speak, a run upon England which is not altogether justified by the circumstances of the case. It cannot be denied that as a run upon a bank may be occasioned by a small accidental circumstance, so a run upon a country like England may be occasioned by a matter which to those who understand it, and understand the working of our system, may appear small and insignificant, but which to foreign countries is a serious and alarming matter. When they hear of the suspension of a law they naturally think that there is some peculiar reason for withholding confidence from England; and it cannot be doubted that at this moment there is in foreign countries a want of the confidence which was formerly felt, and which we desire should be always felt, in the solidity and the credit of England. When we admit that to a certain extent that want of confidence is occasioned or aggravated by the action of the law and by the action of the Government supervening upon the law, do not let it be supposed for a moment that that is the whole explanation of the matter. Do not let it be supposed for a moment that by altering the law or getting rid of that anomalous state of things you will really restore the credit of England. If I have ventured upon these observations and this discussion, which may seem somewhat unnecessary at the present moment, it is because I am anxious to impress upon the House and the country that the Government does not believe, and we earnestly hope the country will not believe, that the difficulties under which our credit labours and the want of confidence that has been engendered is to be removed, or is capable of being removed, by any tampering with your currency and banking laws. Admitting, as I do, that there are inconveniences in the law as it stands, and that it is desirable, if you can do it, to alter the law, so far as to get rid of those inconveniences, I think those inconveniences are as nothing compared with the disaster which would

result from its being held out to the world and the commercial public of this country, that it is possible by any remodelling of those portions of our law to obviate the consequences of the imprudence or unsound trading, of which, unfortunately, we must admit there has been too much. If we are to go upon the principle of softening as far as possible the consequences of men's imprudence to themselves and others, we must beware that we do not encourage that imprudence and over-speculation which we have so much reason to lament. In the great success of our commercial enterprize there is something that is fascinating to us, and we are easily carried away by the great power we have of making our large capital do the work of a much larger capital; and, therefore, it is particularly necessary we should impress upon the people of England now that, if we were everywhere to unshackle and set no limits to enterprize, there is too much danger of enterprize rapidly growing into insane speculation. If the Government were indifferent to the sufferings of the commerce of this country, no doubt they would be greatly to blame. If they were unwilling to investigate the possible application of remedies, so far as these sufferings were occasioned or aggravated by legislation, no doubt they would be greatly to be blamed. In my opinion, they would be still more to blame if they were by any action or language of theirs to encourage the mischievous belief that it is possible to avert the consequences of reckless, imprudent, and unsound speculation by any measure tampering with our banking or our currency laws. In assuring the hon. Gentleman that the Government will look into this matter most carefully, and that it is their earnest desire, if possible, to legislate on the subject, or to invite the attention of the House to the subject, at the first moment at which they can give practical effect to their views, which cannot be earlier than the commencement of the next Session, I would venture to press upon him the importance of allowing us time to consider this matter, and to legislate calmly; and after due consideration, I would press him to withdraw the Motion he has now brought forward upon that assurance, and upon the ground, more especially, that if we now issued a Commission, we should be raising false expectations, and producing not good, but most serious evil, mischief, and danger to the country.

MR. FAWCETT most sincerely thanked the right hon. Gentleman who had just

spoken for what he had said. He thought the Government had come to a most just, wise, and proper decision upon the request of the hon. Member for Stockport. The Motion of his hon. Friend divided itself into three heads—an inquiry into the causes of the panic; an inquiry into the causes of the high rate of interest; and an inquiry into the effect of the Bank Charter Act; and by implication it was made clear that the Bank Charter Act had produced the crisis, and was at the present time responsible for the high rate of discount. Now, he considered that was a most unfortunate delusion, and he believed that if the Government had not stood firm and refused this Commission, they would most seriously have encouraged the unfortunate fallacy that the Bank Charter had produced or aggravated the crisis. His opinion had been alluded to, and he would at once frankly say that he was not one of those who had ever been a warm friend of this particular Act. He thought that when the Government came to investigate the subject they would discover that the Act could with great advantage be materially modified, and in such a way that there would not be a recurrence of the unfortunate anomaly that an Act of Parliament had occasionally to be suddenly and almost arbitrarily suspended. But let it not be supposed that he joined with those who thought that the Bank Act had produced the late crisis. The hon. Member for Stockport had told them with great truth that this was a credit panic; and, being aware of that, could any one of commercial experience who had witnessed what had gone on in this country during the last three or four years pretend for a moment to say that the Bank Act had produced the late commercial disasters? Those disasters had been produced by causes far deeper and more serious. A reckless spirit of gambling had spread itself over the commerce of this country. A new school had grown up who seemed to encourage the idea that wealth must not be made in the old-fashioned steady way—namely, by the careful and judicious application of capital to the employment of machinery and labour, but that a new discovery had been made by which even more than the dream of the alchemist of old had been realized, and wealth was to be produced by modern financing, or, in other words, by the skilful manipulation of bits of paper called bills of exchange. And this machinery went so far that he had heard it said that with only an enterprising engineer, an unscrupulous promoter,

a spirited attorney, and a bountiful supply of Lloyd's bonds, a railway could be carried from one end of the kingdom to the other. The game went on merrily for a time. Promoters were collecting princely fortunes, and directors were realizing in one year almost more than they had been able previously to acquire by a life of steady industry. But any person who had the slightest acquaintance with the principles of finance must have been certain that the day of retribution was near at hand. Those who lent with recklessness were sure to find themselves in such a position that they were obliged to demand repayment with stringency and severity, and that was the time when the Bank was pressed for loans, and people came forward and said, "We ought to have an institution in this country which will supply us with an unlimited quantity of cheap money," and if the Bank did not do that, they said that the legislation which controlled the Bank was faulty and ought to be modified. In his opinion, and he had watched as an outsider as narrowly as he could every fact connected with this crisis, the collapse had not come one moment too soon, and if the day had been by any legislation postponed, the only result would have been that the ultimate crash would have been far more disastrous. There was a gratifying fact connected with all our commercial difficulties. They had had the gloomy side presented to them that day, but there was a brighter side to the picture. He asked any hon. Gentleman of commercial experience in that House to point out to him a single large commercial concern which, having done a legitimate business, had succumbed in this crisis? He threw out the challenge, and he believed it would not be accepted. An hon. Friend of his, the hon. Member for Bury, one of the great merchants of the country, was telling him the other night that the legitimate trade of the country at the present time was in a thoroughly sound condition, and he said that he, for one, did not regret that this high rate of interest had been maintained for so long a time, for in years past legitimate traders had had to carry on a severe competition with persons who borrowed money, and now that there was difficulty in borrowing money, the legitimate trader would be restored to his proper condition. When the mania was at its height attentive observers might have well felt alarmed for the industrial future of the country. They saw an unfortunate spirit of gambling spreading

itself over the country, and that people were beginning to think there was a new mode of making money far faster than the old way which their fathers had been content to follow. He had heard more than one person say—and he heard it with fear and trembling—"During my life, although I have worked hard, I have never been able to make more than 10 per cent in business, and I have always considered that a fair trade profit, but if I only send my money to some stockbroker in London, there are numberless limited liability companies in which 12, 20, 30, and even 60 per cent can be realized, and why should I go on working as I have been doing?" This feeling had been spreading, and if it had spread much further, nothing more disastrous could have happened to the pre-eminent commercial greatness of this country. But the evil did not stop there. Money that was made without trouble or industry was spent recklessly, and a spirit of extravagance and luxury was spreading itself over the land, and its mischievous ramifications were penetrating into the heart of English society. He, for one, thought the Bank had been perfectly right in maintaining the high rate of discount. The hon. Member for Stockport told them that while this country had its rate of discount at 10 per cent, the rate in France was $3\frac{1}{2}$ per cent, and in other countries 4 per cent and 5 per cent. If people would rather invest their money in France at $3\frac{1}{2}$ per cent than in this country at 10 per cent, it implied, as the hon. Member for Stockport said, that our credit had been shaken, but he could not believe that it was the action of the Bank that had shaken our credit. If they looked at the proceedings of the Bankruptcy Court and the winding-up courts they could not be at much loss to see what it was that had brought about that result. Those who had shaken the credit of the country were the unprincipled promoters and the reckless directors who lent their names to a business which they never took the trouble for one moment of looking into. There was nothing bad in a moderately high rate of discount, for if the rate was high it showed that a high rate of profit was being realized, and a high rate of profit indicated that capital and labour were meeting with a bountiful reward. All that was required to restore our credit abroad, or, in other words, to make people abroad as willing to invest their money here as in their own country, to equalize, in fact, the rate of discount

throughout Europe, was to re-establish the fair commercial name of England abroad; and the way to do that was not to rely upon changing our legislation, but for the commercial public to make up their minds that England's commerce should not be conducted in that spirit of recklessness which had characterized it during the last few years. Though he was not in favour of the Bank Charter Act, he did not wish it to be supposed that he looked for any great advantages from its alteration. If it could be modified, and he believed it could, so as to prevent the necessity of frequent suspensions, a great point would be gained. But, on the other hand, he did not sympathize with those who thought that any great or peculiar advantages had been derived from the passing of that Act. England's commerce would have gone on much the same whether that Act had existed or not. At any rate, he was convinced that even if they repealed that Act it would not prevent a financial crisis, and would do nothing even to lower the average rate of discount throughout the country. It was said that there was not sufficient currency in the country. He believed that the currency, instead of having been unduly decreased, had greatly increased. There was no doubt that, owing to the gold discoveries, the quantity of gold had been quadrupled, and the currency of this and other countries had been so much increased, that throughout the world there had been a depreciation of currency, or, in other words, a general rise of prices. When hon. Gentlemen talked about increasing the currency, they should remember that increase of currency did not mean decreased power of borrowing, for if they increased the amount of the currency in circulation just in the same ratio they increased general prices, and they increased the amount they had to borrow for any particular object. He would only say, in conclusion, that even if the Commission or the Committee had been granted, the fact would have been indisputably established that the Bank had been managed with singular firmness, wisdom, and prudence, and that the Bank Directors were a body of men of whom any commercial country might be proud. They had not produced, they had not aggravated the crisis, but the crisis had been produced because the old simple economic axiom had been forgotten, that wealth could only be made by the application of capital to labour and to machinery, and because it had been

thought that wealth could be produced by a system called modern financing. Depend upon it wealth thus produced would soon prove to be illusory, and would fade away like a cloud before the summer sun.

MR. HUBBARD said, the hon. Member for Brighton (Mr. Fawcett) had thanked the right hon. Baronet the Member for North Devonshire (Sir Stafford Northcote) for his speech, and in his turn he desired to thank the hon. Member for Brighton for his valuable contribution to this discussion. That speech made it unnecessary for him to enter as largely as otherwise he should have done into some of the arguments of the hon. Member for Stockport (Mr. Watkin), who had introduced this subject with much ability, and imparted to the discussion an interest which, under other circumstances, it would not have possessed. He could not, however, concur in the opinion of the hon. Member for Stockport that this was a moment when such an inquiry as he asked for could be conducted with advantage; because, as the monetary pressure still existed, the passions and prejudices of persons must necessarily be aroused by the manner in which their interests were affected. It could not be denied that while on the one hand the subject of the administration of the Bank and the laws of currency did affect the interests of tens of thousands of industrious people, on the other hand we might deal with the question in such a way as to impair and shake the confidence of the public in a matter of primary importance—namely, the integrity of our system of currency. He must agree with the hon. Gentleman the Member for Stockport in lamenting that the late Secretary for Foreign Affairs had thought it necessary to issue a manifesto on the state of our monetary affairs to the Governments of other countries. He believed that circular had encouraged rather than allayed the apprehensions existing abroad as to the internal condition of this country; and one could not be surprised that it should have had that effect. There was one point in connection with the management of the Bank which he ought to notice, and that was the contrast drawn by the hon. Member for Stockport between the suffering and ruin which had occurred in so many commercial and industrial circles, and the large profits and gain of the Bank of England. It must be clear that not only the Bank of England, but every other lending corporation and every individual having money to

lend, must be a large gainer when the rate of interest was very high; but the profits of the Bank of England would appear small and diminutive as compared with those of other lending corporations when their relative capital and position were taken into account. And the House should remember that, although those who had borrowed had suffered, the lenders had gained, and that as both were citizens of this country, the gain as well as the loss would be felt throughout the Empire. He admitted that variations in the rate of interest were not desirable. The more equably we could maintain the value of money in loans, the better was it for the commercial community and the progress of industry. He concurred with the hon. Member for Stockport that considerable inconvenience must have resulted from the present high rate of interest to individuals who borrowed for the purpose of speculation; but when the hon. Gentleman said that those transactions had been entered into on the presumption that the Bank rate would not rise beyond 5 per cent he could not concur with him, because, to take that view, he must suppose that those persons had lost all remembrance of the many oscillations of the rate of interest which had taken place within the last few years. The high rate of interest might have many disadvantages; but when the hon. Member for Stockport charged the high rate of interest as the means of arresting the employment of labour, he must dissent from that proposition. There could be no doubt that to arrest the employment of large bodies of the labouring classes was a very great evil; but it was his conviction that there must be something exceedingly unsound in the adventure or business in which an employer was engaged if a rise in the rate of interest could occasion a sudden cessation of his operations; and he must take leave to confidently assert that no case could be found in which a high rate of interest was chargeable with producing such a state of things. It was not interest at the rate of 10 per cent on bills at short periods that would throw out of gear the operations of large labour establishments, and deprive of employment hundreds and thousands of men. That result was attributable to other causes. One of these causes was the operation of companies started with the expectation of gaining enormous profits by speculative business — obtaining popularity by disin-

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genuous and extravagant statements, but never satisfactorily carried out, and ending in ruin to the last shareholder. The hon. Member for Stockport had charged the Bank of England with being the cause of the existing pressure, and he said, "Look at your bank notes and cheques—in these matters the country is richer than ever; why should it be put to this inconvenience?" Now, he (Mr. Hubbard) was free to admit that the country was richer than ever—that its capital had increased, and that it was outstripping all past experience. But of those who were engaged in the race for wealth, many were men who, not being educated for commerce, desired to grow rich in a moment; they embarked all the capital they could command or borrow, and they maintained no reserve on which they could fall back in periods of difficulty. He applied that censure not only to the commerce of the country, he applied it distinctly and with deliberation to the way in which banking had lately been carried on. Competition up to a certain point was most useful and most salutary; but when carried to extremes was apt to drive men into measures which in their calmer and cooler moments they would have reason to regret. Private bankers had accepted the position of rivals to the joint-stock banks, allowing interest upon deposits not merely at a rate such as they could obtain themselves by holding Government stock or Exchequer bills; but driven by competition they allowed a rate of interest which could only be recouped by becoming themselves investors in railway securities, in foreign bonds, and in engagements of long date and difficult of negotiation. Hence, when the hour of pressure came, they were perfectly helpless, and obliged to apply to the Chancellor of the Exchequer. He did not wish it to be supposed that the difficulty which had arisen, and the existence of which he did not deny, were attributable either to the Bank of England or to the high rate of interest, and when the hon. Member for Stockport said the difficulties which they were labouring under were difficulties occasioned by legislation, he thought it would have been fair of the hon. Gentleman to describe more clearly what kind of legislation he meant. There were two kinds of legislation on the subject. If the hon. Member meant that legislation which had regulated with too little circumspection the promotion of railway companies, he (Mr. Hubbard) agreed

with him, and if he meant the legislation which had given the utmost license to the propagation of limited companies, without subjecting them to that deposit of capital which would be a security for the fulfilment of their engagements, he also agreed with him. But if the hon. Member attributed the difficulties to the legislation which had taken effect with regard to the currency, he must venture to differ from him entirely. The hon. Member for Stockport, in a distinct and definite way, had addressed certain questions to the House affecting the finances of the Bank of England, and expressed a desire to receive a categorical reply to them. He had, also, addressed some very important and searching questions on the management of the Bank of England. The hon. Member asked why the management was so different in 1866 to what it had been in 1857? In 1857, when a moment of difficulty occurred, the Bank of England placed £2,000,000 of notes to the credit of their reserve, and that amount immediately became available for the relief of necessities. The hon. Member for Stockport was satisfied with what took place then, but he was dissatisfied with what had been going on now. He (Mr. Hubbard) would explain why those £2,000,000 of notes were carried to the credit of the Bank reserve in 1857. The notification from the Government to the Bank of England in 1857 was, he believed, identical with the notification made during the present year; but in 1857 the contingency provided for in the Government letter had actually occurred, and the Bank of England, in the exercise of their discretion in making loans, had passed the amount of credit notes permitted by the Act of 1844, so that it became necessary at once to add £2,000,000 of notes to the reserve. Now, however, this was not the case. In 1866 the Bank had not passed the ordinary limit of their issue, and therefore they had no occasion to create a specific amount of notes in order to replenish their reserve. If the hon. Member imagined from that, however, that the action of the Bank had been less liberal and less extensive on the present occasion, he was entirely mistaken. The hon. Member asked, "Why did you not make £5,000,000 of notes?" But if they had done so they would have had them all in hand to-day, and of what advantage would that have been? The circulation out of the Bank walls was, on the 9th of May, £22,345,000; on the

16th of May it was £26,121,000, that was to say, nearly £4,000,000 of additional notes had been issued up to that date. On the other hand, the securities indicating the actual amount of the advances made stood on the 9th of May at £31,778,000; and on the 16th of May at £41,780,000, that was to say, the difference, showing the extent of the action taken by the Bank and the Chancellor of the Exchequer, was not £5,000,000, with which the hon. Gentleman would have been satisfied, but £10,000,000 and upwards. He need hardly say more to show the extent of the relief afforded as the consequence of the letter placed in the hands of the Bank of England. The retention of the 10 per cent rate was very distasteful to the hon. Member for Stockport. The Bank reduced the rate of discount in 1857, when the reserve had increased to £7,500,000, but with what consistency could the Bank be asked to lower the rate of interest and relinquish the advantages of the Government letter, when, as the hon. Member himself stated, the reserve in the Bank was only £3,400,000? [Mr. WATKIN: They should have applied for another letter if it was necessary.] To relinquish a letter one day, and the next day ask to have it given back again, would have been a proceeding covering the Bank with ridicule, showing, as it must do, that they did not know their own minds. The hon. Member should bear in mind that the Bank had to consider not merely the state of affairs in Liverpool and London, but also on the Continent, which tended to create difficulties which not even the high rate of interest could effectually guard against. The hon. Member for Stockport had laid down what appeared to him (Mr. Hubbard) to be an exceedingly dangerous proposition, and that was that the supply of currency ought to bear some direct proportion to the progress of trade. Practically, the supply of currency, depending as it did on the influx of bullion, was unlimited. But he denied that any analogy such as was here sought to be sustained could be established between them; for greatly as our trade had been increased, and effectively as its various operations had been carried on, the multiplication and extension of banking expedients had more than counterbalanced that extension of trade. The general diffusion among all classes of the community of the use of banking accounts and cheque books had mitigated materially the necessity for holding a large amount of bank

notes. And all these banking expedients, and the extension of all those economizing means, were to be hailed with gladness and satisfaction as long as they were not carried to any dangerous extreme, because they economized the use of that capital for which in our day so many means of employment existed. Many charges had been brought against the Bank Act, which was said to have failed on three distinct occasions. The hon. Member for Stockport was kind enough to inform the House what were the objects of that measure. According to the hon. Member one of the objects was convertibility of bank notes, another the convenience of trade, and the third, avoidance of panic. Let it for once be understood what the Bank Act really was. The Bank Act said not a word about panics—not a word about the convenience of trade. [Mr. WATKIN: No, but its supporters did.] Well, if the purpose of a measure were to be tested by what fell at any time from the lips of enthusiastic advocates, he did not believe any Act in the world had answered its purpose. He thought the Act ought rather to be allowed to speak for itself; its provisions were exceedingly brief and clear. It drew, not one day too soon, a legal separation between the two distinct offices of banking and of issue. It did this on the ground, which it was of primary importance to establish, that, while banking was an industry which ought to be as open as the day and as free as air to every one, the province of issuing or coining paper into money was an Imperial function. It was of the utmost importance that this truth should be established, and that they should not go back, as the hon. Member seemed inclined to do, to the old confusion between banking and issue as a way out of the difficulty. This was a point which he trusted no Government would surrender, but would preserve for the advantage of the whole country. Credit paper being in some degree of an arbitrary nature, but being at the same time based on experience, should always be a defined quantity. It was not capable of being treated with a lax discretion; the quantity must be limited and defined; and the Bank Act limited and defined it. That Act now provided that the Bank might issue on securities to the extent of £15,000,000 and no more, and that was the clause which was assumed now to have been abrogated. But he would ask the House to consider what that abrogation meant. The Act was intended for a cer-

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tain purpose, and it was found to be so perfectly master of its position, and so capable of bearing its own weight, that it had been burdened sometimes with a great deal more, and burdened successfully. That to his mind was not an abrogation of the principle of the Act. He would offer an illustration: a bridge might be thrown across a river, and to ensure that it should not be tasked above its strength, a limit might be placed upon the amount of traffic to pass over it. But some time afterwards another bridge in the neighbourhood having broken down, and it being certain from long experience that the remaining bridge would bear an additional amount of traffic beyond the amount to which the limitation applied, a further stipulated weight is permitted to pass over it. Surely the permission to carry this further traffic cannot be construed as a declaration that the bridge had failed to accomplish its primary purpose. The Bank of England was the bridge; the Bank Charter Act the regulation limiting the traffic. The Bank, under the Act, had been able to bear the whole burden imposed upon it, and with such ease and certainty that when a suspension of commercial credit had arrived, it was possible to impose upon the Bank the burden of issuing a subsidiary currency without that subsidiary currency being exposed to any risk of inconvertibility. His hon. Friend seemed to imagine that the going back to the state of the Currency Law antecedent to 1844 would put us in a happy and prosperous position; but what would have been their position when the collapse of credit arrived had the Act of 1844 not been passed? He presumed his hon. Friend would not say that the collapse of credit was the fault of the Bank Charter Act, and that to it was to be attributed the fact that bankers kept no reserve. He would endeavour to show the position in which the Bank of England and the country would have been if they had been proceeding under the old system. The average amount of bullion held in the last five years of the old system was no more than £6,700,000; while during the last five years the amount of bullion held was upwards of £15,000,000. If the reserve of the present year had not exceeded £7,000,000, and it had been subjected to the influences which had recently been brought to bear upon the Bank, the panic would not have been arrested by the additional issue of something less than £1,000,000 in bank notes; the inter-

nal drain would have been much greater, and the occurrence of many bank casualties would probably have resulted in the suspension of cash payments by the Bank of England. He therefore ventured to affirm that the principle of the Bank Act had proved victorious, and that it had triumphed over the great difficulties placed in its path, and all he lamented was that the language used with respect to it had tended to throw an unfavourable gloss over its operations. The true description of the recent intervention would have been that it was a letter sanctioning, if need be, the creation of an additional amount of credit notes for a limited circulation. So far from the Bank being in danger it was because it was so strong that it could safely be intrusted with the power to issue more notes. He held very strongly, indeed, that any operation which had the appearance of interference with the nature of the credit paper of the country was a great evil, for the creation of which no justification could be found. But he did not deny that it was incumbent upon the Government to find a summary remedy in the emergency which had occurred; nor did he insist that pressure and panic would result only from our system of currency. In the town of Hamburg, with only a silver currency, a crisis occurred in 1847 which resulted in the failure of 140 commercial houses; and he was of opinion that no system of currency could avoid panic and failure. The first duty of the Government undoubtedly was to ensure under all circumstances the convertibility of that currency which was the basis of all monetary transactions; and when that was done then let them find some means of meeting the difficulties occasioned by the collapse of private credit. This was, perhaps, not the moment to say all that might be said on the subject; but he trusted that, whether the Government did or did not during the recess mature some plan which they might bring up for the consideration of the House next Session, at all events, when the House met again this might become a matter for investigation. He could assure the hon. Member for Stockport, on the part of the Bank of England, that they would cordially welcome any inquiry that might be instituted, for that nothing would be farther from their desire than to shroud themselves even for a time under a veil of secrecy. His own impression was that the question should be treated in the same way as one of the great fundamental principles of the Constitution was dealt with. The

Habeas Corpus Act had been suspended in Ireland; but no Act could be passed declaring under what circumstances the Habeas Corpus Act should be suspended in future; its suspension must be left to the discretion of the Legislature. The matter under discussion demanded attentive consideration, which might lead to some useful legislation; but in no case should encouragement be given to the banking world to assume that, in any emergency, they had a right to ask the Government to supply them at any price with a reserve which they should in common prudence have secured for themselves.

MR. GLADSTONE: I am afraid that the period of the Session is too far advanced to admit of the adequate discussion by all the Gentlemen who feel an interest in the subject of the numerous questions relating to the present state of our monetary affairs. For my own part, so anxious am I not to trespass unduly upon the time of the House, that I shall confine my remarks within a very few minutes. My main purpose in rising is to accept as far as it belongs to me a share of whatever responsibility may attach to the determination of the Government to decline to accede to the proposal of my hon. Friend the Member for Stockport for the appointment of a Royal Commission to inquire into the working of the Bank Charter Act and the recent or present monetary crisis. Not only in that portion, but in its whole scope and extent, the speech of my right hon. Friend the President of the Board of Trade was as eminently satisfactory as it was clear and interesting. With regard to the appointment of a Commission, I think that we ought never to ask a Government to undertake a function which it is impossible for them to perform with any approach to satisfaction. Now, in appointing a Commission to inquire into the question of the currency, they must take one of two courses, because there is no answer to the remark of my right hon. Friend, that an inquiry into the recent circumstances of the money-market absolutely involves causes and principles as well as facts. That being so, the Government must either select the members of the Commission from one particular school of politicians, united in principle, with a determination on the part of the followers of other schools to renounce and repudiate and discredit the whole of the proceedings of the Commission from the very first, or else the Government may proceed impartially by combining on the Commission the

most eminent men of the different schools of currency, and in that case they must expect to receive three or four Reports from the Commission, because we are none of us sanguine enough to believe that the work of conversion and conciliation would go on amongst distinguished professors of the different schools. And I must say that, whatever might be the result of that Commission, I am convinced that, so far as it related to causes and principles, it would not weigh with this House. Charged as we have been for half a century with all the interesting discussions and considerations of the principles relating to the currency, it would be a great innovation to deliver over the prosecution of that subject into other hands, and the effect of that innovation would, I believe, be injurious and detrimental to the progress of the question itself. My right hon. Friend has stated that the Government will consider the question during the recess, that if they find themselves in a position to propose legislation to Parliament, they will do so on their own responsibility, and that if they should not, they will make no objection to the institution of a Parliamentary inquiry, if it should be desired. I think that that announcement is in both its branches perfectly fair; indeed, I am afraid that in one respect my right hon. Friend was disposed to go a little too far. I understood him almost to promise that if a measure was introduced by the Government, it should be referred to a Select Committee. Now, I do not think that a question of this magnitude and intricacy could with advantage be referred to such a Committee after it had once assumed the definite and determined form which it must have taken in order to be presented in the shape of a Bill to this House. Only recommending further consideration on that point, I think the Government have pursued the right and proper course, and exercised a wise discretion in the announcement they have made. My right hon. Friend has manfully asserted that, in his opinion, the success of the Act of 1844 has been general and unequivocal, although it may remain perfectly open to us to inquire with propriety and advantage what Amendments may be introduced into that Act. And certainly, I had thought that it was admitted, I will not say upon all hands, but generally amongst those who were practically conversant with monetary questions, and who have acquired the greatest authority upon those subjects, that in many

respects at least we must recognize the great benefits derived from the working of this Act. At any rate, the convertibility of the bank note, the first object of a system of currency laws, has been placed beyond the smallest question—not only beyond the reach of absolute danger, but beyond the slightest taint of apprehension or suspicion. The whole system of meeting foreign drains has been so completely established, and is now so generally understood, that we may fairly say that so far as foreign drains are concerned there is no longer any apprehension or difficulty either in the present or the future. Well, but the solution of that problem is, of itself, a most important fact. The Bank Act of 1844, as has been stated by my hon. Friend who spoke last, likewise laid down a principle of great importance, and one which, I hope, will never disappear from our statute book, but will, on the contrary, acquire increased recognition as circumstances may permit—I mean this principle, that the whole business of issue is the business of the State—and that where that function is exercised by any body other than the State, it must be considered as exercised by delegation only. The profit of issues belongs to the State, and what is much more important than the profit is that the responsibility of issue also belongs to the State, and for my part I must confess I know not upon what principle we can justify—I speak now of the system of currency which prevails in England—I know not upon what principle we can justify, except as a provisional and temporary arrangement, the circulation of instruments under the name of promissory notes, which are intended to pass, and which do habitually pass, from hand to hand, unguaranteed, unsecured—resting solely on private responsibility, performing work which it is the duty of the State to perform, and yet without any security from the State sufficient to secure the holder of those notes from loss. And this leads me to remark upon a point which has not been noticed, I think, either by my hon. Friend the Member for Stockport or by any other hon. Member in the course of this debate. I must say that when this Parliamentary inquiry comes to be instituted, or when the attention of the Government is directed to this subject, I most earnestly trust it will not by any means be confined to the working of the system of the Bank of England with respect to the crisis in which we have

been involved. The character of this crisis has been a banking crisis. I cannot help thinking that we have been somewhat too severe throughout this discussion upon the general commerce of the country. That commerce, so far as I have been able to observe, has been in a sound and satisfactory state. The charge of excessive speculation and recklessness is not applicable, I think, to the manner in which for some years the general commerce of the country has been carried on. It appears to be one of the satisfactory incidents of the transition we have made from a system of restriction to a system of freedom, that our commerce is not only vastly more extensive, but more sound and solid. As regards the banking business of the country—as regards the making of investments—as regards the holding, or I should rather say the non-holding, of reserves—as regards the practice of showing reserves upon paper, which reserves themselves have been lodged in investments—as regards the practice of making enormous advances, not upon the well-considered credit of individuals, but upon speculations and undertakings of every kind, enormous in extent, and often wholly unjustifiable in their quality and character, being in fact irrecoverable at the proper time, and illegitimate for bankers, even if they were legitimate for any other parties—as regards these, and more than these points, we have had for some time past a very unsound and unsatisfactory state of things. But now, with regard to banking, I hope hon. Gentlemen will not leave out of view the part which has been played by the unsecured and unguaranteed private circulation in this country during the present crisis. What have we been labouring under? Why is the rate of discount charged by the Bank kept up at 10 per cent? It is because of the limited condition of its reserve. And why is the reserve so limited? Because of the immense demand consequent upon banking discredit—the immense demand made upon the notes and coin of the Bank. Notes and coin have been called to supply this want. But what part has been played during this period by the country bank circulation? Has that circulation been found available for the wants of the country? There has been an immense demand for notes and coin, and under these circumstances, if the country bank circulation had been in a satisfactory state, it is evident that not only the notes and coin of the Bank of England

but those of the country banks themselves would have been largely drawn upon. Instead of that, however, we have seen the country bank circulation actually diminished by not less than £1,000,000 at the very time of this drain on the Bank of England. And how has the place of this £1,000,000 been supplied? Why, by an enhancement of the drain upon the Bank of England. It appears to me, therefore, that we find this most unsatisfactory result—that that £1,000,000 of notes in the coffers of the Bank of England, which would have been such a valuable addition to its reserve, has been withdrawn in consequence of the position in which the country banks have been placed. I have not given, and am not going to give, utterance to an opinion, nor am I suggesting that any measure should be adopted that would savour of harshness to the issuers of country bank notes. Still less am I endeavouring to fix upon them or seeking to imply that the country bank issuers have acted either prudently or imprudently in the conduct of their business. Into that question I do not enter. But I think that the system upon which those issues are at present founded, is a bad system. It is a system entirely at variance with the spirit and intention of the Act of 1844, it is entirely at variance, I think, with the laws which ought to regulate our currency. I hold that no bank note ought to circulate in the country unless it is just as secure to the holder as a sovereign. I only wish further to say one word with respect to the letter of Lord Clarendon, which was written shortly after the Government letter to the Bank. My hon. Friend (Mr. Watkin) stated that the effect of that letter was to enhance apprehensions entertained in foreign countries on the subject of English credit. I know not whether that was the case. It is the first time I have heard the statement; but this I can say, the object of that letter was to remove that apprehension and alarm and discredit which already had been propagated abroad—I know not why, inasmuch as this was not the first occasion upon which a suspensory letter had been issued by the Government in reference to the Act of 1844. But undoubtedly it is a fact that that letter, acting on a more susceptible state of mind, was understood abroad as amounting to a suspension of cash payments. That was the construction put upon it; and I think that no later than by return of post there came an offer—a most friendly offer

—from the French Government to assist us with a supply of bullion. It was in consequence of that extraordinary misapprehension, which appeared to be doing great mischief, that it was thought wise by my noble Friend—and I confess I concurred in that opinion—to explain that nothing had occurred to alter the general character of English credit, and to point out the circumstances under which the crisis had arisen. I think, however, it is unnecessary now to enter more fully into those matters with regard to which the working of the Bank Act may be a fair subject of Parliamentary inquiry. Undoubtedly, although it may be said on the one hand that we have had many of those Committees—we have had them in 1832, in 1842, in 1847, and again in 1858 and 1859—yet this fact remains, that each crisis in succession developed new circumstances. The present crisis, in particular, has had a very novel and marked character of its own, in consequence of its being so much connected with the management of banking business, in fact, with the action of what, I think, my hon. Friend the Member for Brighton (Mr. Fawcett) in one of his interesting works calls the lending capitalists as distinguished from the industrial capitalists. It has been a crisis mainly connected, not so much with the conduct of commerce properly so called, as with the employment of money, and I think, upon that ground alone, the Government would be justified, if it should be the general desire of the House, and if, which I should prefer, they do not at once make any proposal of their own, the Government would be justified in bringing the whole case before a Parliamentary Committee; and I believe the House would not be indisposed to accede to such a proposal.

Mr. HENLEY said, he had listened with some surprise to the statements made upon the subject in the course of the debate. He was not going to dispute the allegations of the hon. Member for Brighton (Mr. Fawcett), and still less those of his hon. Friend (Mr. Hubbard), that there had been a great amount of gambling, or what might very nearly be called swindling, going on in these companies, which had been the principal cause of all that trouble, and that the crisis had not been entirely occasioned by the existing state of the law. His right hon. Friend the President of the Board of Trade (Sir Stafford Northcote) had told them that it all arose from the short amount of loanable capital with

reference to the demand upon it. He would not attempt to controvert either of those propositions. There was, however, one proposition that lay deeper than either, and that was that the difficulty arose from the vast increase of banking operations. They all knew that those operations had of late years been greatly extended—that every chandler's shop had a banker, and the use of a banker now was not to take care of money for people, but to lend them money. But a question which lay deeper than that was this—Had or had not the system which had grown up from extensive banking, and which was called “financing,” been operated upon, and partially, if not mainly, increased by the working of the Act of 1844? That might seem a paradoxical question, but let them look at what immediately took place after the passing of that Act, and they would find from the evidence adduced before the various Committees which sat on that subject that the action of the Bank of England then changed—that whereas before that time the Bank of England was somewhat above the market rate of interest, after that period, directly money was cheap, they became such competitors in the open market, that they went below the market rate—their figures being under those of the great houses of Gurney and others. He saw an hon. Gentleman shaking his head, but he had the figures in his pocket, if there was any doubt about the fact. Not only was that stated, but the Governor and Deputy Governor of the Bank also stated that they did not at all look at the nature and origin of the transactions connected with the paper offered to them, but only to the security; and it was perfectly clear from the evidence that the great money houses which dealt in all that questionable paper, and upheld all those questionable finance houses, instead of being checked by the Bank of England, were so strong from the peculiar position of the Bank, that they took that paper to the Bank, and they were forced to discount it. All these facts stood upon the Reports of the various Committees, and therefore it might be a matter for inquiry how far the great immorality, as it had been called, which now existed, had been in a great degree, he would not say created, but left without any possible check by the great monetary body which up to that time had put a check upon it, and would not touch paper of a kind which it was not necessary to attempt to name. All these were questions which

must arise. He was not at all prepared to say that the Government had not come to a wise decision as to a Commission; but if they had arrived at such a conclusion, he did not see the use of having a Committee afterwards, which would be quite an idle proceeding. He agreed with the right hon. Gentleman the Member for South Lancashire that, in matters of that nature, any change which was to be made should be proposed by the Government on their responsibility, and not sent to a Committee upstairs afterwards.

MR. J. B. SMITH moved the adjournment of the debate.

THE CHANCELLOR OF THE EXCHEQUER said, he had no objection to the proposal, but all he could undertake to do was to give this question precedence of the Orders of the Day on Friday next.

Debate adjourned till this day.

IRELAND—HARBOUR OF REFUGE ON THE EAST COAST.—QUESTION.

MR. FITZWILLIAM DICK said, he wished to ask the Chief Secretary for Ireland, Whether his attention has been directed to the great necessity that exists for a Harbour of Refuge on the Eastern Coast of Ireland, particularly between Wicklow and Waterford, where of late years, for want of which, so many vessels have been lost; and whether it is the intention of the Government to take any steps in the matter next year?

SIR STAFFORD NORTHCOTE, in reply, said, the Question was one which more properly belonged to the Department of the Board of Trade than to that of the Secretary for Ireland. The matter was one of great importance, as there was no doubt that a considerable number of wrecks had taken place on the Eastern Coast of Ireland; but, so far as he was aware, it had never been suggested that a harbour of refuge was required on that portion of the coast to which his hon. Friend referred. He believed the wrecks were occasioned by the vessels running on the Arklow and other banks, and it was more important to warn vessels off the coast than to give them facilities for going near the coast. At the present moment an inquiry was being made as to the lighting of those banks, and he thought it possible that some arrangement would be made between the Trinity House and the Board of Trade for some improvement in the lighting of that coast. It was not in contemplation

to take any steps for constructing a harbour of refuge.

METROPOLIS—WATERLOO BRIDGE.

QUESTION.

MR. ALDERMAN LAWRENCE said, he would beg to ask the First Commissioner of Works, Whether, in consequence of the large number of persons who will be turned out of their homes in the neighbourhood of Temple Bar and the Strand by the clearing of the site for the New Courts of Justice, he will bring in a Bill in the next Session of Parliament for the purchase of Waterloo Bridge and opening the same to the public free, there being no free bridge between Blackfriars and Westminster Bridges, a distance of nearly two miles?

LORD JOHN MANNERS: Sir, it is not my intention to introduce such a measure.

METROPOLIS—LONDON UNIVERSITY.

QUESTION.

MR. BERESFORD HOPE said, he wished to ask the First Commissioner of Works, Whether he has any objection, in compliance with the intimation made by his predecessor, to exhibit, for the benefit of Members, the design which Mr. Penne-
thorne has been commissioned to make for London University, proposed to be built in Burlington House Garden?

LORD JOHN MANNERS: It is impossible for me to exhibit the design referred to by the hon. Member, as it is not in my possession.

MINES.—QUESTION.

MR. CLIVE said, he would beg to ask the Secretary of State for the Home Department, Whether he will introduce a Bill next Session founded on the Report of the Commission appointed to inquire into the condition of all Mines in Great Britain to which the Act 23 & 24 Vict. c. 151 does not apply?

MR. WALPOLE: The only answer I can give at present is, that I think some Bill will have to be introduced on the subject, but as to the provisions of such Bill I cannot at present form any opinion.

INDEMNITY BILL.—QUESTION.

MR. HADFIELD said, he would beg to ask the Secretary of State for the Home Department, Whether, after passing this Session the Parliamentary Oaths Bill and

the Qualification for Offices Abolition Bill, he considers it necessary for any, and what, reasons to introduce a yearly Indemnity Bill?

MR. WALPOLE, in reply, said, the Act would be clearly unnecessary with reference to those offices alluded to in the Act of *Geo. IV.*, but there were Acts of older date which he did not think that the hon. Gentleman's remarks applied to. He was now inquiring into the matter, which was a complicated one, and he hoped by Thursday next to be able to say whether a modified Indemnity Bill would be required. He thought that it would.

DISTURBANCES IN JAMAICA.

RESOLUTION.

MR. BUXTON rose to call attention to the concluding paragraph of the Report of the Royal Jamaica Commission, namely—

"That the punishments inflicted were excessive; that the punishment of death was unnecessarily frequent; that the floggings were reckless, and at Bath positively barbarous; that the burning of 1,000 houses was wanton and cruel;"

and to the further statement of the Commission that among the sufferers—

"There were many who were neither directly nor indirectly parties to the disturbances;"

and to move the following Resolutions:—

1. "That this House deplores the excessive punishments which followed the suppression of the disturbances of October last in the parish of St. Thomas, Jamaica, and especially the unnecessary frequency with which the punishment of death was inflicted.

2. "That this House, while approving the course taken by Her Majesty's Government in dismissing Mr. Eyre from the Governorship of the Island, at the same time concurs in the view expressed by the late Secretary of the Colonies, that 'while any very minute endeavour to punish acts which may now be the subject of regret' would not be expedient, still, that great offences ought to be punished;" and that grave excesses of severity on the part of any Civil, Military, or Naval Officers ought not to be passed over with impunity.

3. "That, in the opinion of this House, it is the duty of Her Majesty's Government to award compensation to those whose property was wantonly and cruelly destroyed, and to the families of those who were put to death illegally.

4. "That, since considerably more than 1,000 persons are proved to have been executed or severely flogged on the charge of participating in these disturbances, all further punishment on account of them ought to be remitted."

He said: No one need fear that in supporting these Resolutions he would run any risk of hampering or increasing the responsibility of any Governor or other

Mr. Hadfield

official who might have to deal with any insurrection that might arise on future occasions. He did not ask the House to express any opinion whatever upon anything that was done during the suppression of the disturbances. On the other hand, he wished it to be clearly understood that these Resolutions meant nothing else than a decisive and emphatic condemnation of the excessive severity with which the disturbances had been punished after they had been suppressed and authority had been completely restored; while, *per contra*, those who might vote against these Resolutions would in the first place be incidentally censuring the course taken by the late Government, but much more than that, they would, so far as in them lay, be expressing a deliberate approval on behalf of the British people of the excessive severity with which the disturbances had been punished. With regard to the proposal for compensation, of course the funds must be supplied by the mother country, as the acts were done by English officers under the authority of the Governor. Now, it had been officially proved that besides mill-houses and so forth, 1,000 dwellings had been destroyed by the troops. A great deal had been said about these houses being mere hovels of no value. But on this point he would read the description given of them by one of the gentlemen who took part in destroying them, and which appeared in the *Army and Navy Gazette* of December 16. The writer said—

"This morning found us again on the march for Somerset, a rebel settlement. I could have wished to sketch this extraordinary place. In Ross Island the rebels lived in comfort, at Mount Lebanon in affluence, but in Somerset it was downright luxury; boarded houses, cedar tables and chairs, quantities of beautiful glass and china, carved mahogany bedsteads, &c., display an amount of comfort unknown in England even, and when to this we add the horses, mules, pigs, poultry, and extensive provision grounds, it makes it all the more remarkable that people like this should rebel. Whoever wants to see a crop of coffee let him go to Somerset and Mount Lebanon. Passing through this beautiful spot, and firing every house in it, except three, we then recrossed the river."

The late Governor of Jamaica, Sir Henry Barkley, stated in one of his despatches that he was reminded by the negro settlements in the hills of the villages in Switzerland, and says—

"They have a decided air of progressive civilization and comfort about them," and speaks of "the thousands of well-cultivated settlements, with their tastefully arranged cottages and gardens, bespeaking the prosperity and comfort of

the occupants, and presenting a cheering prospect of the future."

Let him add that the suffering of the people from the destruction of their houses was shown to have been most severe. The misery of the women and children from hunger and cold in the mountains was actually mentioned by one officer in his despatch. With regard to the last Resolution there were at the moment when he was speaking, fifteen persons under sentence of penal servitude for life, eleven for twenty years, two for ten years, and another for two years' hard labour, on account of their connection with this so-called rebellion.

COLONEL NORTH: Can the hon. Member give a detailed account of the crimes for which those men were sentenced? [*Cries of "Order!"*]

MR. BUXTON said, he did not complain of the interruption of the hon. and gallant Gentleman. He would enter fully upon that part of the subject presently. Surely Her Majesty's Government might well be satisfied with the execution and flogging of nearly 1,100 persons, and the destruction of 1,000 homes belonging to the so-called rebels, and it would be only just and prudent to pardon those few unhappy wretches, the gleanings after the harvest of vengeance. He must now dismount, if he could, some of the pleas that had been advanced in defence of the authorities. The main plea that had been put forward was that the outbreak at Morant Bay had its origin in a deep, dark, widespread conspiracy to massacre the whole white population of Jamaica, to overthrow the authority of the Queen, and to establish a Republic after the model of that of Hayti. Perhaps it might suffice if he quoted the deliberate statement of the Royal Commission, that—

"The conclusion at which they had arrived was decisive as to the non-existence of any such widespread conspiracy."

But lest anyone should dispute the dictum of the Commission, he felt it necessary to enter with some minuteness into this very important question. The outbreak at Morant Bay clearly arose from some violent local squabbles about the land on which the negroes had settled, and from which they were expelled. Their irritation was greatly increased by their feeling that justice was not to be got in the Courts, and the negroes, debarred from what they supposed to be their rights, were seized with a desire for vengeance against the indi-

viduals by whom they conceived themselves to have been wronged. He should not be justified in concealing his belief that at any rate the leaders of the riot at Morant Bay meant mischief, perhaps even murder against Mr. Herschell and Baron Ketelholdt, who had taken an active part against them. A negro named Lawrence on the morning of that day advised Dr. Major not to go to the vestry meeting, and afterwards informed Mrs. Major that "there was a great disturbance, but that she need not be under any apprehension about the doctor." He had no doubt the aim of the rioters was to murder, or, at any rate, to illtreat those two individuals, and there was no reason whatever, except vague bits of talk reported afterwards by excited persons, for believing that they had any design of overthrowing the authority of the Queen or massacring the white inhabitants. They came down a mere unorganized horde, as every witness but one or two described them, armed only with the hooks used in cutting canes and bushes, and sticks and stones, except the muskets which they snatched from the police-station on their road, and which had neither flints nor powder. When they advanced upon the Court House, finding the Volunteers drawn up in front of them, they flung stones, wounding some of the company, and among others its captain, who thereupon, quite justifiably, for the Riot Act had been read, gave the order to fire. According to Corporal Marks some twenty negroes fell killed or wounded. This maddened the mob, and, rushing upon the Volunteers before they could reload, they seized some of their rifles and drove them all inside the Court House. The Volunteers began firing from the windows, the negroes, in return, firing upon them; but it was a remarkable fact that those wounded in the Court House were shown in evidence to have been shot with gravel, not with bullets. The negroes at last set the Court House on fire, overpowered the whites, of whom eight civilians and seven Volunteers, making a total of fifteen, were killed, besides three old pauper negroes said to have perished in the ruins. Thirty-six or thirty-seven others escaped with their lives, though mostly more or less injured. During the whole of that night the town was in complete possession of the rioters; yet not a single other white person was touched. Did this square with the theory of a design of massacre? Moreover, Paul Bogle, the undoubted head

of the movement, retired on the night of the 11th with a large body of rioters to Stony Gut, about six miles north-west of Morant Bay; and though he, if any one, knew what was meant, he had nothing to do with the two murders, these being committed by a mob without a leader, which started from Morant Bay, and traversed the eastern end of the island, plundering on their way several houses whose owners had fled. A book-keeper, said to have been a mulatto, was beaten and wounded while nobly defending his master's property, and died sixteen days afterwards. Some of the rioters turned aside to attack Amity Hall. The occupier, Mr. Hire, who had made himself exceedingly hated for the part he had taken in expelling the negroes from the back lands, was cruelly beaten and died the next morning. His son and two others were also wounded, but another Englishman, who was ill in bed, was unmolested. The next morning when some of the rioters returned and found Mr. Creighton severely wounded, they tended him with great care, and he recovered. They did not kill any other white or coloured persons, but went on along the east coast, plundering the houses which had been deserted on their approach, until on Sunday, the 15th, they reached Elmwood, about thirty miles from Morant Bay. On that day troops were landed at Port Antonio, twelve miles distant, and either owing to the news of the landing or to the movement having spent itself, the disturbances then entirely ceased. Between 100 and 200 English people were on these estates, and no doubt they were terribly frightened; but, although the negroes were in complete possession of the disturbed districts from Thursday morning to Sunday, the 15th, two, and only two, persons were killed, against one of whom they had special causes of irritation, and both these were killed on the first day after the outbreak. But what appeared to him absolutely to refute the surmise of an intended massacre was that though the Manchioneal district was in the very centre of the disturbances Mr. Fleming, a magistrate, and two Miss Flemings, the Rev. Alfred Bourne, two Master Bournes and a nurse, Miss Gibbs, and Mr. Dobell remained at Bettis Hope, and not one of them was so much as insulted, although their presence was well known to all the negroes of the district. In fact, Mr. and Miss Fleming intrusted themselves to the negroes for concealment during the first

Mr. Buxton

few hours of alarm. Judging the rioters by what they actually did, and not by a few wild cries or words, the irresistible conclusion was that a general massacre was no part of their design. At first, moreover, it was generally believed that they intended also to seize on the persons of white women; but, in fact, only one coloured woman, Mrs. Hitchins, was treated with much insolence, and that was all. The next plea by which the excessive punishments were justified was that the negroes had been guilty of such horrible cruelty to some of their victims as to demand the meting out to them of almost any amount of vengeance. On that point he did not think it possible for the warmest advocates of Governor Eyre to justify his conduct. In his despatch of October 20, nine days after the massacre, the Governor wrote officially to Mr. Cardwell—

“The most frightful atrocities were perpetrated. The Rev. V. Herschell is said to have had his tongue cut out whilst still alive, and an attempt is said to have been made to skin him. One person, Mr. Charles Price, was ripped open and his entrails taken out. One gentleman, Lieutenant Hall, is said to have been pushed into an out-building, which was then set on fire, and kept there until he was literally roasted alive. Many are said to have had their eyes scooped out. Heads were cleft open, and the brains taken out. The Baron's fingers were cut off, and carried away as trophies by the murderers;”

and then Mr. Eyre went on to attribute these atrocities to the women who were present. And now it was proved beyond all dispute before the Commission, by the medical men and others who examined the bodies, that the Rev. V. Herschell's tongue was not cut out, that no attempt had been made to skin him; that Mr. Price, the negro, was not ripped open, and that Lieutenant Hall was not roasted alive; that no eyes were scooped out, no brains taken out, nor, as some said, mixed with gunpowder and drunk; and the Baron's fingers, though chopped with the cutlass, were still hanging to his hand. How could the Governor of the Island be justified in not having taken the small trouble of inquiring from Dr. Major or Dr. Gerard whether these rumours were true? The result of his neglect was terrible. It was an actual fact that a girl—she was said to have been a fine-looking young woman—was tried by a court martial and sentenced to be hung, but recommended to mercy. Brigadier General Nelson officially informed General O'Connor that he hung her in spite of this recommendation to mercy. And these were his own almost incredible words. He said—

"The atrocities perpetrated by women on the occasion of the massacre of Baron Von Kettleholdt communicated to me verbally by the custos, Mr. Georges, decided me to confirm the sentence, and ignore the recommendation for mercy."

That is to say, General Nelson hung this woman, not because she had been proved to have perpetrated these atrocities, but because he was told by Georges—who would appear again in a most disgraceful aspect—that women had committed atrocities; whereas, ten minutes' inquiry would have shown that no atrocities had been committed at all. So much for that plea. A third plea had been loudly put forward by some of the more foolish advocates of the authorities—namely, that the hanging, shooting, and flogging of these 1,100 people was necessary, because, forsooth, the force at the disposal of the Governor was so small that had it not been, as it were, supplemented by measures calculated to strike terror into the disaffected population, the authority of the Queen, nay the very existence of the European population, would have been exposed to extreme danger. This view was expressed with great force and clearness by the hon. Member for Beverley (Sir H. Edwards) in addressing his constituents last winter. He said that but for these severities not a white person would have been left alive in the island. Now, had the Governor's force really been so slender and the enemy so powerful that it was the turn of a hair whether the European population was massacred and the colony lost or not, then he (Mr. Buxton) admitted that we could not find fault with almost anything that might be done in such a fearful emergency. But what were the real facts? The official return from Admiral Hope, of October 9, proved that at the time of the outbreak there were in Jamaica thirteen vessels of war, and just 1,700 men, whereof eight vessels and 1,135 men were available at short notice for active service about the island. In the Governor's very first despatch he referred to most of these vessels, and further mentioned two regiments of regular troops, while in a subsequent despatch he stated the number of these troops, at the time of the outbreak, at having been 1,000 men. Two additional battalions were immediately fetched from Barbadoes and Nassau, giving him 700 additional troops, so that he had 1,700 regular disciplined soldiers, in addition to the force of 1,135 men on board the various men-of-war. This amounted, therefore, to a regular force of nearly 3,000 men. More

troops were ordered from Halifax, and two vessels of war were sent to his assistance from Cuba. But, again, in his very first despatch he speaks of the militia under Colonel Lewis, the Volunteers, who soon amounted to 700 men, the pensioners, the marines, the mounted police, the Royal Artillery, and a force of some 300 or 400 maroons, under an experienced colonel. At the head of this very considerable force was Major General O'Connor, Brigadier General Nelson, and Admiral Hope. What was this overwhelming enemy with which this force could not be expected to cope, and into whom, therefore, it was necessary to strike terror by measures of tremendous severity? Why, in the first place, the enemy had no existence. The Governor himself said that the so-called rebels had no organization. Their only arms were the hooks with which they cut the sugar canes, and some very few guns; and the only difficulty with which the troops had to contend was that of discovering the rebels, whose only object was to escape. In one of his despatches to General O'Connor, Governor Eyre said—

"Even in the districts where the rebellion actually broke out there was no attempt to resist the troops. An organized force of thirty-five men marched through the heart of the disturbed districts, from Port Morant to the Rhine beyond Bath."

Before those severities, to which he should subsequently refer, were exercised, it had become evident that the movement in St. Thomas-in-the-East had not been followed by the faintest shadow of a shade of disturbance in any other part of the island. Silly people went on writing panic-stricken letters, but even what might have seemed at first the splendid success of the rioters, had not stirred a single negro in any other district to move a finger against the authorities. In fact, he was almost reminded of the old story of the skipper's reply to his terrified lady passenger, "Yes, ma'am, there's a great deal of fear, but there arn't no danger." Looking to these facts, he was utterly amazed that any one, who had any regard for the honour of England, dared to maintain that all this hanging, shooting, and flogging that went on for more than a month was necessary, because otherwise the negroes would have shaken off the Queen's authority, and driven the white inhabitants into the sea. Perhaps he had made too much of that despicable plea. He was sure that the right hon. and gallant Gentleman opposite would scorn to put forward an argument at once

so cowardly and so futile. Then, again, it had been said that Governor Eyre had shown such wisdom and coolness in refusing to put Kingston under martial law, when strongly urged to do so, that we ought to confide in his judgment with regard to the other measures taken by him. Why, did those who urged this, remember that Kingston was forty miles to the west of Morant Bay, while the rioters went away to the eastward; that Kingston was separated from the disturbed districts by a chain of mountains; that General O'Connor was there with a considerable force; that not the faintest semblance of disaffection was exhibited by the people in that district, and that the occasion on which the Governor was thus urged by some frightened people was on his return from Morant Bay, when, according to his own official statement, the rebellion was got under. Had he proclaimed martial law at Kingston, at that time, he could never have held up his head again; he would have lowered himself to the level of such panic-stricken cowards as Dr. Bowerbank. With regard to Brigadier General Nelson, a despatch of his had been quoted a hundred times, as showing his prudence and humanity. Why, that despatch was not written, until the whole thing was over, on November 3. Nay, it was not addressed to any of the columns that went after the rebels, but to an ensign who was sent with a company to occupy a permanent post on the mountains. So much for the pleas that had been put forward to justify the acts of the authorities. He now came to the question, what these acts really were—and he would at the outset make two concessions, which might almost seem to go to the verge of extravagance. But he did not desire to go an inch beyond what truth and justice required; and for fear of running the shadow of a risk of any possible exaggeration, he would in the first place resist the strong temptation to make any use of that vast mass of evidence, much of it of a most telling kind, which had been given before the Commission by the negroes or their friends; nor would he use the abundant narratives written by eye-witnesses, written at the time or afterwards; nor would he deal with any cases which had already drawn the attention of the public; he would not enter into the atrocities committed by Provost Marshal Ramsay, or the sufferings of Mr. Levien and Mr. Bruce, or on what, *primâ facie*, would certainly appear to be the murders committed by Ensign Cullen

and Surgeon Morris; nor on the doings of Colonel Fife when hunting the fugitives with his Maroons, nor on the terrible case of Mr. Gordon, because he understood that it would be brought forward by far abler hands. He could not, however, refrain from expressing his deepest indignation at the way in which efforts were made to ruin the character of that man, who in his heart he believed to have been of a most generous, noble, and kindly nature—and especially his scorn for Dr. Bowerbank, not only for the active part he took in his prosecution, but for coming to this country for the express purpose of blackening his memory. Throwing aside all this vast amount of material he had mentioned, he would confine himself wholly to official statistics, returns, and despatches. Of course, that would preclude him from any attempt at eloquence; it would make his speech dry and dull. Nor could he hope to touch the feelings of the House; but he believed he should in reality attain best what he wanted—namely, the deliberate decision of the House of Commons on the case, by avoiding anything that could be thought sensational, and appealing to the calm judgment of the House alone. Again, he would make another still larger concession. As he had said at the outset, he would refrain from touching on the acts done while the disturbances lasted. For argument's sake he would admit the truth of what had been so often said, that it was not right for us, sitting at home at ease, to criticize the acts done by men in a great emergency. He would not, then, dwell upon what was done until the insurrection had become entirely extinct, and the moment of peril and alarm was completely passed. Well, then, the dates of the events became of great importance, and he begged the attention of the House to them. The Report of the Commission showed that on the following Sunday Paul Bogle's party at Stony Gut were panic-stricken at the rumoured approach of the troops, and fled; while the other mob of rioters who had gone along the east coast vanished, either on hearing of the landing of the troops twelve miles off at Port Antonio, or because the movement had spent its force. But in the Report of the Commissioners before them, there was no dispute as to the facts he had mentioned. The rebellion, disturbance, riot, or whatever they might call it, became extinct on Sunday, the 15th. [Mr. Buxton proceeded to quote a large number of extracts from Governor Eyre's despatches and his address to the

Legislature of Jamaica, and an official entry, the upshot of which was that the rebellion had been completely got under by Sunday, the 15th.] The hon. Gentleman proceeded to say that by that time it was known that the outbreak on the previous Wednesday had not produced the faintest disturbance in any other part of Jamaica beyond the parish of St. Thomas-in-the-East. He should not be acting at all unfairly towards the authorities, if he took Monday, October 16, as his starting-point. However, he wished to go to the furthest extreme of fairness. He would, therefore, concede that this was too short a time for the panic to have subsided. He would give the authorities a few days more for growing cool. He would jump on as far as the end of the week after that of the riot—until, in fact, the tenth day in the history of the affair. By that day, beyond all possibility of denial, everything like peril or panic, or what might be called an emergency, was over. The Government wrote officially to Mr. Cardwell, saying that on the 21st he refused the aid of two Spanish vessels of war, “because long before their arrival we had got the rebellion under.” Everything, therefore, done after that Friday, the 20th of October, was done in deliberate cold blood, not as precaution but as punishment alone. Now, let them mark this. On that day, October 20, fifty-three persons were executed. On and after that day, exclusive of all who had perished before, considerably more than 300 persons were put to death. But now he would go into detail; and, first of all, he would take the proceedings of Lieutenant Adcock. Lieutenant Adcock, in his despatch, considered the state of the country quiet throughout the district. He expressly says, in his despatch, “I consider the state of the country perfectly quiet throughout this district;” but on and after Friday, the 20th, he burnt fourteen houses and a meeting-house, and executed thirteen persons in that perfectly quiet district, besides flogging a large number more. Captain Ford again, who commanded a troop of mounted Volunteers, at the very end of October, said—

“This morning we made a raid, and got back by 4 p.m.; then had a court martial. Several were flogged without court martial, on a simple examination. One man, a schoolmaster, got fifty lashes; one man 100; eight were condemned to be hanged or shot.”

But now they would turn to the district about Manchioneal, where that party of

English had remained perfectly untouched in the house of the Rev. Alfred Bourne, thirty miles away from Morant Bay. He would make no complaint of the fact that seventy persons had been put to death before Friday, October 20, but he found that on that day seven persons were executed, eighteen more before the end of October, and in November nineteen in addition; and scarcely any of those were accused of anything worse than rebellion. James Henry, for example, was charged with riot and stealing; Thomas Miller, with plunder; Samuel Bailey, as a constable joining rebels. Nay, even so late as November 11, a month after the outbreak, Alexander Wilson was hung as having been a spy, and inciting to rebellion. One man was put to death for blowing a shell at Manchioneal, another man for being concerned in rebellion, and so forth. In addition to these executions we find that at Manchioneal Captain Hole condemned thirty men to 100 or 150 lashes each, and many to lesser amounts, not one of whom had committed any offence greater than that of being with the rioters, and stealing. One, for example, was condemned to 150 lashes for having in his possession a mustard pot belonging to some Mr. Jones. Seventy-three persons were condemned to tremendous corporal punishment, and he (Mr. Buxton) blushed to say that in the official list seventeen women were stated to have received thirty lashes each with the cat-o'-nine-tails, though only charged with stealing. But this was not all. Exclusive of the above, sixty-one persons were condemned to long terms of imprisonment by Captain Luke or Captain Hole, of these, ten received 100 lashes, but in addition were condemned, six of them to ten, and four of them to five years' hard labour, and this for no other offence whatever, except that of having used seditious language, which in the eye of English law is no crime at all. Nearly all the rest had received fifty lashes each for the same offence, and had in addition been condemned to hard labour or penal servitude. Exclusive of all these, Captain Luke and Captain Hole, so late as October 28, and going on to November 13, condemned twenty-nine women for various periods of imprisonment and hard labour, sixteen of them to five years' hard labour. Of all the atrocities—for he would not hesitate to call them so—committed by Captain Hole and Captain Luke, none was more painful than the fact that a man

named Donaldson was actually put to death by Captain Hole simply because he would not betray his friend "who was believed"—those were the official words—"who was believed to be guilty of complicity in the murder of Mr. Hire." Without the deliberate assurance of the Commissioners to that effect, could the House have credited that an English officer put a man to death in cold blood because he would not betray his friend? Again, three of Captain Hole's soldiers straggled away, or rather went out on a little shooting expedition of their own, and reported on their return that they had shot ten rebels, three of them supposed to have been mixed up in the murder of Mr. Hire; and they brought with them two cartloads of plundered property, part of which had belonged to that gentleman. Captain Hole's idea of discipline was shown by his writing an official despatch to Brigadier General Nelson, in which he reported "that these three men had done good service." How completely the rebellion was extinct at this time was clear from a subsequent passage, in which he said—

"A great number of prisoners have been brought in, all of whom seem to vie with one another to make amends for their late delinquencies by capturing all the people concerned in the late rebellion."

It was almost amusing to find this officer claiming to have rescued the Rev. Alfred Bourne and the party at Bettis Hope, who had not been in the smallest danger, and who only wished to remain quietly where they were. A black soldier, a deserter, shot ten persons without trial, and purely on his own hook; but not the slightest attempt was ever made by Captain Hole to identify or to punish him. Turning westwards towards Monkland, not a single act of slaughter, only one of plunder, was attributed to the rebels in the whole of this district. But here, again, on Friday, October 20th, no less than twenty-nine persons were executed by Colonel Hobbs, among them Arthur Wellington, whom he put up to be shot at, at 400 yards, and who was stated by the most trustworthy witness not to have been killed until the seventh shot. He did not complain of the leniency shown by the Commission to the authorities, but delicacy of feeling, perhaps, was carried to excess when they justified this transaction. After the melancholy end of Colonel Hobbs' career, he (Mr. Buxton) need not cast any blame upon him, but in truth the responsibility of his proceedings

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lay elsewhere. In his evidence before the Commission poor Colonel Hobbs, when required to do so by the Commission, produced a letter which he said was not a private letter. It came to him in an official envelope; it was signed by Colonel Elkington, with the addition of his initials as Deputy Adjutant General; and Colonel Hobbs swore that this letter it was that caused him to act as he had done. This letter was as follows; it was dated so late as October 18:—

"Dear Colonel,—I send you an order to push on at once to Stony Gut, but I trust you are there already. Hole is doing splendid service with his men all about Manchioneal, and shooting every black man who cannot account for himself (sixty on line of march.) Nelson at Port Antonio hanging like fun by court martial. I hope you will not send any black prisoners. Do punish the blackguards well."

This letter was followed the next day by a formal despatch, in which the Adjutant General ordered Colonel Hobbs to make Monklands his head-quarters—

"Hunting out all the rebels you find, and the Major General hopes you will deal in a more summary manner with them, and on no account forward prisoners to this place."

Unquestionably, after receipt of these despatches, it was not Colonel Hobbs, but his superiors, on whom the responsibility mainly rested of the executions that ensued. There was, however, one feature with regard to them which deserved some notice. It was officially stated by Colonel Hobbs that the twenty-seven persons put to death on the 20th of October were all executed on the testimony of one single witness; and it turned out that this witness had himself been sentenced to death, but his life had been spared on the express condition of his making himself useful to the authorities. Besides the seventy-seven persons put to death, Colonel Hobbs flogged a large number, who, he says, "were chiefly youths and had been arrested as fugitives in the woods," and, he added, "the writhing and intense agony of the lash is frightful to witness." He goes on—

"I adopted a plan which has struck immense terror into these wretched men; far more than death; that is, I caused them to hang each other. They entreat to be shot to avoid this, which appears to me to be a far more dreadful ordeal to them than death;"

and then added, "I fired all the houses from which the inhabitants had fled;" and he afterwards goes on, "Your letter of approval of my proceedings has encouraged us to fresh energies," and accordingly the next day he shot four more and

flogged several who were "indirectly connected with the rebellion." Strangely enough for an official despatch, Colonel Hobbs proceeded to remark that what he had seen was "calculated to endear a man to the Established Church." So far (continued the hon. Gentleman) we have been dealing with the proceedings of subordinate officers who had had no instructions beyond those contained in letters and despatches such as those from Colonel Elkington. Now, let us turn to what took place under the direct superintendence of the authorities. What a relief it must be to pass from the sickening scenes at Manchioneal and Monklands, to the Administration of justice under old and experienced soldiers like General O'Connor and Brigadier General Nelson, nay, under the very eye of the Governor himself. Here again, starting with Friday, October 20, we find that on that day, at Morant Bay alone, 19 persons were hung. The next day, Saturday, 18 were hung. On Monday, 19, including poor Mr. Gordon. On Tuesday, 14; Wednesday, 10; Thursday, 13; Friday, 13; Saturday, 11. On the following Monday, October 30, 18 days after the outbreak, 12; on the Tuesday, 14; on the Wednesday, 15; and still later 23 more persons were hanged. I say "persons," because I grieve to say that seven of those who were hanged were women. It would naturally be supposed that the 189 persons who, in batches, day after day, were consigned to the hangman at Morant Bay alone, had been guilty of aiding at least in the slaughter of Europeans. That was not so; for the official proceedings proved that of these 189 persons only twenty-five were even so much as accused of having been guilty of murder, or assisting in the commission of any murders, or even of any attempted murders; while all the rest were consigned to the gallows at this one place, by this one tribunal, upon no other charge except that of having been engaged in the so-called rebellion; and of these rebels three were women, Justina Taylor, Mary Ann Francis, and Letitia Geoghagan. Nor were these 160 or more persons, men and women, even rebels taken red-handed in armed resistance to authority. But what made this case still more terrible was the reflection that the trial of these poor wretches at Morant Bay was conducted by a court martial, consisting of Lieutenant Brand, assisted by Lieutenant Errington, or Lieutenant Taylor, and Ensign Kelly, or Ensign Cole; and these young gentlemen com-

menced their proceedings at eleven in the morning, finished them in the afternoon, and then, says Brand, in his flippant and shameful evidence, "he went off to his dinner," while the poor wretches whom he had been condemning were put to death, often under circumstances of shocking torture. Lieutenant Errington, who superintended 130 executions, says—

"Occasionally the sailors had to assist the poor wretches to death, pulling them by the neck, or pushing the knot down closer to the neck;"

and we are told elsewhere, though not officially, that sometimes large stones were put upon the necks of the sufferers to put an end to their fearful struggles. But now here is another frightful fact. On the 30th of October, Governor Eyre officially proclaimed—

"That the wicked rebellion lately existing in certain parts of the county of Surrey had been subdued."

He adds—

"The chief instigators thereof and actors therein have been visited with the punishment due to their heinous offences; and I am certified that the inhabitants of the districts lately in rebellion are desirous of returning to their allegiance."

Now, will it be believed that on and after the day of the publication of these words more than 100 negroes were executed, of whom sixty-four were executed at Morant Bay, with the express sanction and approval of Brigadier Nelson? It would be said, no doubt, that these men who were put to death after this solemn proclamation of the Governor must, of course, have been murderers. That was not so. Of the sixty-four men hung at Morant Bay after the publication of this amnesty, forty-six were charged with rebellion only, not with complicity in any murder. But, besides all these, 202 persons were flogged at Morant Bay alone, and great numbers were also condemned to long terms of imprisonment. Only in a very few cases had it been possible to discover what grounds the officers constituting the courts martial had for proving the guilt imputed to the prisoners. The Commissioners had discovered that three persons were hung merely for having taken a part in the petty local riot some time before the outbreak at Morant Bay, while three others were convicted, to use the words of the Commissioners, "upon affidavits made behind their backs by persons who, for anything that appeared to the contrary, might perfectly well have given their evidence in open court." Five persons were

convicted at Port Antonio, on the unconfirmed testimony of a man who had himself just been sentenced to death as a spy; and actually, one of the persons thus convicted on the evidence of the condemned man had been one of the witnesses against him. He then adverted to the case of George Macintosh, who was hung because he had, as the witness deposed, attended a meeting in Gordon's house, and had been much opposed to the "respectability of the parish," although he had been seen attempting to dissuade the rioters from committing further mischief. This charge was made by a petty local officer. What a shocking crime! Opposed to the respectability of the parish! And this man was hung on the very day when Governor Eyre was writing his despatch, sending away the two ships of war from Cuba, because, in his own words, the rebellion had been got under long before. But now let him give a single specimen of Lieutenant Brand's administration of Justice. On the 3rd of November, some days after the proclamation of amnesty, Lieutenant Brand's court martial tried seven men, and hung them. Not a single one of the seven was so much as accused of any complicity in any murder, but only of rebellion, and one of them of treason. Let us select the case of this traitor: they had an official minute of his trial. The leading witness against him was Mr. Georges, and Mr. Georges himself mentioned, as part of his accusation, that the prisoner had used some insolent words of himself. Now, Mr. Georges had been convicted on several occasions of assaults and other offences against the negroes about him. However, his main charge against Samuel Clarke was, that in July, three months before this outbreak, at one of the so-called Underhill meetings, Clarke used some words of a seditious character. The reporter who was at the meeting also came forward to give evidence against Clarke, and gave an account of his speech, which also might have been regarded as indicating disaffection; but then the reporter and Mr. Georges gave a perfectly different account of what he had said. But then, in addition to this, Mr. Georges declared that when Mr. Cardwell's reply to the Underhill meetings was posted up, this man Clarke actually said of it, "It's a damned lie; neither the Queen nor Mr. Cardwell has ever seen the petition from the poor people of St. Anne's." Lieutenant Brand was forced by the Commissioners to admit that this proclamation was not

signed by the Queen, but only by Edward Cardwell, so that in fact this poor fellow was hung for treason because he had accused the late Secretary of State for the Colonies of telling a "damned lie." The poor fellow appealed to Mr. Georges whether he was not an industrious man—a carpenter, who often brought the canes from his little freehold to be ground at Mr. Georges' mill; and he further pleaded, that at the time of the outbreak he was not living in the disturbed district at all, or anywhere near there, and that on hearing he was looked for by the police, he gave himself up, and had now been in prison for seventeen days. When he (Mr. Buxton) read the minutes of the proceedings in this case, he could hardly believe his eyes when he found that nothing else was charged against the prisoner, and that there was not so much as the faintest hint of his having been connected in any way with the recent riots, and yet that he was sentenced to be hanged for words used months before. What could add to the blackness of this black story? He blushed to say there was more. He was almost ashamed to tell what followed. It was proved before the Commission by four several witnesses that Samuel Clarke, this poor industrious carpenter, was one of a batch of prisoners who were flogged the day before his execution by Provost Marshal Ramsay, simply, as it would seem, as a kind of little gratification for that worthy after the labours of the day. After the flogging Ramsay thus addressed them:—"Damned brutes; Damned Baptist brutes! Damned political brutes, lie down;" and then they were marched as usual to the hanging-ground to see the dying agonies of their fellow prisoners. The Attorney General's clerk also swore before the Commission that he was present when General O'Connor said to him, "Oh, Clarke, is that you? Your brother was hung three days ago, and you will be hung on one of those trees." The witness added that the poor fellow on hearing it trembled fearfully. Could anything else be added to the blackness of this story? Yes; in tracking it through the blue book he found to his amazement a despatch of Governor Eyre, which shows that actually this man Clarke was one of a batch of prisoners whom he sent himself on October 31, the day after his own proclamation, from Kingston, an unproclaimed district, to be tried, or rather to be executed, at Morant Bay. He refused to join in the prosecution of

Mr. Eyre for the wilful murder of Mr. Gordon, because he thought he really believed that Gordon was a conspirator ; but he had in vain searched for any possible explanation of his conduct in putting Clarke to death, except that Clarke had made himself hated by Mr. Georges. If so, the act was neither more nor less than murder. Such is a specimen of the treatment of the 189 persons who were put to death at this one place. He could have wished to close his hateful task, but he should be accused of a want of candour if he did not mention the proceedings of the court martial at Uppark Camp, which is highly praised by the Commissioners for the great regularity of its proceedings, in contrast, of course, with those of the other courts martial. It must be remembered that Uppark Camp is close to Kingston, forty miles from the disturbed districts, and was under the immediate eye of General O'Connor and Governor Eyre. Well, but the Commissioners themselves tell us that this court martial, whose great regularity they praise, actually hung one man against whom, say the Commissioners, the only offence charged was the use of a few words said to be seditious while he was confined in gaol for some other offence. This order was executed on the 27th of October. This same court martial, so admirable as compared with the others, on the 9th of November, ten days after Governor Eyre's own proclamation, hung Alexander Hargate for rebellion alone, and for alleged treasonable language. This same court martial, so highly praised, condemned a long list of persons to most fearful punishments, not for anything they had done, but for words they were said to have said, which, as he said before, in the eye of the law of England, is no crime at all. In fact, when you have no overt act, nothing but somebody else's loose evidence of what somebody said, proof of the commission of the crime is absolutely impossible. Well, for this crime of talking. Richard Houghton was condemned to 100 lashes and ten years' hard labour ; Richard Afflick to 50 lashes and five years ; James Frazer to 100 lashes and five years ; Joseph Scott to 100 lashes and ten years ; William Donnan to the same ; Robert Pike to the same ; Richard Thompson and Philip Berry to the same ; and many others to similar punishment on similar grounds as described in the appendix to the evidence taken before the Commission. He was almost sorry to have confined himself

to official documents. How could he expect to rouse the feeling of the House with mere dry statistics like these ? He wished it were possible for him to pause here, but he was bound to remind the House that, besides 439 persons who were put to death, the Report of the Commissioners stated that at the very least 600 persons were torn to pieces by the lash. He had already quoted Colonel Hobb's words, that the writhing and intense agony of the lash to the negroes was frightful to witness. Colonel Hobbs, however, only used the ordinary cat-o'-nine-tails. At Bath alone a multitude of men and women were flogged, "after a very slight investigation, and frequently at the instance of book-keepers and others, smarting under a sense of recent injury." What, then, could be thought of the atrocious ruffian, Mr. Kirkland, who was not content with that intense agony ? He must needs twist strong pianoforte wire with the cords, sometimes with twelve, sometimes with more lashes, and then tie them up in knots, so as to cause the utmost conceivable amount of agony, and with these infernal instruments some hundreds of persons were flogged until the ground was soaked with gore, some of them having received as much as 100 lashes each. All this was notorious at the time, yet not a finger did Mr. Eyre move to punish this ruffian ? He was allowed by Mr. Eyre to continue as a magistrate, and as the holder of some petty office under the Crown ; and the most painful thing is to learn that many of those who had thus been flogged were afterwards sent to Morant Bay and executed. But nothing appeared to him so utterly horrible as the fact, described with great feeling by some of the prisoners at Morant Bay, and not denied by Lieutenant Brand, that day after day the unhappy prisoners at Morant Bay were brought out to witness the agonies of that death to which they knew that, though still untried, they were already doomed. As he followed the ghastly story of those amazing freaks, he involuntarily exclaimed—

"Man, proud man !
Dress'd in a little brief authority ;
Like an angry ape,
Plays such fantastic tricks before high Heaven,
As makes the angels weep."

He did not think he could better sum up this part of the case than in the words of a leading article in *The Times* on the 19th of March last. It would be remembered

that for a long time the leading journal, in common with many persons, refused credence to the narratives that came from Jamaica, but with the evidence before it, that was given to the Commissioners at length, *The Times* said—

“There is no longer any reasonable doubt that cruelties, of which it is impossible to think without shuddering, were perpetrated in the suppression of the Jamaica insurrection. . . . It is now certain that scores and, perhaps, hundreds of prisoners were flogged before being hung, and often before being tried. It is certain that some, though it is uncertain how many, were compelled to run the gauntlet after being flogged through a crowd of brutal spectators, who were allowed to insult them as they pleased. It is certain that several at least were shot or hung without even the pretence of a trial, at the caprice of an officer or subordinate. . . . It is probable, moreover, that men were bribed with the hope of life—a hope not always realized—to betray their accomplices; that persons accused of crimes were refused permission to call witnesses in their defence, and that some were executed, the only proof of whose guilt was their being found wounded. . . . These were acts not military, but judicial, done for the most part after armed resistance had ceased, and when there was nothing to prevent a deliberate separation of the innocent from the guilty.”

Upon the whole, exclusive of those who were put to death during what might be called the suppression of the disturbances, and exclusive of those who were shot or hung without trial, the number executed in cold blood, on and after Monday, October 15, when, by the Governor's official statement, the rebellion was put down, amounted to 350 men and women. That number cannot but suggest an historical reminiscence. Many years ago a rebellion took place in one of the countries of Europe against its lawful Sovereign. It was the result of a deliberately planned conspiracy. Its object was to dethrone the legitimate dynasty. Nearly all the leading actors in it were deserters from the service of their master and king. They called in foreign aid to their designs; they kindled the flame of civil war, with all the bloodshed, rapine and misery that civil war engenders. They were overthrown, and the chief actors were tried for their lives; not, indeed, by a court martial of lieutenants and ensigns, but before the highest court of justice in the land, with every privilege—even with trial by juries of their own countrymen. 350 of them were executed—exactly the same number as in Jamaica. The page of history that presents so curious a parallel has not found great favour in the eyes of the English people. It goes by the

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name of “Judge Jeffrey's Bloody Assize.” Now, is there indeed to be absolute impunity for all these butcheries? As to the young men, indeed, who formed the court martial at Morant Bay, their guilt is not to be compared for a single moment with that of their superiors, who for a whole month sanctioned and approved their doings. But, while admitting that the deepest guilt did not lie with them, I would a thousand times rather have followed a son of mine to the grave than have had him sit as a member of that court martial, and have shown himself so lost to every feeling not only of humanity, but of personal honour—so dead to every generous youthful impulse—as to have stooped to the utter degradation of being merely the executioner, the hangman, the base instrument used by the authorities for consigning those 400 trembling wretches to the whipping post and the gallows. But while our indignation against them is largely qualified by contempt, what shall we say of Brigadier General Nelson, who, day after day, wrote “approved and confirmed” against everyone of their proceedings? What shall we think of the tremendous responsibility incurred by the Governor of the Island in his cold indifference to the anguish of the people who had been intrusted to his protecting care? It is now the grave duty of this House to decide what course is dictated by justice and humanity. The broad question is, whether the people of England approve or condemn the deeds I have described. It is rumoured that the Government will neither have the courage to accept the Resolutions nor yet to meet them face to face, but that they hope to get rid of them by a side-wind, by urging some trumpery, technical difficulties about political etiquette, as if, forsooth, the people of England with these facts before them have no right to an opinion of their own, or to demand, and insist on the demand, that the conduct of the actors in those scenes shall be investigated. I am confident, however, that Her Majesty's Government will not condescend to take refuge in such a paltry line of argument. The whole country and the whole of Christendom, which has looked on with more interest at this matter than is perhaps generally known, will fully understand that the question on which we shall divide is simply as to whether England will or will not sanction these butcheries. I await that decision with the deepest anxiety. It would, indeed, be

a blow to the cause of humanity, it would indeed be a dark stain on the character of the British people, should the House bestow its sanction upon such doings. I trust that the party to which I belong will refuse to identify itself with them. I earnestly appeal to the right hon. Gentleman at the head of the Liberal party in the House to come forward in our behalf, and clear us, at any rate, from any share or complicity in such degradation. But must I, indeed, look forward to a defeat, or even to resistance, from the party opposite? The chief of that party, Lord Derby, admired for his splendid powers, has endeared himself to the hearts of his countrymen by the part he took in mitigating the calamity that fell upon the North of England a few years ago. Upon the Treasury Bench, also, and on the Benches above and beside it, sit men whose lives are ennobled by their zeal in every cause of humanity. I ask them whether they in their hearts believe that the course taken by the authorities of Jamaica was one breathing wisdom and sound policy, or wild rage and vengeance? Do they regard it as an example to be followed by authorities elsewhere, or one to be repudiated and abhorred? Do they think that it threw a ray of glory over the name of England, or has it covered us with shame? Was it worthy of the professed servants of him whose name was Mercy? I implore them—I cannot believe that I shall implore in vain—to trample under foot mere prejudice and party feeling, and to ask themselves solemnly, whether, as the Government and representatives of the British people, they dare, in the face of the world and in the face of Heaven, to stamp the seal of their deliberate approval on these ruthless deeds.

Motion made, and Question proposed,

“That this House deplores the excessive punishments which followed the suppression of the disturbances of October last in the parish of St. Thomas, Jamaica, and especially the unnecessary frequency with which the punishment of death was inflicted.”—(*Mr. Buxton.*)

MR. ADDERLEY: I certainly am very much surprised that the hon. Gentleman should ask whether the Government approve or not of the proceedings which have occurred in Jamaica. Does he suppose that there is a single man who approves of these occurrences? What right has he to consider himself the exclusive champion of the oppressed, and to consider every one else who is going to oppose

these Resolutions as the champions of authority? I can hardly imagine a more gratuitous assumption. The hon. Gentleman appeals to parties in this House. Now, is this a question of party? Is there one party in this House who is going to uphold these proceedings, and another party who is going to condemn them? Does he appeal only to the Liberal party to support him, and point to those on the opposite side as likely to oppose him? On what grounds does he do this? The hon. Gentleman proposes to discuss the question upon the assumption that he is a philanthropist, and that all those who oppose him are the enemies of mankind. That is a very comfortable doctrine, but the hon. Gentleman misunderstands his own Resolutions. The staple of his speech is the discussion of the merits of the events and the investigation which have taken place in Jamaica. Nobody disputes them. They have been matters of trial by a properly constituted tribunal, and the evidence and Report of that tribunal are before the House and the country. [An hon. MEMBER: Do you mean the Commission?] What else should I mean? There is but one constituted tribunal. There is the evidence before us, there is the Report before us, and the Government accept them as the only authoritative decision. The hon. Gentleman is mistaken if he supposes that the House are going to re-open the case—to try it again. [“Oh, oh!”] I do not understand what that shout means. Was not the speech of the hon. Gentleman throughout an attempt to re-open the whole question and to try the case over again? The Government decline altogether to re-open the case. We have not the means to do so. We have not the witnesses. This House is no judicial tribunal. We must take the evidence and the Report as given to us. The question which the hon. Gentleman proposes is a very different one. The question is whether it is wise for this House to pass Resolutions founded upon that Report, and, if so, whether the Resolutions he proposes are those which we ought to adopt. It is all very well for the hon. Gentleman to give the House his version of the state of things during the insurrection. He made very light of the insurrection. It was in his mind a very trifling affair. He said there was much fear, but little danger. Six months after the event, in his place in the House of Commons, some thousands of miles from

the spot, he may think it a trifling affair, but I wonder if he would have taken the same views if he had had the charge of the Government of Jamaica at that time. But if the hon. Gentleman really thinks the rebellion was such a trifling affair, let me ask him why he first drafted his Resolution in such terms, as that—

“This House admits that credit is due to Governor Eyre for the skill, promptitude, and vigour which he manifested in the early stage of the insurrection?”

[Mr. BUXTON: These are the words of the Commissioners.] But you adopted them. Surely you will not draw that distinction. [Mr. BUXTON: No.] Then you should not have interrupted me. Last night the hon. Gentleman was ready to ask the House to praise Governor Eyre for the skill, promptitude, and vigour, manifested by him in the early stages of the insurrection, and to-night he is ready to call the rebellion a mere trifle, and say there was a great deal of fear and very little danger. So much for the consistency of the hon. Member's views, and so much for the firmness of conviction at which he has arrived after a long study of the case. Perhaps the House is not aware of the fact that there are threats at this moment of a renewal of disturbance, and that some authorities in Jamaica have within the last few hours asked for further precautions against renewed disturbances. I think we had better ask the hon. Member for Surrey to take charge of the island under such circumstances. The question really raised by the hon. Gentleman is whether, assuming the Report of the Commissioners and the evidence to be correct, it is advisable to pass Resolutions on that Report, and, if so, whether the Resolutions which he proposes are those which ought to be adopted? I must point out to the House the modifications which the hon. Gentleman has introduced into his Resolution since yesterday. I presume those modifications indicate some change of his opinions on the subject. As they were first drafted, he asked the House to concur in the last paragraph of the Commissioners' Report in condemning the excesses which took place in the suppressing of the Jamaica insurrection. He next proposed that the House should praise Governor Eyre for the promptitude and vigour with which he had suppressed it, and at the same time asked the House to approve of Her Majesty recalling Governor Eyre on grounds stated

inaccurately and unfairly. Thirdly, he asked the House to advise Her Majesty to proceed against other officers who had been guilty of great excesses. In his second draft these two first Resolutions were blended into one, in which the praise of Governor Eyre was omitted, and the House was asked to take no notice of that portion of the Commissioners' Report, but merely to endorse their censure of Governor Eyre, to approve of Her Majesty recalling him, and asking the Government to proceed against the other officers. The fourth Resolution asked the House to request Her Majesty to empower the Governor of Jamaica to award compensation—it does not say whether out of the Colonial or Imperial revenue—to those who received damage from the excesses committed by Her Majesty's officers, or who had lost relations who were alleged to have been illegally put to death. Now, if these alterations have any significance, it is clear that what the hon. Member wants the House to do is to pick out of the Report of the Commissioners all that censures the authorities in Jamaica, and to omit all that praises their action or excuses in any way their excesses in suppressing the insurrection. Now, my opinion is that these Resolutions ought not to be adopted by the House. I believe that some of them are altogether inadmissible; for instance, the Resolution which asks the House to call upon Her Majesty to empower the Governor of Jamaica to award compensation to those who have received injuries in the suppression of the rebellion. I should also object to the last Resolution, in which the hon. Member proposes to ask Her Majesty to remit all punishments which are unexpired, and to take no further proceedings against those who were engaged in the rebellion. Others of the Resolutions, if admissible, I think it would be unwise, or at least unnecessary, for the House to adopt; and all the Resolutions from first to last are in a remarkable manner partial and one-sided. There is one fact which the hon. Member seems never to have had present to his mind, but it is one which covers the whole history of those transactions—namely, that all these events took place under the proclamation of martial law. The hon. Gentleman as much ignores the facts as did the hon. Member for Westminster, when he put a long category of questions, altogether unprecedented, upon the Notice paper of the House, throughout the whole of which

he seemed to ignore the fact that all these events occurred under martial law. That martial law had not been called in question by any authority. On the contrary, it was the opinion of the Commissioners, and all the authorities who had been consulted on the matter, that martial law was fully and properly established, that it was fully justifiable, and proclaimed upon good reasons. If that were so, there can be nothing illegal, at all events, in the constitution of the tribunals, and the supposition of the hon. Gentleman to the contrary is opposed to the opinion of every authority on the subject. Nor can there have been anything illegally done by those who were *bonâ fide* engaged in the suppression of the insurrection. That very much narrowed the debate, because all that could be assigned in the Resolutions as faulty in the conduct of Governor Eyre and of those who acted under his authority was that which both the Report alleged against him and which the despatch of the late Government had endorsed—namely, that he was wrong in continuing martial law too long in full force up to the utmost period allowed by law—namely, thirty days. That continuance of martial law, and the excessive punishments under it, were all that could be alleged against Governor Eyre. Well, then, upon these two grounds of condemnation, the hon. Gentleman proposes to the House to endorse the decision to which the Commissioners came, and to approve the action which the Government has taken. With regard to the first Resolution, I do not say that it is inadmissible, but that it is unnecessary. We all deplore the excesses that have been described by the Commissioners, and which have been the ground of the recall of Governor Eyre, and of the further proceedings now in process. Her Majesty, at the opening of Parliament, informed us that an inquiry had been instituted, and promised that the Report of the Commissioners should be laid before us. We thanked Her Majesty for the information. We have received the Report, and we know what has been done by Her Majesty's Advisers in consequence of it. For what object, then, should we endorse the Report, and approve what the Government has already done in pursuance of it. It is a question whether the Legislature ever does well needlessly to step out of its usual functions, and take part either in the judicial or the Executive proceedings of the country. I suspect that the House will be ready to lay it down as a general proposi-

tion that it is wiser for the Legislature not to go beyond its proper functions of legislation unless it is for the practical purpose of influencing the Executive to do what it is not doing, or to leave undone what it is doing, according to the wish of the House. But are they asked to do that now? No; precisely the reverse. Taking the hon. Gentleman's second Resolution, we find that it does not condemn but approve the conduct of the Executive in regard to the recall, or, as the hon. Member terms it, the dismissal of Mr. Eyre from the Governorship of the island, and in its proceedings against other officers. I must, in passing, take notice of the first branch of the Resolution, in which the hon. Gentleman states that Governor Eyre was recalled on account of the excessive severity with which the disturbances were suppressed. Now, the only source of information open to the hon. Gentleman on this point is the terms of the despatch in which the late Secretary for the Colonies recalled Mr. Eyre. The hon. Gentleman made a misquotation of the despatch in giving the excesses which took place as the only ground upon which Governor Eyre was recalled. On the contrary, there are several grounds alleged for his recall. The first of them was a ground of policy—namely, for the purpose of allaying animosities and irritation; and other grounds were—that the Governor had committed an error of judgment in continuing martial law in full force for the whole period allowed by the statute; that he had also been wanting in not giving sufficiently clear instructions for the regulation of the conduct of subordinate officers; and lastly, because of his having approved the trial and execution of Mr. Gordon. Therefore, up to last night the hon. Gentleman intended to ask them to approve the recall of Mr. Eyre upon a wholly mistaken recital of its grounds. At all events, I believe the House in common English fairness would have said, in respect to the first branch of the Resolution, that if they are to express an opinion on the conduct of Governor Eyre, they must not refuse to notice the praise which has been awarded to him while they endorsed the censure that had been cast upon him. But the hon. Member for East Surrey asked them simply to endorse the censure and to omit all mention of the praise. I conceive that this alone is a good and sufficient reason for the House refusing to accept this Resolution. It is all very well to say that we ought not to shut our eyes to

the faults of officials, or to screen them from the consequences of their misconduct. I quite agree in that; I am in earnest in prosecuting those who have been guilty of excesses; but, on the other hand, why should not equal justice be dealt out to the Governors of colonies as well as to any other persons? Are there any class of servants of the Crown who have a more difficult task to perform than those who are placed at distant and often unhealthy stations, and confronted from time to time by most trying circumstances, in which they have to act upon their own judgment at a moment's notice, and have the most onerous and responsible duties imposed upon them? Are they, of all men, to be treated with the scantiest justice, and when the House of Commons came calmly and impartially to review their acts, is it to omit all that can be said in favourable construction of them, and carefully collect all that can be said against them? I appeal to the hon. Member for East Surrey himself as a man who has an interest in the Colonial Empire of England, and who also has the high principles and feelings of a gentleman about him, whether it is not the part of a generous mind, and likewise of the policy of a great Empire, to put the most favourable construction upon the conduct of a Colonial Governor, called to act upon his own judgment in a great and sudden emergency? The hon. Gentleman has spoken with levity of the amount of danger which Mr. Eyre had to encounter, but he will not dispute that the emergency was sudden, and that it is not very easy to see at one moment how far insurrection is likely to extend. Nothing but the fidelity of the Maroons prevented its horrors spreading over the whole Island. Even at this moment, they do not know whether it may not break out again. But the danger having arisen suddenly, and having primarily to consult for the safety of the colony intrusted to his charge, he felt this to be the paramount duty to his Sovereign. It was certainly also his duty to temper his measures with moderation and mercy. [*Cheers from the Opposition.*] The mention of the first of those duties hon. Gentlemen opposite received with silence, but the mention of the second they greeted with cheers. They are all for mercy to those who attack public order; but they are blind to the difficulties of those who have to maintain it. They may possibly find the Governor of a colony who, with

insurrection springing up all around him, and with the knife of the assassin at his throat, has all the calmness and composure of mind needed for balancing with rigid exactness those two conflicting duties. But such men are rare. It is not every man who is able so to hold the scales of justice through the difficulties of a terrible crisis; and let me tell you that if you always expect these rare qualities to be displayed by every Governor, you will find it no easy matter to get men to undertake Colonial Governorships. I perfectly agree that we must look fairly on both sides. There may be too strong a feeling shown in favour of official authorities; but, on the other hand, there may be a blind sympathy with those who outrage public order. But this House, I think, will refuse to lend itself to the one side or the other. I did not see, till I came down to the House, the Amendment of which the hon. Member for Westminster (Mr. Stuart Mill) had given notice. Dissatisfied with the strength of the Resolutions on the paper, the hon. Gentleman asks the House to declare that nothing short of a trial of Governor Eyre for murder before a judicial tribunal will be satisfactory to it. I presume that the hon. Gentleman, taking that view of the case, will not mix himself up with the present discussion. It would be a monstrous thing in him to prejudge in debates here a case which he himself proposes to refer for decision to a judicial tribunal. I must, at the same time, confess that I distrust the judicial reserve of the hon. Gentleman in this case, because he has prominently mixed himself up with the proceedings of the Jamaica Committee, from which, I am happy to say, the hon. Gentleman the Member for East Surrey (Mr. Buxton) has thought it right to separate himself. The members of that Committee might, indeed, as well have taken the proceedings they have in view eight months ago as now. The hon. Member for Birmingham, one of their leading Members, did not think it at all necessary to wait for any investigation into the subject. Before any inquiry could take place into these events, the hon. Gentleman felt himself competent and ready to declare his opinion, in the presence of a large assemblage of his fellow countrymen, in one of the Northern town halls, that Mr. Eyre was guilty of murder. It was clear that the hon. Gentleman wanted no inquiry, and that, as far as he and those who acted with him were concerned, the labours of the Commis-

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sioners were the idlest waste of time. They agreed to their verdict before they had heard the evidence, and pronounced the capital guilt of a man who had not then had any opportunity of answering any accusations brought against him. They saw but one side of the question; strong prepossessions, invincible prejudices incapacitated as well as disinclined them from seeing more than one side, but it is remarkable that they prefer to range themselves on the side of those who are the disturbers of order, rather than on the side of those who have upheld it. And I must say that by their manner of proceeding in this case these gentlemen have forfeited for ever any title to be heard on any question that demands judicial calmness and impartiality for its consideration. It is not a part of judicial proceedings, and in keeping with them, that they come here on this occasion to announce in the midst of condemnation their appeal to future judgment. Holding the opinions they do, they should surely have done their utmost to prevent this debate. Surely, if the hon. Member for Westminster is right in his Amendment, it is monstrous and contrary to every principle of justice that he should come here to prejudge the case and prejudice the decision, which he considers ought to be left in the hands of a jury, who would have to decide upon a question of life or death, and I think that, besides discouraging this debate, they might even have gone a step farther, and, when they met on Saturday in Committee, they might have abstained from such extravagant speeches, made to the prejudice of persons whom they were endeavouring to hand over for trial to the judicial power. With regard to the recall of Governor Eyre, I do not think the case against him is yet made out, even taking the facts as we can get them from the Report. The law of the case is by no means settled. The illegality of Gordon's trial is a question still undecided. He was violently arrested outside the province of martial law, which, however, might have been extended. You may get as high legal authorities on one side of the question as on the other, and it is a very nice question to deal with. The justice of Gordon's death appears to me, so far as I can read the minds of the Commissioners, to have been by no means out of dispute. There is much in this Report to show that the Commissioners were convinced of the guilt of Mr. Gordon. It would be a waste of time to read passages from the Report, but I think it

is clear that it was the conviction of the Commissioners that there was a case on which no jury would have acquitted. ["Oh, oh!"] Hon. Gentlemen express their feelings without having the facts of the case before them, but I will not weary the House by reading the passages. [*Cries of "Read!"*] At all events, I do not wish to press that point, but I may say that, although there is some question about the illegality of the arrest, and the sufficiency of evidence, there is less question about the practical justice of the result. The hon. Gentleman desires the House to ask Her Majesty to go on with the proceedings against officers who were concerned in excessive punishment, as she has already proceeded against Governor Eyre. That would be a Resolution on the part of the House of Commons to ask the Executive to do what they are doing—to do, in fact, what the House knows they have been doing from the first and are still doing. I therefore appeal to the sense of the House to know whether it is advisable to establish a precedent for passing Resolutions requesting the Executive to do that which they know the Executive is doing. The natural inference of passing such a Resolution is, that the House does not believe they are doing what they pretend and assert they are. You can approve, if you like, of what the Executive are doing. I have no objection to a Resolution of approval. I am speaking now as much in the name of the late Government as in the name of the present one, for the present Government has done no more than carry out the proceedings which were initiated by the late Government in whose administration these events occurred. All I take credit to the present Government for is, that they have vigorously carried out the measures of their predecessors and endorsed their instructions. The various offices—the Colonial, Admiralty, and War Offices—sent instructions to the heads of their Departments in the colony to proceed as recommended by the Royal Commissioners, and in all cases to proceed where there was any fair allegation of misconduct on the part of officers of those different Departments—Civil, Naval, and Military. Proceedings are going on. It is perfectly well known that Ramsay, the provost marshal, is at this moment indicted for wilful murder, and there are proceedings going on against Ensign Cullen and Dr. Morris which the hon. Member for Westminster (Mr. Stuart Mill) did not seem at all

aware of the other night when he put his long list of Questions, and asked whether those men were to be brought to trial for putting certain people to death, assuming before the trial that they had put those people to death. If he had read the whole Report as carefully as he had read those parts which were favourable to his views, he would have known that the Commissioners stated that the evidence against those two men was perfectly contradictory—the evidence was as strong on one side as on the other—and that the Commissioners left the case for further inquiry. That further inquiry is now going on, and in other cases also proceedings are being taken. Only a short time ago, since the present Government came into office, they sent out the most express and emphatic instructions to the new Governor of the island (Sir John Grant) to proceed in this direction and to report immediately upon the measures which he took, in order that Her Majesty's Government might know what he was doing. Under the circumstances, I conceive the House will think it unnecessary, and if unnecessary unwise, to ask the Executive to do that which they know they are doing, for at least it expresses a doubt whether the Government are doing it or not. On the Resolution for compensation I must say a few words. In the new draft of Resolutions, which has been submitted to-day, it is proposed that compensation should be awarded to the sufferers from excessive or illegal punishments. The alterations in that draft, however, are not merely verbal. That Resolution, for instance, in its first form was that the House should call upon Her Majesty to empower the Government of Jamaica to award compensation; but as it now stands, it says that it is the duty of Her Majesty's Government to award compensation. Seeing the material alterations that have been made in the original draft, I should like to ask the hon. Gentleman what are his reasons for these changes made within the last few hours? Why was it proposed that compensation should be awarded out of the revenues of Jamaica, but to-day to charge the Imperial revenue with that compensation. It is not, moreover, clear to my mind whether that compensation is to be limited to those who were sufferers from punishments, or whether it is to include the damages done to the property of planters during the progress of the insurrection. That, of course, would

make a very material difference, but the Resolutions are so carelessly worded that it is difficult to see what the effect of them would be. I can only say that the power already possessed by the Governor of Jamaica would not be made any greater by any Resolution passed by this House, nor by any power given him by the Queen; but this effect might result—an infinity of claims of all sorts would be raised in consequence of such a Resolution being adopted by the House of Commons. We know that the arrival of the Royal Commissioners, although their functions were strictly judicial — ["No, no!"] — then what were their functions, for I cannot understand the interruption? [Mr. Buxton: They were sent out for the purpose of inquiry.] Just so; inquiry for the purpose of forming a judgment. ["No, no!"] At all events, what I meant was, and I think it comes to the same thing, that those who were sent out to inquire and report, and so far had judicial functions assigned to them, could not even discharge such duties without raising expectations and claims. I think the effect of this Resolution, if it were passed, would be to raise considerably higher and more extravagant expectations than those which are already rife there, and I think it would be an evil. At the same time, I am ready to say that such a proposition as this would be worthy to be discussed by this House—if it is shown that damage has been wantonly done by the agents of the Government, the Government should consider how far there were claims upon them for compensation. Claims on the Jamaica revenue the Jamaica Governor will deal with. I think the proposition of applying to the Government for compensation, although it does not diminish the objectionableness of the Resolution, as a Resolution of this House, yet certainly embodies a principle which the Government should entertain. As to the last Resolution, which is a new one altogether—that we should invite Her Majesty to remit all further punishment—that seems to me a very loose sort of proposition indeed. I presume it is a part of those changes which have come hastily and inconsiderately over the hon. Member's mind in the course of the last few hours. Though an amnesty would be a proper matter for Her Majesty to consider, yet I think that this would be the last mode of carrying it out that any reasonable Government would ever dream of entertaining, for it proposes

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that the injustice which has taken place on one set of men should be balanced by the abandonment of the justice which had been administered to others, and that the most atrocious scoundrels now being punished for the most bloody outrages should have their punishment remitted because others have been unjustly put to death. I can hardly see how the Government can for a moment entertain such a proposition as that. I have now discussed to the best of my power these Resolutions which have been proposed to the House, and I have given my opinion, as well as I can form a judgment, that it would be unwise for the House to pass at any rate more than one of them. Some of them are unnecessary, and therefore unwise, while some of them are wholly inadmissible. A Resolution embodying any general expression of our deep regret for what has taken place in Jamaica I should be glad to agree to. It would be impossible for me to refuse my vote to such a Resolution as that; but that, I suppose, would not meet the object of the hon. Gentleman who has brought the matter forward. I have no hesitation, however, in recommending the House to reject all the rest of the Resolutions which are now before it. The hon. Gentleman says we have neither the courage to meet these Resolutions nor to reject them. I do not think it shows a want of courage not to meet them, because some of them undoubtedly express feelings which every Member of the House cordially entertains, but at the same time we deny the wisdom of them. As a matter of judgment, and not as a matter of courage, or the want of it, I should recommend that this House should not pass any of these Resolutions if they must all go together. I am not prepared to deny all that they contain, but I am prepared to maintain that it would be unwise for the House to adopt all of them, and I have, therefore, no alternative but to move the previous Question.

Whereupon *Previous Question* proposed, "That that Question be now put."—(*Mr. Adderley.*)

MR. J. STUART MILL: Those who seek to obtain an authoritative condemnation of the transactions in Jamaica, whether they take the milder view of my hon. Friend the Mover of the Resolutions, or the severer view of the body which has been alluded to in such disrespectful terms, the Jamaica Committee could have desired

nothing better for their cause than that the speech which has just been delivered by the right hon. Gentleman should go forth to the country as the defence of the Government for not taking any measures to bring those events under the cognizance of a judicial tribunal. I should myself be well content to go to the country on my hon. Friend's speech, and that of the right hon. Gentleman, without any further discussion. But since nothing has been said in vindication of the view I take of the course proper to be pursued, which is different from that recommended by my hon. Friend, I shall state to the House what to my mind justifies that course. The hon. Mover of the Resolution has called upon the House to consider the proceedings of the civil and military authorities in Jamaica, which have been so deservedly but so mildly condemned by Her Majesty's Commissioners of inquiry, and has invited the House to express an opinion on those proceedings, to the same effect and nearly in the same language as the Commissioners. I, also, contend that the acts which have been committed demand the particular attention of the House, not however for the purpose of itself pronouncing any judgment on them, but for the purpose of requiring that they be referred to an authority more competent than this House—the only authority that is competent to pass a binding judgment on such acts—the authority of a judicial tribunal. According to the catalogue furnished by the Commissioners, 439 of Her Majesty's subjects, men and women, have been put to death, not in the field, not in armed resistance to the Government, but unarmed, after having fallen into the hands of the authorities, many after having voluntarily surrendered to them. Some of these were executed without any semblance of a trial; the remainder after what were called trials by what were called courts martial. In addition to those who were put to death, not fewer than 600 men and women were flogged, partly without trial, and partly by sentence of these same courts martial; and about 1,000 houses, besides other property, were destroyed by military violence. Now, if, after due investigation, the Government and the country generally had made up their minds that all these lives were justly and properly taken, and all these floggings and burnings justly and properly inflicted, there would have been no ground on which to require the Government to prosecute the agents and authors, though private individuals would be at liberty to do so if they

pleased. The case, however, is far otherwise. Respecting the degree of culpability of these transactions there is a wide difference of opinion, but that there has been serious culpability no one now disputes. The events have undergone a minute inquiry, by Commissioners carefully selected and invested with full power to ascertain the facts, but not, I must remind the right hon. Gentleman, empowered to declare what is the character of those facts in the eye of the law. The Commissioners have emphatically condemned a large portion of the proceedings. They declare that many more persons have been put to death than ought to have been put to death; some of these on evidence which they declare to have been, so far as it appears on record, wholly insufficient to justify the findings, while in other cases, assuming the evidence to be unimpeachable, the sentences were not justified by the facts deposed to. The floggings they pronounce to have been reckless, and some of them positively barbarous: the flogging of women they reprobate under any circumstances, and in that I am sure the House will not differ from them. The burnings they pronounce wanton and cruel. There is no need to go one step beyond the verdict of the Commissioners. I am almost ashamed to speak of such acts with the calmness and in the moderate language which the circumstances require. The House has supped full of horrors throughout the speech of my hon. Friend. But we need not go beyond the dry facts of the Commissioners' summary. On their showing, the lives of subjects of Her Majesty have been wrongfully taken, the persons of others wrongfully maltreated; and I maintain that when such things have been done, there is a *prima facie* demand for legal punishment, and that a court of criminal justice can alone determine whether such punishment has been merited, and if merited, what ought to be its amount. The taking of human lives without justification, which in this case is an admitted fact, cannot be condoned by anything short of a criminal tribunal. Neither the Government, nor this House, nor the whole English nation combined, can exercise a pardoning power without previous trial and sentence. I know not for what more important purpose Courts of Law exist than for the security of human life. Hitherto in this country the agents of the executive Government have had to answer for themselves in the same Courts of Law as the rest of Her

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Majesty's subjects. But if officers of the Government are to be allowed to take the lives of the Queen's subjects improperly—as has been confessedly done in this case—without being called to a judicial account, and having the excuses they make for it sifted and adjudicated by the tribunal in that case provided, we are giving up altogether the principle of government by law, and resigning ourselves to arbitrary power. Under these circumstances, it appears to me that the proper course to be adopted by Members of this House was to attempt to elicit from Her Majesty's Government, before the end of the Session, some statement of their intentions respecting what, to me and others, appears the solemn duty of bringing the authors of at least the most flagrant of these universally condemned acts before a criminal tribunal. The House knows that this attempt was made, and it knows what was the result. We obtained by it no direct, but a good deal of indirect, information. Since then I have redoubled my efforts to learn, or to divine, what reasons there are against the propriety of a criminal prosecution, and I have arrived at the conclusion that if those I have heard are the best, there will not be much difficulty in resisting any of them. I have been told, for instance (but by whom, or on what occasion, the rules of the House forbid me to recollect), that to warrant a criminal prosecution for homicide, it is necessary that the act should have been committed with *malice prepense*. But the right hon. Gentleman the Chancellor of the Exchequer cannot make such a mistake as this; for if not a lawyer himself, he has able lawyers for his advisers, and one need not be a lawyer at all to know that there is such an offence as manslaughter, which I have hitherto in my ignorance believed to differ from murder precisely by the absence of *malice prepense*. The wonder which I felt at this singular specimen of legal knowledge would have been still greater than it was, if I had not just before been told by a very eminent person (but it could not be the right hon. Gentleman) that I was grossly inconsistent in assuming through nine questions that certain acts were unlawful, and asking in the tenth whether they were unlawful or not? Now, since what I asked was, whether they were offences under the criminal law, I must conclude that, in the opinion of this eminent person, no actions are unlawful but those which are offences under the criminal law. Did he ever hear, I

wonder, of such a thing as an action for damages, which everybody knows will lie in many cases in which a criminal proceeding could not be sustained? And, again, is he not aware of cases in which the law imposes pecuniary penalties, but leaves them to be enforced by anybody who chooses to sue for them by a civil action? Now, as the authority to whom I allude said that no act that could not be the subject of a criminal prosecution is illegal, it follows that, in his opinion, the law awards penalties for lawful acts. The right hon. Gentleman the Chancellor of the Exchequer is just now absent from the House, but I trust that in the course of the evening he will utterly repudiate these peculiar views. I am ready to accept the right hon. Gentleman as an authority on some subjects, but I shall be quite unable to accept his guidance in any matter of criminal law, unless he entirely throws over that other great luminary to whom I have been referring. Then, again, it is asked, "How can we think of prosecuting anybody for putting people to death, when we cannot possibly suppose that those who did it believed them to be innocent?" Well, very probably they did not; though even this is by no means a thing which it is permissible to take for granted. But admitting the fact, it is an excuse that may be made for actions of still greater atrocity than I claim any right to attribute to these. Did the perpetrators of the massacre of St. Bartholomew think their victims innocent? On the contrary, did they not firmly believe them to be hateful to God and to all good men? Again, did the authors of the September massacres—did the French revolutionary tribunals, and the Terrorist Government, believe in the innocence of those whom they put to death? Were they not fully persuaded that they were traitors and enemies of their country? I do not want to compare Governor Eyre and his subordinates to Robespierre and Fouquier Tinville, though I confess that their modes of proceeding sometimes remind me very forcibly of some of the minor actors in that great tragedy: but the same sort of excuse may be made for Robespierre and Fouquier Tinville as for them. I dare say that if Gentlemen on the other side of the House, and I am afraid some on this side, had had the duty of sitting in judgment on those very vigorous rulers, they would have thought it quite enough to visit them with the penalty with which, for example, Governor Darling has been visited for following his

constitutional advisers in an erroneous interpretation of the constitution of Victoria. We should perhaps have been told that the case as respects Robespierre was closed by dismissal from his office as a Member of the Committee of Public Safety. As for Fouquier Tinville, it probably would not have been thought advisable, after so many errors of judgment, to re-appoint him to the responsible situation of public prosecutor. We might have been told, in words with which the House is probably familiar, that it would be desirable "to intrust that arduous task to some other person, who may approach it free from all the difficulties inseparable from a participation in the questions raised by the recent troubles," and that by placing the office "in new hands" Government were "taking the course best calculated to allay animosities, to conciliate general confidence, and to establish on firm and solid grounds the future welfare of" France. Again we are told that in proposing to make the authors of those acts criminally responsible for them, we forget that those acts were done under martial law. Sir, we are not at all likely to forget that; we remember it but too well: and we shall remember as long, what it has been declared by the leading Member of the Government that martial law is—the total suspension of all law. The right hon. Gentleman (Mr. Adderley) will admit that this is something worth remembering. Well; martial law, while it lasts, is the negation of all law; and therefore (such is the conclusion of the right hon. Gentleman) it is the negation of all responsibility. Not only, as soon as martial law is proclaimed, the civil and military authorities and their agents may run amuck, if such is their pleasure—may do, as far as any legal restraint is concerned, anything they please—but if they please to do what is wrong, they cannot be made to account for it afterwards, except to their official superiors, nor to suffer any but the official penalties which those superiors can inflict. If that is our condition, and if any Government or any local administrator that chooses to proclaim martial law, can place us under this regimen, we have gained little by our historical struggles, and the blood that has been shed for English liberties has been shed to little purpose. But it is not so, Sir; it is not so. I do not deny that there is good authority, legal as well as military, for saying that the proclamation of martial law suspends all law so long as it lasts; but I defy

any one to produce any respectable authority for the doctrine that persons are not responsible to the laws of their country, both civil and criminal, after martial law has ceased, for acts done under it. The legal opinions, which the right hon. Gentleman misunderstands, affirm only this, that martial law is another word for the law of necessity, and that the justification of acts done under that law consists in their necessity. Well, then, we have a right to dispute the necessity. If the right hon. Gentleman will consult his legal advisers, he will find that the law is perfectly settled on this point. With the permission of the House I will read a short extract from a law opinion given specifically on the point by two gentlemen, both of them ornaments of their profession, and one of them a Member of this House—

“The officers of the Crown are justified in any exertion of physical force extending to the destruction of life and property to any extent, and in any manner that may be required for this purpose. They are not justified in the use of excessive or cruel means, but are liable civilly or criminally for such excess. They are not justified in inflicting punishment after resistance is suppressed, and after the ordinary courts of justice can be re-opened. The principle by which their responsibility is measured is well expressed in the case of *Wright v. Fitzgerald*. Mr. Wright was a French master, of Clonmel, who, after the suppression of the Irish rebellion in 1798, brought an action against Mr. Fitzgerald, the sheriff of Tipperary, for having cruelly flogged him without due inquiry. Martial law was in full force at that time, and an Act of Indemnity had been passed to excuse all breaches of the law committed in the suppression of the rebellion. In summing-up, Justice Chamberlain, with whom Lord Yelverton agreed, said:—‘The jury were not to imagine that the Legislature, by enabling magistrates to justify under the Indemnity Bill, had released them from the feelings of humanity, or permitted them wantonly to exercise power, even though it were to put down rebellion. They expected that in all cases there should be a grave and serious examination into the conduct of the supposed criminal, and every act should show a mind intent to discover guilt, not to inflict torture. By examination or trial he did not mean that sort of examination and trial which they were now engaged in, but such examination and trial the best the nature of the case and existing circumstances would allow of. That this must have been the intention of the Legislature was manifest from the expression ‘magistrates and all other persons,’ which provides that as every man, whether magistrate or not, was authorized to suppress rebellion, and was to be justified by that law for his acts, it is required that he should not exceed the necessity which gave him the power, and that he should show in his justification that he had used every possible means to ascertain the guilt which he had punished; and above all, no deviation from the common principles of humanity

should appear in his conduct.’ Mr. Wright recovered £500 damages; and when Mr. Fitzgerald applied to the Irish Parliament for an indemnity he could not get one.”

In the year 1866, thirty-four years after the passing of the Reform Act, we have to re-affirm the principles of this judgment, and re-assert the responsibility of all officers of the Executive to the tribunals, in order that, in our regard for law and liberty, we may be on a level with the Orange Government and the Orange Parliament of Ireland in the most tyrannical period of modern Irish history, the rebellion of 1798. And great cause is there why we should assert this responsibility. If martial law indeed is what it is asserted to be, arbitrary power—the rule of force, subject to no legal limits—then, indeed, the legal responsibility of those who administer it, instead of being lightened, requires to be enormously aggravated. So long as the power of inflicting death is restricted by laws, by rules, by forms devised for the security of innocence, by settled usage, by a long series of precedents—these laws, these forms, these usages and precedents, are a protection to those who are judged; but they are also eminently a protection to those who judge. If a law is prescribed for their observance, and they observe the law, they are, in general, safe from further responsibility. The less we leave to their discretion, the less necessity is there, in the interest of the general safety, for making them personally accountable. But if men are let loose from all law, from all precedents, from all forms—are left to try people for their lives in any way they please, take evidence as they please, refuse evidence as they please, give facilities to the defence or withhold those facilities as they think fit, and after that pass any sentence they please, and irrevocably execute those sentences, with no bounds to their discretion but their own judgment of what is necessary for the suppression of a rebellion—a judgment which not only may be, but in a vast proportion of cases is sure to be, an exasperated man’s judgment or a frightened man’s judgment of necessity; when there is absolutely no guarantee against any extremity of tyrannical violence, but the responsibility which can be afterwards exacted from the tyrant—then, Sir, it is indeed indispensable that he who takes the lives of others under this discretion should know that he risks his own. I do not wonder that there are conscien-

tious military men who shrink from so vast a responsibility, and prefer any view whatever of martial law to that which we are given to understand is the true one. I hold in my hand a letter written to me by a retired general officer, which, after saying that the intelligent officers of the army feel bewildered at the very idea of martial law, from the absence of all precise instructions on the subject, goes on to say—

“I had fully made up my mind how I should act if ever called upon to enforce martial law. I had resolved, as the only safe and prudent plan, to consider martial law as simply military law extended to civilians, feeling convinced that a fixed or written code was indispensable, and that what was sufficient to curb soldiers in war was surely sufficient to restrain civilians in revolt.”

He adds—

“Taken fighting with arms in their hands should alone justify the summary execution of rebels; whilst the composition and powers of the courts martial on rebels should follow the Articles of War, which are amply sufficient to cover all cases that could ever arise under martial law.”

We are now informed that neither the Articles of War nor the Mutiny Act are in force at all during the proclamation of martial law, and that the courts martial are not bound by their provisions; but the oath which is administered to the members of every court martial, and which was taken by all the members of the courts martial in Jamaica, begins with these words—

“You shall duly administer justice according to the rules and articles for the better government of Her Majesty’s forces, and according to an Act now in force for the punishment of mutiny and desertion.”

This is what they swore to do: nobody pretends that they did it; and they are now justified by saying that they were not bound by their oath. Sir, I have stated to the House the principles on which I am acting, and on which those act with whom on this subject I am co-operating. We want to know—as the noble Lord the Secretary for India said on a not more important occasion—we want to know who are to be our masters: the Queen’s Judges and a jury of our countrymen, administering the laws of England, or three military or naval officers, two of them boys, administering, as the Chancellor of the Exchequer tells us, no law at all. This we want to know; and this, if it be humanly possible, we mean to know. It remains to be seen whether the people of England will support us in the attempt to assert the great principle of the responsibility of all agents of the Executive to the laws, civil and criminal, for

taking human life without justification. This great public duty may be discharged without the help of the Government: without the help of the people it cannot. It is their cause; and we will not be wanting to them, if they are not wanting to us.

MR. W. E. FORSTER said, this was a question on which he could not give a silent vote. It was his intention to vote for the first and second Resolutions of his hon. Friend the Member for East Surrey (Mr. Buxton); but he should like to say a few words on the third and fourth, because he could not vote for them if put in the words proposed by his hon. Friend, though in principle he concurred in the statements which they contained. He thought the least they could do was to award compensation to those whose property had been wantonly destroyed, and to the families of those who had been put to death illegally. That principle seemed to be admitted by his right hon. Friend the Under Secretary for the Colonies. He trusted also that some answer would be given to the petition from Mrs. Gordon, presented by his hon. Friend the Member for Westminster. He confessed his right hon. Friend surprised him when he stated his belief that the Commissioners were fully convinced of Mr. Gordon’s guilt. He certainly did not gather that from the Report on the evidence, and no doubt his right hon. and learned Friend the Member for Southampton (Mr. Russell Gurney) would state whether such was his impression. What the House had officially before them was, that Mr. Gordon, a member of the Assembly of Jamaica, had been illegally tried and unjustly convicted; and therefore he thought that the petition of Mrs. Gordon, the terms of which must commend itself to every one, ought to receive the attention of the House, and that, in compliance with its prayer, they ought to vindicate the memory of her husband. With regard to the fourth Resolution he did not think his hon. Friend ought to press it, because it was open to this objection—that however illegal some of the acts committed in Jamaica might have been, it did not follow that the persons under sentence inflicted by the Special Commission were undergoing unjust sentences. He thought that if his right hon. Friend the Under Secretary for the Colonies read the evidence and came to the conclusion that the sentences were excessive, he would recommend the Government to interfere in the matter. In any case he would ask his right hon. Friend to do

that which, no doubt, the late Government would have done—namely, to institute a strict inquiry into those cases, and consider whether the time would not shortly come—if it had not arrived already—when the persons undergoing sentences might not be recommended to the favourable consideration of the Crown. With regard to the statement in the second Resolution, he could not concur with his right hon. Friend in thinking that because a Commission had been sent out to inquire into the events which had occurred at Jamaica, the House of Commons ought not now to inquire into and give an opinion on those events. On the contrary, he thought that was the reason why the House of Commons should consider those sad occurrences. In the speech from the Throne at the beginning of the Session, Parliament was told that Her Majesty, regretting the deplorable events which had occurred at Jamaica, had determined to send out a Commission to inquire into them. That Commission had gone out, every one had the fullest confidence in the Commissioners, and as their Report was officially before the House of Commons, he thought that House was bound to give an opinion on the circumstances into which the Commission had inquired. Certainly, he did not see how they could allow the Session to close without giving some opinion on that occurrence, and stating what in their judgment ought to be their verdict. Only two opinions were possible. One was that expressed in the second Resolution of his hon. Friend the Member for East Surrey, which meant approval of the censure on the Governor of the colony for unnecessary severity, and stated that there were circumstances which afforded ground for further inquiry as to any steps which ought to be taken; the other opinion was that put forward by his hon. Friend the Member for Westminster, who thought the House ought to take upon itself the office of public prosecutor, and declare that a public prosecution ought to be adopted. He would explain why he thought the hon. Member for East Surrey right in the course he had adopted, and afterwards he would state why he could not agree with the hon. Member for Westminster. He understood the right hon. Gentleman opposite to object to the Motion because he held it to be unnecessary to re-open the case, because the late Government had given an opinion on the conduct of the Governor, for whom great allowances should be made, and because

it was unfair for the House to blame without at the same time praising. Now, it appeared to him that the altered Resolution of the hon. Member for East Surrey contained that censure of Governor Eyre which the House was bound to declare. He did not accuse Governor Eyre of any intentional cruelty, but what he had been the means of doing merited such deserved odium that when it was brought before the House of Commons he did not conceive that it could be passed unnoticed. The conclusion of the Report of the Commissioners condemned the unnecessary frequency of the executions. That expression when tested by the evidence meant the killing of hundreds of Her Majesty's subjects without need and without justice. The House could not refrain from expressing an opinion on that fact when it was brought to its notice. The object of martial law was not punishment, but suppression; but his hon. Friend the Member for East Surrey had proved that after the outbreak was suppressed the greater number of these executions took place. Take Morant Bay: 186 executions took place there after the insurrection was suppressed; 180 after Captain De Horsey said the insurrection was over; 161 after Governor Eyre left Morant Bay and said the insurrection was suppressed. These executions were under the superintendence of General Nelson, who in October signed an order for the trial of the ringleaders. After issuing that, 124 persons were executed, three of them being women. Thirty were charged with attempts to murder—only five with being ringleaders—and eighty-two were charged merely with rebellion, or with rebellion, plunder, and riot. After the outbreak was entirely suppressed, from ten to fifteen per day were executed for days together. Such a case he did not think could be found in all their annals. Even if all of them had committed murder it would have been considered an outrageous thing to have executed them all. The murder of Mr. Hire was, no doubt, barbarous, but what would be said if for a murder in Ireland 130 persons were executed? But these persons in Jamaica were not charged with murder, but were mere rioters, and had joined in plundering when no troops were in possession of the country, and when they thought that they had an opportunity for plundering. How was it possible, then, not to take notice of their execution? The right hon. Gentleman asked where would they get

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a Governor if they judged with such severity, but he did not know any case in which a Governor had acted in the same way. In the outbreak in Cephalonia in 1859 there was much armed resistance, and the troops were under fire for four days. In Jamaica, on the other hand, only one shot was fired at the regular troops, and five or six shots at the Maroons. That was all the armed resistance. It must not be supposed that the outbreak at Cephalonia was not serious, for, as he had stated, the troops were under fire four days, and martial law lasted for more than a month. Yet only twenty persons were executed. The case of Ceylon in 1848 was something similar to the present case. A Motion was brought forward with regard to the suppression of the rebellion in that island, and it was thought that the measures of suppression had been too severe. A Select Committee inquired into the case and made a Report on it to the House. In May, 1857, the hon. Member for Inverness moved a Resolution which in its object was similar to the present, and called on the House to express an opinion that the punishment inflicted in suppressing the disturbances had been excessive and uncalled for. The right hon. Member for Buckinghamshire stated on that occasion—

“It is because I do not believe that the interests of true humanity were consulted, but because I believe the policy pursued has been a policy of panic—a policy under which measures have been adopted disproportioned to the emergency—it is because I feel what would be the consequence of encouraging such a policy—and we do encourage such a policy, if it is allowed to pass uncriticised and uncensured in this country—it is because I believe the consequence of such a policy would be perilous to the Empire, that I will support the Resolution of my hon. Friend.”—
[3 *Hansard*, cxvii. 249.]

The case of Ceylon was far stronger than that of Jamaica. In the former case the British power was really in danger; the number of Natives supposed to have joined the rebellion was 60,000, and three actions were fought with them. It was said that an exterminating desire was entertained by the rebels, and martial law lasted for ten weeks. How many persons were executed? Only eighteen, though the disturbances were much more dangerous than the disturbance in Jamaica. He could find no precedent for the proceedings in the outbreak in Jamaica. It could not be compared to the previous outbreak at the time when the negroes were greatly excited. It was not too strong a word for

him to use, to say that these 354 persons were legally massacred. Even Continental despotism, including the conduct of Russia to Poland and that of Austria to the Hungarians, did not exhibit any instance where there had been so great a number of executions with so little justification either on the ground of justice or military necessity. It was said that what had been done was in order to prevent the insurrection spreading to other parts of the island. If they were to apply that to Ireland, what would be said if 300 were executed in Tipperary for an insurrection that had broken out in Galway? The facts proved it could not be so; for Governor Eyre, while allowing the executions to proceed, would not, if he had been afraid of the insurrection extending, have taken on himself the responsibility of countermanding the troops from Halifax. But while he said this, he could not concur with his hon. Friend the Member for Westminster that a prosecution should be instituted against Governor Eyre. He was mainly responsible for these executions. He had the power of putting an end to martial law; but he could not go along with his hon. Friend the Member for Westminster in saying that a prosecution should be instituted against him for two reasons. First, because after all this was a mistake. The Governor thought, strange as it might appear, that he was acting for the best; he honestly believed he did. That alone would not be sufficient. There would be little security for life and property if no proceedings were ever to be taken against men in authority who by mistake, scarcely to be accounted for, had condemned so many persons to death. But there were particular circumstances connected with Governor Eyre's position under the Jamaica law which ought to plead very strongly against further proceedings. He believed he had acted for the best in his own discretion; and when they had placed a man in a very responsible position, although in fulfilling its duties he had made a most deplorable mistake, yet, having acted to the best of his ability, he did not see how they could institute proceedings against him. His position was such that he was tempted, almost forced, to declare martial law, and therefore obliged to use his discretion. His hon. Friend the Member for Westminster had left out of sight the way in which, the Jamaica Act staring him in the face, the Governor would be almost obliged to declare martial law; and once

martial law was declared there could be no doubt as to the suspension of the ordinary law. In the absence of any reason to suppose bad motives, he could not admit the propriety of instituting proceedings against him. Such being the case, it was the more necessary that the present Government should do what he had no doubt the late Government would have done, that was, most seriously to inquire into the state of the law in Jamaica, and in the rest of the West India colonies, with regard to the possibility of declaring martial law. He thought two facts were brought out very clearly by this sad story—first, it was not martial law which put down the outbreak, but the skilful conduct of the troops under General Nelson. The second lesson was this—that if they continued to subject the Governor to the responsibility of declaring martial law by having Acts of the Colonial Legislature unrepealed, they were bound to issue regulations exactly defining his position. He did not think it was possible to regulate it so as to prevent loss of life and cruelty, for martial law was truly said to be the devil let loose. This ought to be a warning to them to be much more careful for the future. Considering what a terrible evil it was and must be, involving as it did the suspension of all law, he thought martial law ought never to be proclaimed so long as the troops were able to act efficiently without it. They knew that in this case this condition of things did not exist, because the troops, in fact, put down the rebellion. He did not, however, blame Governor Eyre for declaring martial law, for seeing that that law had been on former occasions declared in Jamaica, and there being a law which almost told the Governor to declare it, under such circumstances he would naturally feel that he would be severely blamed if he did not declare it. His own opinion was that the Government should look very seriously into these Acts as to martial law, in order to see whether they could not be repealed, and the matter placed upon the same footing in the colony as it was in England. He believed he was right in saying that the meaning of the Jamaica law, as regards martial law, was this—that the Governor of Jamaica, with the assent of his Privy Council, could at any moment, at his discretion, suspend all law, and put any district of the colony, or the whole colony, under military authority, with as few safeguards and as little

regulation as had taken place in the late disturbances. This was not the law in this country, and ought not to be in Jamaica. What he had said with regard to proceedings against Governor Eyre applied *à fortiori* to all who were under him. No proceedings should be taken against any of his subordinates unless there was reason to suspect them of bad motives. If there was *prima facie* a case of cruelty or wilful recklessness—like Ramsay's case—the Government should institute an inquiry into it, and he had the fullest confidence in his right hon. Friend that he would undertake that inquiry as fully, fearlessly, and impartially as it would have been undertaken by his predecessor. He did not think it would be for the interest of the future Government of Jamaica that they should have more prosecutions than were absolutely necessary for the sake of justice. In giving Jamaica a fresh start, with all the lessons of many years, he did not think they would enable the future Government to be conducted with efficiency if there were more prosecutions than were absolutely necessary for the vindication of justice. He believed they were all ashamed of what had taken place, and the chief question which remained to be considered was how to prevent such things happening again. Now, how was it that Governor Eyre, whom he believed to be a humane and conscientious man, sanctioned proceedings of this kind, and how was it that British officers perpetrated atrocities from which they would have shrunk had the victims been white people? The reason was that they were not free, and he did not know that he himself or any Member of the House would have been free, from the race feeling—the feeling of contempt for what was regarded as an inferior race. This, however, only made it the more incumbent upon Parliament, able as it was to sit calmly in judgment upon these things, to affirm that there ought not to be one code of morality for one colour, and another code for another. Some persons, it was true, maintained that we could not afford to deal with other races on the principle of morality; but surely ferocity was as unwise towards black men as towards white; surely justice and mercy were as much an act of duty towards one class as towards another. It was because he felt that the fault was not so much that of an individual as of a feeling to which we were all tempted in dealing with

weaker races that he wished the House to protest against the proceedings in Jamaica, and to condemn that misuse of strength to which there was always a temptation.

MR. BAILLIE COCHRANE was surprised that during this debate he had heard no sympathy expressed on the opposite Benches for the whites who were the first victims of this rebellion. And he must also say that it was with regret that he heard that the subject was to be discussed at all; because it could hardly be discussed without producing bitterness of feeling, and in the course of the discussion it was almost sure to be implied that Gentlemen on his side of the House had sympathy with acts which they regarded in much the same light as the hon. Member who brought forward the question. The hon. Member for Westminster had compared what had happened with the massacres of St. Bartholomew and of the French Revolution; but that was an exaggerated way of speaking that was scarcely worthy of a man of his philosophical temper. It should also be borne in mind that there were 500,000 of blacks in Jamaica and only 15,000 whites, and what would have been the position of Governor Eyre if he had not used the most energetic measures, and if there had been a general massacre of the whites? It should not be overlooked that public opinion had been, he might almost say, manufactured upon this subject. It might have been supposed that there would have been the greatest sympathy for Governor Eyre and his officers; but instead of this, meetings were held in the opposite interest. One was at Exeter Hall; and at the door copies of Gordon's letter to his wife was printed on black-edged paper, and was distributed at the door, and at a meeting at Brighton a gentleman who said a word in favour of Governor Eyre was turned out. It was quite clear from the Report of the Commissioners that Gordon, although he might not have been cognizant of the rising, had made inflammatory speeches which created a general impression that he would approve such a proceeding. As to the cruelties practised by the rioters at Morant Bay, which had been denied by hon. Members opposite, private correspondence fully confirmed them. He held in his hand a letter written from Kingston, by Mr. Radcliffe, a minister of the Scotch Church, in which was the following passage:—

“It has come to light that the insurrection was a portion, and only a portion, of an intended mas-

sacre of all the whites and respectable coloured people. The time was to be Christmas Day, the directors the members of a secret society which has existed in Kingston for some time, and the object the slaughter of the whites and the seizure of their property. Surely the people of England will at last have their eyes open to the character of the negro; they have been petting panthers, who, not satisfied with murdering their victims, mutilated them. We have been living on a mine, and we wish the people of England to know it. We were all to have been murdered on Christmas Day, and if the anti-slavery people do not know it, we do. There is not a respectable man in Jamaica will ever sleep again with the confidence he did before, and there is not one of that class who would not leave it to-morrow if he could.

The truth was that a general insurrection was prepared, and nothing but the energy of the Governor saved the white population from extermination. That such a conspiracy existed was admitted even by the *Colonial Standard*, a paper strongly opposed to Mr. Eyre, and which actually condemned him for not having sooner credited the premeditated massacre. The blame, therefore, which the people of the colony attached to Governor Eyre was that he did not sufficiently believe in the general character of the insurrection. The hon. Gentleman who had just sat down had asked what was to be done now; but a more important question even than that was, what was the cause and origin of the outbreak? Now, Jamaica ought to be one of the most prosperous of all our colonies. It appeared from the most authentic documents that Jamaica was far more lightly taxed than Barbadoes, Trinidad, or our other West India colonies. Before the abolition of the slave trade Jamaica produced about four times more sugar than any of the other colonies, and since the passing of that measure, whilst the other colonies had progressed 50, 60, or 100 per cent, Jamaica had fallen off about 62 per cent. The reason for the retrograde position of Jamaica might be found in the following facts:—In Barbadoes the proportion of the blacks to the whites was nine to one, in Guiana eleven to one, in Trinidad eleven to one, but in Jamaica it was thirty to one. This disproportion between the two populations explained much that had occurred during the insurrection. Had Governor Eyre permitted the 500,000 of blacks to get the upper hand, how terrible the position of the 15,000 whites would have become! Were the feelings of those most interested in the matter—the white inhabitants of Jamaica—to be overlooked entirely? The white inhabitants poured into the Governor ad-

dresses upon addresses, expressing their utmost sympathy with him and their approval of his conduct throughout those sad and disastrous events. The Bishop, Archdeacons, and the clergy of Jamaica, had sent the following letter to Governor Eyre:—

"We, the undersigned clergymen of this island, feel strongly called upon at the present crisis to express our deep sympathy with your Excellency, and our utter condemnation of the hasty and uncharitable judgment passed upon you. We feel the utmost indignation at the attacks made upon you by a portion of the British press, by persons who are incapable of appreciating the dangers and difficulties of our position, who, falling into the very error they would condemn, are clamouring for the punishment of persons whose crimes exist only in their imaginations. We fully share in the conviction, general in this island, that your promptness, decision, and energy have saved Jamaica from ruin. And we would hope that the time is not far distant when many of those who have been led to join in unfair attacks upon your Excellency will be convinced of their error, and will be forward to acknowledge that they have grievously wronged you. Those of us who have had the privilege of private intercourse with your Excellency are prepared to testify that never were charges of injustice and inhumanity more inappropriate than those with which your detractors have assailed you; but rather that decision, kindness, and humanity have uniformly characterized your conduct. The lasting gratitude of the colony will, we believe, follow your Excellency for your successful endeavours to bestow on us a form of Government calculated to insure peace and security, and to promote the welfare of all classes of the community, and our individual prayer will attend your Excellency, Mrs. Eyre, and your family. May the blessings of the Almighty grant you a happy issue out of all your difficulties, and a long future of successful administration as a Colonial Governor; and, whenever it may be needful, an honourable repose from the arduous toils of high office, heightened by the remembrance that, in the opinions of those best able to judge, you have faithfully done your duty."

He contended, that it was the duty of every Government to support their officers who were placed in such a high and responsible position as that of Governor Eyre under such trying circumstances as had occurred in Jamaica. He (Mr. Baillie Cochrane) regretted that the late Secretary for the Colonies had resorted to the measure of suspending Governor Eyre before the inquiry. He considered that step of the right hon. Gentleman opposite to be one of an almost ungenerous character. He denied that it was incompatible with the proper conduct of that inquiry to continue Governor Eyre in his position. When the right hon. Gentleman opposite (Mr. Gladstone) went to Corfu upon a special Commission, it was not deemed necessary

to remove Sir John Young from his position of Governor. Governor Eyre had, however, suffered the punishment of deposition before the inquiry in Jamaica, and was treated in the most ignominious manner. He thought that the hon. Gentleman would have pursued a much wiser course if he had not brought this question forward, as he could not see how any practical result could arise from his Motion. Knowing what a humane and honourable man Governor Eyre was, he (Mr. Baillie Cochrane) had the satisfaction of availing himself of this opportunity before the close of the Session of expressing the feeling with which he was impressed that the late Governor of Jamaica had acted in a most admirable manner in the difficult and dangerous position in which he was placed.

THE ATTORNEY GENERAL: I do not rise, Sir, for the purpose of entering into the consideration of the facts of this most painful case, neither do I intend to offer any opinion upon the points of law which have been adverted to in the speeches of some hon. Members who have addressed the House. I do not propose to enter into the facts of the case, because I feel I could add nothing to what has been already set forth in the Report of the distinguished and learned persons who have executed Her Majesty's Commission to inquire into this matter, although I am sure that no person can rise from a perusal of that Report without an intense feeling of pain, whilst feeling admiration for the temper and excellent manner in which the Commissioners have executed their difficult and important duties. I do not rise, I say, to enter into the legal questions involved, for this reason—that from what we have been told to-night, and considering the despatch of the right hon. Gentleman the late Secretary for the Colonies, I feel it is quite possible that legal proceedings may still arise out of the transactions that have taken place, and I think, therefore, it would be in the highest degree improper for any one holding the position I have the honour to occupy, or even for this House, to arrive at any conclusion as to what ought to be the decision of those legal questions. But I rise simply to ask the House to consider the position in which it is placed with regard to the Resolutions to which it is asked to agree. I do not intend to say a word about the first Resolution of the hon. Gentleman, but I ask the attention of hon. Members to the second Resolution, which is in these words—

Mr. Baillie Cochrane

"That this House, while approving the course taken by Her Majesty's Government in dismissing Mr. Eyre from the Governorship of the island, at the same time concurs in the view expressed by the late Secretary of the Colonies, that, 'while any very minute endeavour to punish acts which may now be the subject of regret' would not be expedient, still 'that great offences ought to be punished,' and that grave excesses of severity on the part of any civil, military, or naval officers ought not to be passed over with impunity."

Now, I observe in passing that the answer to that would be that the late Secretary of the Colonies did not use the words "that grave excesses of severity on the part of any civil, military, or naval officer ought not to be passed over with impunity." In point of fact, we find that the late Secretary of the Colonies, in his despatch to Sir Henry Storks, says—

"I have communicated copies of your Report, with the appendix, to the Secretary of State for War, and to the Lords Commissioners of the Admiralty, who are the proper judges of the conduct of the military and naval officers engaged in these transactions. On my own part, I have to request that you will cause careful investigation to be made in those cases of civilians which appear to require it, with a view to such further proceeding as may be requisite and just. It will not be desirable to keep alive in the colony the heart-burnings connected with these lamentable occurrences by any very minute endeavour to punish every act which may now be the subject of regret. But great offences ought to be punished. I rely on your Government to accomplish this necessary object, and shall expect to receive a full report of the measures which have been taken with that view. You will, of course, be very careful not to give certificates under the Indemnity Act in any cases in which there is reasonable ground to question the propriety of giving them."

Now, I ask whether the House does or does not agree with that statement contained in that despatch from the right hon. Gentleman. If the House does agree with it I should wish to know what is the object of passing a Resolution couched in the same words? The present Governor of Jamaica is acting upon the instructions contained in that despatch, and we see that they go to the extent of directing the prosecution of some of the persons connected with these unhappy transactions. It appears, then, to me that it would be superfluous for the House to affirm any of those instructions by embodying them in a Resolution of this House. If, however, the Resolution implied that something more is intended, then I think that we ought not to assent to it, as it would, in effect, amount to a prejudging the question as to the alleged commission of grave excesses of severity on the part of the authorities in the island, and as to whe-

ther they ought to be punished. With regard to the other two Resolutions, I understand the third not to be supported by any hon. Member, and as to the mode in which compensation should be awarded, the hon. Member himself seemed to have a very vague idea of the principles on which it would be prudent to proceed, for when asked whether compensation out of the Imperial funds ought not to cover the losses of those planters who suffered injury at the first outbreak of the rebellion he said he did not in the least care, he would not object to their being included also. But I think this House will be slow to give its assent to an abstract Resolution in favour of some loose, vague principle of compensation to be awarded in a manner and to an extent which the Resolution leaves altogether unexplained. As to the fourth Resolution, I do not know how it is to be described. It asserts that because certain persons have been put to death without justification, and certain others have been punished with great severity, therefore persons now undergoing punishment—who, for all that the Resolution affirms, may be suffering with perfect propriety and according to their desert—ought to be released from that punishment, because, forsooth, some other persons were treated harshly. That is a system of compensation this House ought not to adopt, and I cannot think that the hon. Gentleman the Member for East Surrey intends to ask the House to affirm that Resolution. My right hon. Friend the late Under Secretary for the Colonies, looking on the four Resolutions as one, said they were not such as the House could be called upon to accept—though there were portions of those Resolutions to which individually he would not object; and accordingly he proposed to move the previous Question. My right hon. Friend, however, did not advert to the practice of the House which would lead to you, Sir, putting from the Chair the first of those Resolutions distinct from the other three, and, consequently, to the previous Question being moved to the first Resolution. Now, what does this first Resolution affirm?—

"That this House deplores the excessive punishments which followed the suppression of the disturbances of October last in the parish of St. Thomas, Jamaica, and especially the unnecessary frequency with which the punishment of death was inflicted."

I have read that Resolution over and over again, and I must own that as I read it I do

not think there is a man in this House who would not affirm that Resolution if it stood alone. It seems to me to steer clear of every objection that might be made to other Resolutions, because it uses the word "punishment" and does not assume, as has been done in other Resolutions to-night and on former occasions, that particular acts committed in the island were illegal. On the contrary, by employing the word "punishment" it assumes the legality and necessity of the acts of authority at the time when these were committed. But I want to know can there be a doubt that every one of us must deplore in our hearts, and in a manner which, I fear, no words of a Resolution can adequately express, that such acts should have taken place, that such excessive punishments should have been inflicted, and, above all, that the punishment of death should have been imposed with such unnecessary frequency? I give those who directed these measures full credit for rectitude of purpose; I do not desire to say one word against their motives, but I deplore what I believe was an error of judgment of a most serious kind. For my part, I trust that if the previous Question is to be moved, the first Resolution may be put separately, that we may have the opportunity of voting upon it apart from the other three Resolutions which have been proposed.

MR. CARDWELL: It is but natural, even at this late hour, that I should wish to address the House upon this subject. And without troubling you at any great length, I hope I shall be able to express the views I entertain with reference to these Resolutions. It would not have been natural for the Session to terminate without a discussion in this House upon a subject which more than any other in recent times has stirred the feelings of the community, and, as I can testify, has given to those intrusted with the responsibilities of power the deepest anxiety and pain. And if it was natural that the question should be discussed, from every consideration, personal and hereditary, it was natural that my hon. Friend the Member for East Surrey should be the man to bring the question before the House of Commons, especially when we wish to deplore the severities exercised towards the black subjects of Her Majesty in Jamaica by those of the white race. I listened to the speech of my hon. Friend, and I must say, as far as spirit and intention were concerned, that I did not see in it those qualities of unfairness which were so severely

censured by my right hon. Friend opposite. No one who knows my hon. Friend, and no one who listened to his statement, could for a moment believe that every word which fell from him did not fall from the convictions of his head and the feelings of his heart. But my hon. Friend did nevertheless convey to the House, I think, a different impression with regard to the complaints contained in the ponderous book which the Commissioners have prepared than that conveyed by the Royal Commissioners themselves—a difference not in character, but in degree, and in a question of this kind degree is all important. I hope I shall be excused by my hon. Friend if I say that upon a question of this gravity to the character and interests of this country, and to the feelings of all who are dealt with when the House of Commons entertains such a question, I must prefer the deliberate and careful finding of the Royal Commissioners, who heard and saw the witnesses, to the comments of any Gentleman who takes his view from reading the documents accompanying their Report. I must say that in reading this volume I was myself impressed with a more intense feeling of regret for all that has occurred in Jamaica than any previously acquired knowledge, or than even the Report of the Commissioners had conveyed to my mind. It is the invariable effect of detail to influence the imagination and the feelings. But, I must say, that having gone through, as was my duty, the contents of this ghastly volume, the feeling left on my mind was one of the deepest sorrow and regret. My hon. Friend spoke very strongly of those who were the subject of alarm at the first outbreak of those disturbances, that they had acted as cowards, and as if there was much less danger than it appears to me there really was. He negatived many of the atrocities which were at first reported to me in the despatch of Governor Eyre, many of which certainly do not appear to have occurred precisely as Governor Eyre at first represented. But let anyone read in the evidence the records of those atrocities, and he will not only be deeply shocked, but will feel that those who had to deal with them in the first pressure of the emergency were not likely to view the details with that calm impartiality and dispassionate judgment that we are now able to bring to the consideration of the subject. In dealing with Governor Eyre we ought, I think, to remember the state of things at that time among the

black population of the Southern States of America ; that a civil war was going on in the neighbouring island of Hayti ; and that he was suddenly called on to face an emergency which arose in a manner as much unexpected by him as by anybody else ; entertaining what proved to be an erroneous consciousness of safety, he had permitted nearly the whole squadron to leave the island, and at the moment the force of troops at his disposal was not sufficient to secure the permanent restoration of order. Surrounded by the tears of those who had lost their relatives in these dreadful atrocities, and by the fears of those who wrote to him, sometimes truly, often in exaggerated terms, from all parts of the island, you must bear in mind the difficulties of the position in which he was placed. You ought not to forget that there was a man who, among all these anxieties and alarms, did retain some portion of his self-possession and natural courage, and that man was Governor Eyre. When a proposal was made to apply for aid to Cuba, he was the person to set his face against it ; when a proposal was made to put Kingston under martial law, he was the person to refuse ; and still later, I think as late as November, when the suggestion was made by a brave and experienced soldier, whose recommendation was endorsed by the Major General, that four other parishes should be put under martial law, Governor Eyre was the man who opposed the project. It was our duty not to forget these considerations ; and we did, therefore, cordially agree with the Commissioners in giving Governor Eyre credit for the vigour and promptitude with which he repressed the insurrection. We were told to-night that no great danger ever existed. But such is not the language of the Commissioners. In one of their resolutions they spoke of an apparently formidable insurrection. Do we not know that forty miles of country were for days in the possession of the insurgents, that houses were gutted and in flames, that loyal inhabitants of the district had been killed, that the Court House was burnt down, the Custos and inspector of police were murdered, and that magistrates with their families were flying from the locality ? In one of the resolutions the Commissioners say—

“ That though the original design for the overthrow of constituted authority was confined to a small portion of the parish of St. Thomas-in-the-East, yet that the disorder in fact spread with singular rapidity over an extensive tract of country, and that such was the state of excitement prevailing in other parts of the island, that had

more than a momentary success been obtained by the insurgents, their ultimate overthrow would have been attended with a still more fearful loss of life and property.”

Now, that is what I call the solemn decision of the Commissioners, arrived at after a most careful and anxious study of this painful subject. They were of opinion that the prompt repression of the disturbances was a measure of mercy, as well as a measure of justice—

“ A little fire is quickly trodden out

Which, being suffered, rivers cannot quench.”

Feeling the justice of this judgment of the Commissioners, we felt it our duty to give the credit due to Governor Eyre. But when I come to speak of the measures which were afterwards adopted, a very different duty devolves upon me. I see my right hon. Friend opposite (Mr. Russell Gurney) who, at great sacrifice to himself, undertook, with Sir Henry Storks and Mr. Maule, this responsible, difficult, and painful duty, and if I say anything at all at variance with the facts he will be able to correct me. The continuance of martial law for so long a period of time, and the execution, and the flogging of so large a number of our fellow-subjects in pursuance of the sentence of martial law, were proceedings which it is certainly impossible to do other than in the strongest way to deplore and condemn. It was a grievous fault ; and, by the censure it has entailed, it has been answered grievously. I have reason to know that the punishment which has fallen upon Governor Eyre has been deeply felt. I have not the honour of his acquaintance, but I believe him to be a man of courage and also of humanity. I do not palliate his errors ; I deeply deplore them ; but I am, nevertheless, convinced that he acted with the real belief that he was discharging his duty. The House is aware that, from the reign of Charles II. to the present time, statutes passed by the Legislature of Jamaica, and sanctioned by the Crown, have authorized, under certain circumstances, and with certain limitations, the proclamation of martial law. The statute now in force limits to one month the duration of any such proclamation. For the existence of these statutes Governor Eyre was not responsible. If they ought to have been repealed, which is not the question we are now considering, the blame may rest upon successive Governments, which have permitted them to continue. But it appears to me that Governor Eyre

fell into the mistake of considering that because a month was the extreme period limited by the statute for the duration of martial law when once proclaimed, therefore its continuance for a month was justifiable and regular, irrespectively of any continuing necessity. The Commissioners and Her Majesty's late Government agreed in their conclusion, approved the original proclamation, but disapproved and condemned its continuance. Then, the question has been raised whether Mr. Eyre ought to be brought to trial before a jury of his countrymen. Her Majesty's late Government were not of opinion that he ought so to be put upon his trial. I do not think my words were correctly quoted in the early part of the evening. The despatch will show that the first reason given for not replacing him in his position as Governor was our disapproval of his conduct created by the Report of the Commission; but we did not think that it was consistent with our duty to expose him, as my hon. Friend the Member for Westminster suggested, to trial before a jury of his countrymen. On the contrary, we agreed with my hon. Friend the Member for East Surrey who left the chair of the Jamaica Committee rather than be party to a prosecution. I do not think that any one who has due regard to the truth can deny that Mr. Eyre really shared in the belief, universal at the moment among all the white and coloured men of the island, that a conspiracy for their destruction had existed, and that Mr. Gordon was to a great extent guilty of promoting it. We were of opinion, for the reasons stated by my hon. Friend, that it was not a case for a criminal prosecution, but was properly dealt with by the removal of Governor Eyre from his office. With regard to martial law itself I shall say nothing, for the reasons stated by the hon. Gentleman who last spoke. I will only observe that what we have done in respect to Governor Eyre was founded upon principles that are laid down by the greatest authorities that have adorned the literature of this country. In one of them I find—

“When law is silenced by the noise of arms, the rulers of the armed force must punish as equitably as they can those crimes which threaten their own safety and that of society. Every moment beyond is usurpation. As soon as the law can act, every other mode of punishing supposed crime is itself an enormous crime.”

Upon that principle we have acted throughout. So much with regard to Mr. Eyre :

Mr. Cardwell

with regard to those who have acted under him, I gave the following instructions:—

“I have communicated copies of your report, with the appendix, to the Secretary of State for War, and to the Lords Commissioners of the Admiralty, who are the proper judges of the conduct of the military and naval officers engaged in these transactions. On my own part, I have to request that you will cause careful investigation to be made in those cases of civilians which appear to require it, with a view to such further proceedings as may be requisite and just. It will not be desirable to keep alive in the colony the heart-burnings connected with these lamentable occurrences by any very minute endeavour to punish every act which may now be the subject of regret. But great offences ought to be punished. I rely on your Government to accomplish this necessary object, and shall expect to receive a full report of the measures which have been taken with that view.”

Now, I understand from the speeches of my hon. and learned Friend and of my right hon. Friend the Under Secretary for the Colonies that the present Government will adhere to those instructions, and that the Governor of the colony is carrying them into effect. Ramsay is being tried for his life, and Ensign Cullen and Dr. Morris have also been arraigned, while further proceedings are in progress. I now come to examine the Resolutions proposed by my hon. Friend the Member for East Surrey. I am quite sure that he has no other object in view than to promote the ends of justice and humanity; and that he has introduced the subject in order that it may be considered by the House of Commons with a view to furthering the ends of justice and promoting the interests of the colony. Looking at it, then, in that light, it appears to me that it is impossible that any Member of this House can differ from the opinion expressed in the first of those Resolutions. With regard to the other three, I will frankly say that I sympathize with the spirit which has dictated them. As to the second, it would be strange if I did not agree with it, since I believe the sentiments it contains have been largely taken from the despatch I had the honour to lay upon the table. With regard to the next, which deals with compensation, I should undoubtedly have pursued, had I remained in office, the policy which I doubt not will be pursued by those who have succeeded me. I should have communicated with the new Governor of Jamaica, and requested him to consider how far it was expedient to make compensation to those who have sustained unmerited injuries in the

course of the disturbances in the island. Neither should I have confined it to one side, but have required investigation into the claims not only of the poor people who had suffered from the severities we all deplore; but also into the claims of those magistrates, landed proprietors and others, whose property was destroyed in the original disturbances. Then as to the amnesty. My hon. and learned Friend was very satirical upon the logical absurdity of remitting sentences that might have been justly passed, while other sentences that were too severe, or altogether unjust, were not touched: and it must be borne in mind that the severities of martial law had already terminated, when martial law itself had ceased; amnesty could now have no effect on them. The only sentences which could now be affected by an amnesty would be sentences which had been passed by the constituted tribunals of the island in the regular course of law. I will now state to my hon. Friend what appears to me to be sufficient reason for not pressing this matter upon the House. First, I do not think it has been the practice of this House—the ultimate Court of Appeal, which is always ready to redress the grievance of every subject of Her Majesty—to interpose its high authority while proceedings of a judicial character are actually in progress. Ramsay is being tried for his life, while serious charges against others are being investigated by the constituted authorities. It seems to me more natural and desirable that the House should reserve its decision until those proceedings are over; it will then be competent to form an opinion upon them. Then, as to compensation my hon. Friend seems to think it should come from the revenues of this country; but I feel sure the Chancellor of the Exchequer will not be so ready to express such an opinion. As it is, we have two regiments supported at the public expense for the protection of Jamaica, and my impression is that, if any compensation for these disturbances were granted, it would be out of the revenues of the colony itself; and if that be so, it would be unusual for the House of Commons to pass a Resolution upon the subject. Another most powerful reason for declining to come to the Resolutions offered for our acceptance is to be found in the arrangements made for the future government of the colony. A most able man has just been appointed Governor of Jamaica. You have been most fortunate in securing the services of Sir

Henry Storks, and of the right hon. and learned Gentleman opposite (Mr. Russell Gurney), and lastly, of Mr. J. B. Maule, upon the Commission. You have also been most fortunate in having for your first Governor, under the new constitution, such an able and experienced public servant as Sir John Grant. What will be Sir John Grant's first object in beginning his new Government? He will endeavour to secure the confidence of all classes in Jamaica—to assure them by his acts that he is not the representative or partizan of the white or black, but the servant of the Queen—come to give equal justice to all. That I am sure is his desire, and it will also, I hope, accurately describe his conduct. But if we fetter him with the Resolutions proposed, the second of which tells him to deal with severity towards the white, and the last to give amnesty to the black, while the third proposes to give compensation only to the black to the exclusion of the white proprietor who has suffered—my belief is that Sir John Grant will not be placed in very advantageous circumstances for commencing his new Government. It seems to me that it would be far better to leave cases where compensation and amnesty are prayed to be decided in the natural course by consultations between the Government of Jamaica and the Secretary of State at home. I say this without objecting to the spirit of the Resolutions; I entirely concur with the proposals to grant both amnesty and compensation, and also to administer punishment when deserved; but I believe, from the reasons I have given, that it would be unwise for the House to express that opinion by a formal Resolution. Before I sit down I wish to allude to another subject which has not been mentioned in the course of this debate, but which I should not pass by unnoticed. It will be remembered that in the first despatch, in which Governor Eyre spoke of the principal causes of the disturbances, he alluded to a letter which had been addressed to me by Dr. Underhill, and he attributed to that letter in great part the origin of the disturbances. As it was in consequence of my having communicated the letter to Governor Eyre that it obtained publicity, I feel bound to express an opinion upon that part of the case. The letter, which was brought to me I believe by the hon. Member for Bristol, was perfectly *bonâ fide*, and addressed to me for the purpose of obtaining practical inquiry into the subject. I accor-

dingly sent it to the Governor for that purpose. If the consequences which have been said since to have resulted from that letter could have been reasonably expected by the Government of Jamaica, I think it was not necessary to give the letter publicity; and that the publishers of the letter, and not its writer, must be held responsible. I will further say, in regard to the persons connected with that letter, that when the despatch was published in the *London Gazette*, nothing could have been more reasonable and moderate than the course they pursued; and of all the deputations which came to me in that period of excitement, there was none more temperate and calm in dealing with the subject than a deputation of Baptists which came from different parts of the country in company with the hon. Member for Bristol (Sir Morton Peto). In conclusion, Sir, I hope my hon. Friend will agree with me, that we should not be justified in dividing upon the Motions which have been submitted to the House. He must see that even among his own friends there is not a perfect concurrence of opinion. I do not know whether the hon. Member for Westminster would vote with him, but he has given notice of an Amendment which asks us to declare that the recent transactions in Jamaica require investigations of a character which can be satisfactorily met by a judicial tribunal only. I trust, then, we shall not divide upon the question, and I sincerely hope that these disturbances, the last of a long series of troubles which have afflicted Jamaica, will be succeeded by a period of prosperity such as the colony has never before known. It is in itself one of the most fertile in Her Majesty's dominions, and is blessed with a splendid climate. It was called by Lord Rodney, when by his splendid victory he had saved it, the first gem in the diadem of England, and without going as far as Rodney in his enthusiasm went, I think it reasonable to hope that, under her future Government, the island, which has hitherto been a warning to our other possessions in the West Indies, may enjoy such prosperity as to make it an example to the surrounding colonies.

Mr. THOMAS HUGHES, in supporting the Amendment of the hon. Member for Westminster, said, he found himself in the category of those who, according to the dictum which they heard earlier in the evening from the right hon. Gentleman the Under Secretary for the Colonies, had for-

feited for ever all title to be heard on this question in this House. He wished, however, to impress upon the House that if they now allowed the deeds which had been done in Jamaica to pass without being dealt with by any judicial tribunal, they would be the first generation of Englishmen who had shirked the duty of seeing that the honour of England did not come to disgrace in the hands of persons who represented us in the colonies, and who bore our honour and our authority on their shoulders. He would not go far back, but he would give two or three instances of what had been done in this country with regard to Colonial Governors within the last 100 years. He did not intend to say a word with regard to Governor Eyre and the case of Mr. Gordon, for he quite agreed with the Attorney General that, as these matters might come before a judicial tribunal—and he certainly hoped they would—this was not the place to speak of them. The first case to which he would refer was that of Governor Sabine, the Governor of Gibraltar, just 100 years ago. A military train started from Gibraltar, and connected with the artillery train was a carpenter who was tried by court martial and flogged. The sentence passed upon the man was simply affirmed by Governor Sabine, and for that he was tried in this country and found guilty of trespass. The case was mentioned shortly by Lord Mansfield, but the amount of damages was not stated. The next case was that of Governor Mostyn, of Minorca, in 1773. At that time the island was in at least as troubled a state as Jamaica in 1865, and there was a certain wine grower, named Fabricas, who was very troublesome to the Government, who was in the habit of perpetually getting up petitions in favour of free trade in wine, and at last he threatened to come with 200 wine growers behind him. The Governor called a council of field officers in the island, and consulted three of the Judges, and with the consent of that body so formed he seized upon Mr. Fabricas, imprisoned him for a week, and then sent him away to Carthagena, his own country, for a year's banishment. Mr. Fabricas prosecuted the Government in this country for that conduct. It was an action brought before a civil judicial tribunal, because the offence charged was not of a nature to be heard before a criminal tribunal. The defence was that the island was almost in a state of insurrection, and that in three cases former Governments had done exactly the

same thing. The Lord Chief Justice De Grey, who tried the action, laid it down that the defendant had acted with a great deal of caution, judgment, and prudence—he might almost say with impartiality—but yet a verdict was found for the plaintiff with £3,000 damages. A new trial was moved for and refused, and upon a writ of error being brought, it was contended for the Governor that he was only accountable to the King in Council. Lord Mansfield, before whom the case then went, laid it down that in an English Court of Justice such monstrous propositions as that a Governor acting by virtue of letters patent under the Great Seal could do what he pleased, and was accountable to God and his own conscience, formed a doctrine which could not possibly be maintained, because if he was not accountable in that court he was not accountable anywhere. He added that the King in Council had no jurisdiction in the matter, not being able to give damages, reparation, or punishment. The judgment was, therefore, affirmed. The last case was that of General Picton, who became Governor of Trinidad after it was taken by Sir Ralph Abercromby, and who had received written instructions from Sir Ralph that no sentence was to be executed in criminal matters without his (General Picton's) approbation. Everything in the island at the time was disturbed, and no man's property was safe. A robbery was committed in the colony at the house of a person named Peter Roetz, and suspicion fell on a mulatto girl named Louisa Calderon. The Judge referred the matter to General Picton, and the mulatto girl was subjected to torture, with a view to extract from her a confession of her guilt. She was tied by the right hand, and the left foot rested on a spike, and there she was kept till she fainted. It happened that a Commission was sent at the time to advise as to the state and government of the colony, and that Commission brought home news of what had taken place, and a public prosecution was instituted, and a defence was set up which seemed to answer the objection of the hon. Member for Bradford as to any judicial proceeding in the present case. The defence was that under the law of Spain torture of this kind was allowable, and that the Governor was within the law when he ordered the girl to be tortured. General Picton was found guilty of having violated the law. A motion was then made for a new trial, and the charge continued to hang over

General Picton throughout the whole of the time he had so gloriously led the fighting brigade in the Peninsular war. The men of that day felt that such a course as that pursued by Picton ought not to be allowed to remain unpunished; and he (Mr. Hughes) contended that at the present moment the conduct of Governor Eyre ought not to be condoned without the intervention of a trial before a legal tribunal. He had no hesitation in declaring that if he found himself placed in the position at present occupied by Governor Eyre he would ask for such a trial as the only mode of duly consulting the honour and interest of England which had been committed to his charge; and he earnestly hoped that that was the mode in which that question would yet be determined.

COLONEL NORTH said, he would not have troubled the House with any observations except for one or two of the remarks which had fallen from the hon. Member for East Surrey. That hon. Member had thought fit to apply the epithet "cowardly" to Dr. Bowerbank, a friend of his; but he had not explained in what way the conduct of that gentleman was cowardly. As the Custos of Kingston, it was Dr. Bowerbank's duty to arrest Mr. Gordon, and that duty he performed in as unobjectionable a manner as possible. The term "cowardly" could not well be applied in this country by one gentleman to another with impunity; and, as Dr. Bowerbank had been in England for several months, it would have been better if the hon. Member had applied it to him during that period. [*Laughter.*] He quite understood that laugh, but English gentlemen usually refrained from using epithets of that kind towards each other. The hon. Member had also stated that Governor Eyre had a force of 2,000 men at his disposal, but that number was only arrived at by mixing up with the regular troops sailors, marines, mounted police, and persons of that description. Governor Eyre had only a weak battalion of the 6th Regiment and a black regiment, and remembering what occurred in India in the case of the Native army, and bearing also in mind that no one knew beforehand what course the Maroons would take, it was obvious that Governor Eyre could safely rely only on the 6th Regiment. The flippancy which individual officers had exhibited had been animadverted upon, and any such spirit was certainly much to be regretted; for he believed that, if there was

one feeling more conspicuously displayed than another by English officers generally, whether belonging to the army or the navy, it was that of extreme humanity, and nothing could be more painful to a British officer than to be called upon to perform anything like an act of cruelty. But it should be recollected that those acts were done during a time of insurrection, when there were but a few thousands of white people whom a handful of troops had to protect from the mass of the population of the island. Some hon. Gentlemen appeared to think that every negro who was killed during these unhappy transactions was murdered, while every white man who was butchered only got what he deserved.

SIR ROUNDELL PALMER: Sir, I shall not detain the House for more than a few minutes; but I am anxious briefly to state the view which I take of the Resolutions now before us, and also to notice some of the points that have been raised in this discussion. As to the Resolutions, there is not a word from which I dissent, either in the first or the second of them; and, from what I have gathered in the course of the debate, I think the House generally is disposed to place upon record its affirmance of the first Resolution. But, as to the second Resolution, the reason why I do not wish to see it placed upon record as a Resolution of this House is because I approve of the substance of it, and because the course which it recommends is the course which the Government have already taken, and which they are continuing to take. If the Government were not adopting the course which the House thought ought to be adopted—if they appeared to be remiss and inattentive to the necessity of dealing with serious abuses committed in the course of the insurrection, then, no doubt, it would be most competent and might be proper and perhaps also necessary for the House to express its opinion in order to compel the Government to do their duty. But I believe it to be a proceeding most unusual, and I think not convenient, certainly unnecessary—if the Government are already pursuing the course which the House deems to be right, and which has for its purpose and object the execution of justice against any persons who may be inculpated by these transactions—for the House under those circumstances to pass a Resolution which, if it could have any effect at all, could only have the effect of infusing a political ele-

Colonel North

ment into what ought to be a strictly judicial proceeding. And here I must repeat that I give my entire and cordial assent to the substance of these Resolutions, and, with little exception, to the substance of what was said by my hon. Friend the Member for East Surrey, so far as I can recall it, in his able speech. But I cannot agree with what he said at the conclusion of his speech, when he seemed to put the case in this way—that the House must either approve and endorse the occurrences to which he referred, or it must adopt these Resolutions. Now, I do not think that the House is put into any such dilemma. The House may approve the sentiments expressed in the Resolutions, and while it does approve them may feel it to be unnecessary and inexpedient to interfere either with the due course of justice or with inquiry. Before sitting down I should not like to omit saying that I dissent from any observations which may be made for the purpose of extenuating these excesses. There can be no doubt of the general truth of that which the hon. Member (Mr. Stuart Mill) has ably stated, that exactly in the degree in which those who administer martial law are removed from the responsibilities attending the ordinary administration of justice, in that very degree is it the duty of those who are in charge over them to watch, and severely repress all excesses and abuses which may be committed in the operation of martial law. And when we look to the numbers of those who have suffered death in these unhappy transactions, even without drawing the limit of time, and seeing how large a proportion of these persons were put to death after the practical suppression of the insurrection, it is impossible not to conclude that errors, not to say crimes, of a deplorable character have been committed. Now, a few words only with regard to the observations of my hon. Friend (Mr. Thomas Hughes) upon the Motion of the hon. Member for Westminster, which he supports. Every word which my hon. Friend said to show how necessary was that Motion seemed to me to show how unnecessary it was. He cited several cases in which actions for damages had been brought against Governors of colonies by persons who had illegally suffered wrong at the hands of those Governors. Well, that is a remedy which belongs to the person aggrieved. He wants no Resolution of this House to enable him to bring his action. My hon. Friend mentioned the proceedings

taken against Governor Picton for permitting the administration of torture to an individual in an illegal manner. If anything of that sort can be proved against the Governor, a public prosecution will also lie here. No Resolution of this House is needed for the institution of a criminal prosecution. And, further, I collect that in the opinion of some persons there is a case of this kind, and that it is their intention to bring it to the test of law. They can do so if they please, but that is no reason for passing a Resolution, especially one couched in a vague form, not showing what particular kind of judicial investigation is to be instituted, or by what authority, but simply stating that the recent transactions in Jamaica require investigation of a character which can be only satisfactorily made by a judicial tribunal. Now, we know perfectly well that a judicial tribunal cannot investigate these transactions generally; they can only be brought before such a tribunal by means of a definite charge against an individual, and then of course it will be for the Court to say whether the charge is or is not made out upon the evidence. No vote of the House is necessary for that purpose; and, therefore, all the reasons which have been given in support of that proposition are in truth reasons for confining ourselves at present to that general expression of opinion which will be given if we assent to the first Resolution of my hon. Friend.

MR. RUSSELL GURNEY: I have been exceedingly unwilling to take any part in this debate, believing that the position which I had the honour of holding precluded me from entering into many of the topics which have been discussed this evening, and feeling, also, that in the position I at present fill I may possibly have to pronounce judicially upon other points which have been raised in the course of the debate. Upon some of the questions touched on this evening, therefore, I feel myself debarred from saying a single word: and I do not think I should have been induced to break the silence I had imposed upon myself had it not been for some observations which fell from my right hon. Friend the Under Secretary of State for the Colonies (Mr. Adderley), and also for the challenge given by my hon. Friend the late Under Secretary. I was called upon by him to state whether, in point of fact, I had changed the opinion expressed in the Report to which I was party—namely, that Gordon

in our opinion was not shown to have been guilty of the offence attributed to him, or of any complicity in the conspiracy. I certainly have not changed that opinion. I entertain it as fully now as before. I am perfectly satisfied that the evidence on which Gordon was convicted was wholly insufficient to justify the conviction, and I am also satisfied, having carefully examined all the evidence adduced before us in the course of our inquiry, that, in the words of the Report—

“Although it appears exceedingly probable that Mr. Gordon, by his words and writings, produced a material effect on the minds of Bogle and his followers, and did much to produce that state of excitement and discontent in different parts of the island which rendered the spread of the insurrection exceedingly probable, yet we cannot see, in the evidence which has been adduced, any sufficient proof either of his complicity in the outbreak at Morant Bay or of his having been a party to a general conspiracy against the Government.”

Of course I do not shrink from what is stated in the Report—that we were of opinion that there had been very questionable speeches and writings on the part of Gordon—matters that might possibly have subjected him to an indictment for sedition—but that was a wholly different thing from the crime for which he was convicted, and it would not justify the sentence passed upon him, and, unfortunately, carried into execution. I do not know whether I ought to go further; but I cannot help saying a few words respecting the description of the original outbreak given by the hon. Member for East Surrey (Mr. Buxton). I cannot conceive how he could have looked at the Report, or at the evidence on which it is based, without coming to the conclusion that the outbreak had in it something far more serious than that which he has suggested. The hon. Member told us that candour compelled him to state that at the time of the outbreak considerable irritation existed among the black population, in consequence of their being driven from lands which they thought they were entitled to possess. But that was not the origin of the outbreak. Those who originated it were not persons who had been driven from lands to which they believed themselves entitled. They were persons who, to a very great extent, were settled upon their own freeholds. No doubt they availed themselves of the general desire on the part of the black population not, indeed, to retain possession of lands on which they had settled with a questionable title, but to become possessed of lands which had never been

occupied by them, and to which they had no title whatever. There was a general idea among the black population that all "the back lands," as they were called, had been originally the property of the Queen, and that the Queen by some grant, which had been concealed from them by the manœuvres of the white population, had made these "back lands" over to the negroes. That was the notion which existed among the blacks about the land, and the originators of the outbreak took advantage of the excitement upon that subject in order to produce the "disaffection" which undoubtedly prevailed to a large extent in the island. But the hon. Gentleman altogether ignores the planned rising among the negroes, proved by witness after witness who came before us, and upon which I cannot understand that there can be any question—the actual drillings which went on among the people, their formation into different companies, with colonels and captains appointed over them, and the speeches addressed to them, in which they were told that the time would come when the effect of their drilling would be seen, and they would obtain the advantages promised them by those who originated the outbreak. We find from what occurred afterwards that there was a great deal more in the outbreak than a dispute about land. Throughout the few days that the outbreak lasted, the war cry and watchword of the negro was "Colour for colour!" "Buckra country for us," they said, "buckra" being the negro term for the whites. Then a perfectly different course was pursued from that which was followed in other insurrections. Formerly the regular course has been to set fire to the planters' houses and burn down the estate buildings. In this case, however, every plantation, with the trash-houses, where the sugar is manufactured, and the estate buildings, remained untouched—the cry being, "No touch trash-houses; we want them for us." At another place the plan was distinctly announced that in the following week, after the negroes had possessed themselves of the whole country, they would come down and take up the crops, because the white population would then be driven away, and would be no more seen in the island. Now, in dwelling upon the severities employed, which I deplore and condemn as strongly as anybody can, and which I think we have condemned pretty strongly in our Report, it is not quite right to ignore all this and to forget the real state of the island,

Mr. Russell Gurney

the danger which had to be encountered by the whole white population, and the difficulties which beset those in authority at the time of the outbreak. I join most cordially in almost everything which has been said by my hon. Friend the late Under Secretary for the Colonies; and the anxiety which I felt, and which all the Commissioners felt, was that something should be done in order to prevent the recurrence of events similar to those which took place in Jamaica. I do trust that we shall not allow this occasion to pass away, without doing something in order to insure that if martial law is again resorted to in that island, steps shall be taken to point out how it is to be enforced. That the practice of proclaiming martial law has existed for centuries in Jamaica there can be no doubt. That every Governor has gone out with the belief that he had that power in his hands, and could exercise it when the occasion required, there is also no doubt. One of the misfortunes of Mr. Eyre was the nature of the advice which was offered all around him, and the utter want of any assistance from any persons with whom he was brought into contact. I do trust that the suggestions made by my hon. Friend will not be allowed to drop. Not only has martial law existed for centuries in Jamaica, but very recently power to declare martial law where it did not exist before has been given in other parts of the West Indies; and these laws have been sanctioned by the Home Government. The time has, therefore, really come when, seeing what has been the result of the declaration of martial law in this instance, and what disgrace has rested upon this country in consequence, we should not content ourselves with condemning those who were placed in such difficult circumstances, but should see whether some steps cannot be taken to lay down what these powers are, and in what mode, and with what safeguards, they may best be exercised.

Mr. BUXTON, in reply, withdrew the expression "cowardly," as applied to Dr. Bowerbank, and said he had candidly admitted that the rioters who went to Morant Bay intended mischief, and perhaps murder, and that expressions were used which seemed to indicate an intention to massacre the whites, but he had shown from what occurred that such a design could have been entertained by only a few negroes. The first Resolution had been accepted by the House, and he was glad

of it ; but the House should clearly understand that in accepting it they were passing a most decisive and emphatic condemnation upon excessive severity, which had been employed after the disturbances had been put down.

Previous Question, by leave, *withdrawn*.

Original Question again proposed.

MR. AYRTON said, that if it were accepted in the sense stated by the Mover, the House would commit the injustice it denounced by condemning persons whose conduct had not been inquired into, and who had not been heard in their own defence ; and it would be a most extraordinary thing for such persons to be sent before a legal tribunal with the weight of an emphatic vote of condemnation by the House of Commons hanging over them. Either these persons had been guilty of a most serious offence, or they were innocent. If guilty, they ought in some way to be brought to justice ; and he could not conceive that the House would evade legal proceedings by "deploring" something which had happened. He regretted to hear it contended that there was any difficulty about bringing to justice persons who had unnecessarily put the Queen's subjects to death by hundreds. We had a precedent in what happened in the case of an insurrection in India thirty years ago. It had to be grappled with by a small military force, and a Civil officer sent a young military officer into the field with an ambiguous commission to put down the insurrection, and not to embarrass himself with prisoners. The insurgents as a body fled ; some surrendered and sought the protection of the military officer, who had them hanged by his troops, whose courage was sustained by music. He was properly tried by court martial, for *inter arma silent leges*. He was dismissed the army ; and although on account of his youth there was a great disposition to restore him, the Duke of Wellington firmly insisted that he should not be restored, because he had carried on warlike operations with cruelty. If officers of the army and navy, in carrying on military operations, put people to death unnecessarily, it was the bounden duty of the Government to have them brought to trial, like that officer, and judged by courts martial. The proclamation issued in Jamaica authorized Her Majesty's troops to exercise all the rights of belligerents ; and during the four year's civil war in America every attempt to put to death any who

were taken prisoners with arms in their hands was deprecated in this country with the odium it deserved. Should it be said that in one of our colonies a military force, putting down insurrection, unnecessarily put hundreds to death, and that the House of Commons did nothing but deplore the unfortunate circumstances. Obviously for such excesses both military officers and civilians must be held responsible in the only way they could be. When it had been proclaimed that the law was suspended, and that the civil tribunals had no cognizance of what had occurred, there was but one tribunal to which any man could be held responsible, and that was the tribunal of Parliament. The House was bound to inquire into this matter, and to ascertain who was responsible for the acts which had been committed. If this Resolution were passed it could only lead to further proceedings. This was a question of misconduct in the discharge of a great public duty, and the man who had misconducted himself must be brought to justice in that Assembly. He maintained, therefore, that the House ought not to pass this Resolution. The hon. Member for Westminster ought to be allowed to bring forward this subject again on the reassembling of Parliament, when he trusted that the House would vindicate its authority.

THE CHANCELLOR OF THE EXCHEQUER : If Governor Eyre is to be brought to justice in Parliament it must be by process of impeachment, and it is for the hon. Gentleman and those who act with him to consider whether they have grounds for so grave an act. But what I want to call the attention of the House to is that this Resolution, if it be passed, could never be the foundation of an impeachment, because it is based throughout on the assumption that everything which was done was legal. The expression here, "that this House deplores the excessive punishments which followed the suppression of the disturbances," of course implies that those acts were legal, because the use of the term "punishment" is an acknowledgment that it was the result of a legal act. It would not, therefore, be possible to take this Resolution as the groundwork of an impeachment of Governor Eyre. In passing the Resolution the House would only express what the words expressed, and not the interpretation put upon them by the hon. Member for East Surrey (Mr. Buxton) ; for, indeed, I must protest against that interpretation. The Resolution deplores what took place

in Jamaica, and I suppose there is no one in this House who does not deplore that which, whatever may be the result, all must look upon as a great shame and calamity to this country. But, at the same time, the Resolution assumes throughout that all which was done was done legally; and while it regrets everything that occurred, it does not leave in doubt its opinion that the action of the authorities was perfectly legal. Nor is there any allusion in this Resolution to any individuals. The hon. Gentleman, it is true, said that there was an allusion to the conduct of individuals who ought to be proceeded against; but, on the contrary, expressions of that kind are entirely avoided throughout the Resolution. It says—

“We deplore the punishments which followed the suppression of the rebellion, and especially the unnecessary frequency with which the punishment of death was inflicted.”

The very phrase “punishment of death” implies a legal act, and therefore there will be no ground whatever, in the event of the Resolution being passed, for the assumption that we are necessarily called upon to act against individuals. The result of passing the Resolution will, in fact, be quite contrary to that course which the hon. Gentleman seems to imply will be the logical consequence. I think that this is a Resolution very proper to pass, and one in which all can join. I trust, therefore, that the House will adopt it.

Question put, and *agreed to*.

Resolution 2.

MR. BUXTON wished to know, whether the Government intended that the conduct of the officers should be inquired into with a view to their punishment; because, if so, he should have no occasion to trouble the House with a division upon the second Resolution?

MR. ADDERLEY repeated that the instructions given in the despatch of the late Government to the Governor of Jamaica had only been more imperatively insisted on by the present Government, and proceedings were now taking place.

MR. BUXTON asked, whether the proceedings would apply to naval and military officers?

MR. ADDERLEY stated that the instructions had been sent out from the Colonial Office to proceed against civilians, and similar instructions had gone from the Admiralty and the War Office with reference to the naval and military officers.

Resolution, by leave, *withdrawn*.

The Chancellor of the Exchequer

Resolution 3.

MR. BUXTON said, with regard to the third Resolution, that he understood it was under the consideration of the Government whether it might not be desirable to give compensation to those whose property had been wantonly and cruelly destroyed, and therefore he would not press the Resolution.

MR. ADDERLEY: What he had said was that this Resolution was differently worded from the one which was on the paper yesterday, when the proposition was that compensation should be charged upon the Imperial revenue. He thought that the question of compensation was one that should be left to the consideration of the Government of Jamaica.

MR. BUXTON said, that all he wished was that compensation should be given, and it was a matter of indifference to him whether it came from this country or from Jamaica. What he wished was that compensation should be given to the sufferers, and if he understood that the Government contemplated such a proceeding he would not press his Resolution.

MR. ADDERLEY considered that it should be left to the Governor of Jamaica, he having full power to deal with it.

Resolution, by leave, *withdrawn*.

Resolution 4.

MR. BUXTON said, that notwithstanding what had been stated by the Attorney General, he could not conceive why they should not remit punishment because a certain number of individuals had been already punished. Every rebellion was followed by an amnesty, and a remission of punishment; and he would most certainly divide on the fourth Resolution, unless he understood from the right hon. Gentleman that it was the real desire of the Government to remit further punishment wherever possible.

MR. ADDERLEY said, that he must object to the looseness of the wording of the proposition in the Resolution; but there would be a revision of sentences. Some days ago instructions were sent out to Sir John Grant calling for the Judge's note in each case, and for a report as to which cases there might be ground for remitting any part of the punishments in.

Resolution, by leave, *withdrawn*.

ITALY—MONASTERY OF MONTE CASSINO.—MOTION FOR PAPERS.

MR. HUBBARD rose to draw the attention of the House to certain circumstances relating to the great Benedictine monastery of Monte Cassino, in Italy, and other distinguished seats of learning. The inmates of this convent were not what we supposed the inhabitants of convents generally to be. They were men of family, education, and independence, who in their retirement guarded literary treasures of great value, and whose learning had been of advantage to the whole of Europe. He might also observe that they had taken a warm interest in the progress of Italy. He begged to move for Copy of any Communications received by the Secretary of State for Foreign Affairs from Her Majesty's Minister Plenipotentiary at the Italian Court, upon the subject of the Statute of the 7th of July, for the suppression of Ecclesiastical Corporations; and he wished to inquire whether, in the opinion of the Secretary of State for Foreign Affairs, the terms of the Statute sanction the expectation that without derogating from the principle of the decree, the Italian Government may devise means for preserving institutions which, like the Monastery of Monte Cassino, have for centuries been distinguished as seats of learning, and have acquired the sympathy and respect of the civilized world?

SIR GEORGE BOWYER said, the question was one interesting to civilization and science, and apart from all religious, political, and party feeling, he would press upon the Italian Government not to destroy so ancient and influential a seat of learning as that referred to. He hoped the Government would use their influence to prevent such a disgrace to the civilization of Europe as that which it was feared was contemplated.

MR. NEWDEGATE said, as foreign intervention was given up by our Government he hoped that it would not be induced to interfere in the internal affairs of Italy. He could not suppose that the Italian Government was so lost to the traditions of its own people as to be guilty of anything like the destruction or desecration of its own monuments of art or literature, and he thought that any expression of suspicion on our part in respect to its conduct in these matters would be received by the Italian Government as

something like an insult. If addressed upon this point the Government of Victor Emmanuel might reply that it had had experience of those monastic orders, and was, of course, much more competent to form a judgment in respect to them than we were. It might say—

Quis custodiet ipsos custodes?

MR. BERESFORD HOPE said, the hon. Member for North Warwickshire had evidently misunderstood the Motion of his hon. Friend, who had no idea whatever of urging our Government to interfere with the Government of Italy, or that of any other country in the world. All he asked was that the noble Lord the Minister for Foreign Affairs would use his influence to prevent the destruction of those beautiful monuments of art such as Monte Cassino by the Italian Government.

LORD STANLEY said, the papers referred to were very few, and he had no objection to their production. His predecessor (the Earl of Clarendon) addressed one or two communications to the Italian Government with reference to Monte Cassino, and an answer was returned on the 27th substantially to the effect that it was not in the power of the Italian Government to modify the law which had been passed by the Italian Chamber with reference to these establishments, more especially as an Amendment which was expressly moved in the Chamber in favour of this institution was rejected by the Chamber, but that they would use what discretionary power they possessed to preserve the library and monuments of antiquity which the institution possessed. It was a matter which belonged to the Italian Government; and he considered that, under the circumstances, our Government ought not to further interfere, and Her Majesty's Government did not propose to take any further steps in respect to it.

MR. GLADSTONE said, he did not complain of the course adopted by the Government, as the repetition of a formal application might bear an aspect which ought not to be assumed by one friendly Government towards another on such a subject. It was, however, a matter which went far beyond the limits of Italy, and one in which other countries were greatly interested. When Monte Cassino and other similar institutions were first founded Italy was but just beginning to abdicate her position of supremacy of the

civilized world, and in fact it was the mother of civilization, by which all had been nurtured and enriched, and therefore we had almost the same interest in what took place in connection with this institution as the people of Italy had. Although Italy could not recognize this institution, he believed there was a provision which could be so liberally interpreted as would preserve the library, archives, and monuments of the institution of Monte Cassino and other similar institutions in Italy.

Motion agreed to.

Address for "Copy of any Communications received by the Secretary of State for Foreign Affairs from Her Majesty's Minister Plenipotentiary at the Italian Court, upon the subject of the Statute of the 7th July, for the suppression of Ecclesiastical Corporations."—(*Mr. Hubbard*).

HABEAS CORPUS SUSPENSION (IRELAND) ACT CONTINUANCE BILL.

LEAVE. FIRST READING.

LORD NAAS moved for leave to bring in a Bill to continue for a limited time the suspension of the Habeas Corpus Act in Ireland. He said, he would fix the second reading of the Bill as the first Order on Thursday evening.

SIR GEORGE BOWYER said, he would not resist the introduction of the Bill, but he believed the measure to be unnecessary, as Ireland was in a state of tranquillity, and in several cases at the assizes the Judges had been presented with white gloves. There was less amount of crime in Ireland than in England, and as to the Fenian conspiracy, the circumstances which had passed showed that it was not to be feared. Under these circumstances, he entered his protest against the continued Suspension of the Habeas Corpus Act. It was remedial measures which the wants and aspirations of the country equally required.

Motion agreed to.

Bill to continue, for a limited period, the Suspension of the Habeas Corpus Act in Ireland, ordered to be brought in by LORD NAAS, Mr. Secretary WALPOLE, and Mr. ATTORNEY GENERAL for IRELAND.

Bill presented, and read the first time. [Bill 256.]

Mr. Gladstone

CATTLE DISEASES PREVENTION ACT AMENDMENT (No. 2) BILL.

(*Mr. Secretary Walpole, Mr. Chancellor of the Exchequer, Mr. Hunt.*)

[BILL 251.] COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Bill considered in Committee.

(In the Committee.)

Clause 1.

MR. WALPOLE stated that he had found it absolutely imperative that the rate of interest on the loan by the Public Works Loan Commissioners should not be less than $3\frac{1}{4}$ per cent, instead of 3 per cent, as had been proposed.

MR. WATKIN complained that by the wretched legislation of the late Government Liverpool had been entirely exempted from the cattle disease rate, while Birkenhead, Stockport, and other towns had to contribute towards it. Moreover, instead of Parliament being called together in October to legislate for stamping out the disease, nothing was done till February or March, when the disease had broken out in 450 places in Cheshire. The loan at 3 per cent was part of a compromise between the county and the boroughs, and he regretted that the arrangements should be disturbed.

THE CHANCELLOR OF THE EXCHEQUER said, the Government had every desire to assist the county in the present emergency, but $3\frac{1}{4}$ per cent was the rate fixed for the advances made during the cotton famine, and the conditions of repayment would, he hoped, be some alleviation of the increased interest.

MR. CHILDERS said, it was necessary to fix $3\frac{1}{4}$ per cent as the minimum, otherwise the Commissioners would be inundated with applications.

Amendment agreed to.

Clause agreed to.

On Question that the Preamble be agreed to,

MR. WATKIN inquired, what course the right hon. Gentleman intended to pursue in future with regard to remedying the inequalities in levying the rate in boroughs?

MR. WALPOLE admitted that the rates were raised very unequally. However, he was happy to say that the plague among cattle had greatly diminished of late, and

during the past week it had reached a minimum of 250 or 300. He therefore trusted that, with the blessing of Providence, there would be no necessity for altering the method of levying the rate, but if unfortunately the plague should again increase, the Government would bring in some measure to rectify the inequalities in the rate.

Preamble agreed to.

House resumed.

Bill reported; as amended, to be considered To-morrow.

PATRIOTIC FUND.

On Motion of General PEEL, Bill to make provision for the administration of the Patriotic Fund, ordered to be brought in by General PEEL, Sir JOHN PAKINGTON, and Mr. JOHN ABEL SMITH.

Bill presented, and read the first time. [Bill 257.]

House adjourned at half after
Two o'clock.

HOUSE OF COMMONS,

Wednesday, August 1, 1866.

MINUTES.]—NEW WRIT ISSUED—*For Abingdon, v. Lieutenant Colonel the Hon. Charles Hugh Lindsay, Groom in Waiting.*

PUBLIC BILLS—*Second Reading*—Compulsory Church Rate Abolition [143]; Patriotic Fund * [257].

Committee—Attorneys and Solicitors (Ireland) * [172] [Lords]; Industrial Schools * [185].

Report—Attorneys and Solicitors (Ireland) * [172] [Lords]; Industrial Schools * [185].

Considered as amended—Reformatory Schools [184]; Cattle Diseases Prevention Act Amendment (No. 2) * [251].

Third Reading—Attorneys and Solicitors (Ireland) * [172] [Lords]; Consolidated Fund (Appropriation) *; Landed Estates Court, &c. (Ireland) * [174]; New Zealand * [225]; Cattle Diseases Prevention Act Amendment (No. 2) * [251]; Prisons * [250], and passed.

Withdrawn—Church Rates Abolition [11] [Mr. Harcastle]; Church Rates Commutation (No. 2) [30] [Mr. Newdegate]; Church Rates Amendment * [187] [Mr. Solicitor General.]

CATTLE PLAGUE—CATTLE TRADE RESTRICTIONS.—QUESTION.

MR. DODSON said, he wished to ask the Vice President of the Committee of Council on Education, Whether his attention has been directed to the Report of the Select Committee on Trade in Animals; whether it is intended to relax the restric-

tions upon the traffic in cattle, more especially the regulations concerning the Metropolitan Market; and whether he will state to the House, before the close of the Session, the nature of the proposed changes, if any, in the Orders in Council now in force?

MR. CORRY: Sir, the matter was considered at a meeting of the Council yesterday; and, with every desire to relax the existing restrictions on the movement of cattle, and the trade in cattle, it is not deemed advisable to sanction any relaxation of those restrictions in the present state of the disease, either in the metropolis or elsewhere. I cannot give the hope that I shall be able to state before the conclusion of the Session what changes are likely to be adopted in the Orders in Council, but the disease has decreased so considerably of late that I trust there will be some relaxation of the restrictions at no distant period.

NEW LAW COURTS.—QUESTION.

MR. WALDEGRAVE-LESLIE said, he wished to ask Mr. Attorney General, What provision is to be made in the New Palace of Justice for the safe custody of Wills and for the due transaction of the business of the Court of Probate?

THE ATTORNEY GENERAL: Sir, designs are to be given in by a certain number of architects, who are called competing architects, before the 15th of December with reference to the whole accommodation to be provided in the new Palace of Justice. Instructions have been issued to the competing architects, pointing out, among other things, the amount of accommodation that would be required, they were very elaborate and are at the service of my hon. Friend if he should desire to consult them; but I may add they are much too elaborate to be stated in this House. In addition to sufficient accommodation for the administration of justice in the Court of Probate there will be accommodation for the wills. In addition to strong rooms and offices for receiving and dealing with wills for temporary purposes, there is to be permanent fire-proof accommodation below comprising an area of 350,000 cubic feet.

MR. WALDEGRAVE-LESLIE said, he would now beg to ask the First Commissioner of Works, what arrangements will be made for the safe custody of wills

and for the due transaction of the business of the Court of Probate between the present time and the building of the New Palace of Justice, seeing that the Metropolitan Board of Works will very shortly take possession of the buildings of Doctor's Commons for the purpose of carrying on the new street from Blackfriars Bridge to the Mansion House?

LORD JOHN MANNERS: I have to say, Sir, that negotiations are pending between my office and the Metropolitan Board of Works for the transfer to the Office of Works of a piece of land on the west side of the present principal Registry of the Court of Probate, upon which a building will be erected fully sufficient for the safe custody of wills and the transaction of the business of the principal Registry of the Court of Probate. The land has a frontage of sixty-six feet, and is sixty-two feet in depth, with an area of 3,400 square feet. With respect to the latter portion of the question, until the new building has been erected and the wills have been transferred into it, the Metropolitan Board of Works will not interfere with the existing strong room in which the wills are at present deposited.

COMPULSORY CHURCH RATE ABOLITION BILL—[BILL 143.]

(*Mr. Gladstone, Sir George Grey, Mr. Milner Gibson, Mr. Attorney General.*)

SECOND READING. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Amendment proposed to Question [18th July], "That the Bill be now read a second time;" and which Amendment was,

To leave out from the word "That" to the end of the Question, in order to add the words "no scheme for the total, or partial, or absolute, or qualified abolition of Church Rates will be satisfactory to this House which does not contain some legal and certain provision for supplying any deficiency which may ensue from such scheme, in the funds applicable to the maintenance of the fabric of Church,"—(*Mr. Neate*),

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate resumed.

MR. HENLEY: Before I enter upon the subject of the Bill itself, I will assure the right hon. Gentleman (*Mr. Gladstone*) that I meant no disrespect to him in moving the adjournment of the House on the

Mr. Waldegrave-Leslie

last occasion when the measure was before it. It was then one o'clock in the morning, and the House was worn out by a twelve hours' sitting on other business. The Bill had been previously discussed at a Wednesday sitting, when there were only two hours to spare, and a very large portion of that time had been occupied by the speech of the late Attorney General and by hon. Members who had Amendments to propose, but who did not speak to the principle of the Bill. If this Bill had been simply a measure to abolish church rates, I should not have thought it necessary to re-open the discussion upon that principle; but the late Attorney General said that there were three principles in the Bill. The first was the same as that in the Bill of the hon. Member for Bury (*Mr. Hardcastle*), that was simple abolition; the second, to continue the existing machinery for voluntary purposes, under which the rates had hitherto been made; and the third principle was, that it should be imperative that those who declined the burdens should relinquish the power. I see very great reason to object to the second of these principles; and I cannot see the force of the reasoning that induced the hon. and learned Gentleman to change his mind. The late Attorney General said that church rates were a common law right, but that he could not justify the principle of that common law right because it was enforced through the Ecclesiastical Courts. If it were a common law right, and the only objection was to its being enforced by the Ecclesiastical Courts, the natural and logical course would have been to provide better machinery, and not to do away with that that was admitted to be just in the first instance. It was also said that by the adoption of this ancient machinery for the purposes of voluntary assessment Parliament would gain a great deal; and we were also told that the Church has plenty of means if she were left to a full, fair, and free exercise of her powers. My opinion is that so far from leaving the Church the full, fair, and free exercise of her powers, the continuance of this machinery would clog with difficulty, create jealousies, and inflict every possible evil which always occurred in compulsory taxation, and would import those evils into a voluntary system. I think I can show by figures that cannot be controverted that this machinery of taxation, so vaunted, will work in the agricultural

districts with the greatest possible injustice. What was this voluntary system, and why was it imposed? Those who lived many hundred years ago were wiser in their generation than we are in many respects. I am bound to say most ecclesiastical persons are still fully alive to their own interests when it comes to a question of raising money. Our ancestors knew that the only mode of arriving at a satisfactory conclusion in regard to obtaining the funds required was to strike the property with the tax wherever it arose. We have a remarkable instance both of their wisdom and of the lack of wisdom in those who lived in later days, in what took place at the commencement of the present century. Both in respect to church rates and poor rates, those who went before us laid, in both those instances, a personal tax upon the occupier, the amount of which was to be ascertained by the value of the property in question, leaving the question as to how the burden was to be borne or proportioned to be settled by contract between the owner and occupier. When the occupier knew that the burden would fall upon him he took care to square the amount of rent to be paid by him accordingly. One of the greatest finance Ministers that ever lived, Mr. Pitt, endeavoured at the beginning of this century to raise the income tax without taxing it at the root where it arose. That attempt, however, turned out an utter and miserable failure, and Mr. Pitt was ultimately obliged to come upon the occupier for the tax, and leave him to deduct from the owner that amount to which the latter was liable. That machinery, so wisely constituted, you resort to in your Bill for the purpose of ascertaining what the occupier, as well as the owner, in each parish ought to pay in the shape of voluntary contribution towards the maintenance of the Church. This on the face of it is clearly wrong. When we come to look at the working of this machinery, in the shape of figures it will exhibit such a system of injustice, that it appears to me somewhat surprising it should have been proposed by a right hon. Gentleman possessing such great financial talents as the late Chancellor of the Exchequer. I will suppose that there are a few farms in a parish worth altogether £2,000 a year rental, and there is also a house in the same parish valued at £100 a year. I will suppose that two of those farms are occupied by tenants

at a rental of £500 a year each, one at £400, one at £300, one at £200, and one at £100, making in the whole £2,000 a year. I will assume that there is a rate imposed of 6*d.* in the pound, so that the taxation of this parish, as far as the land is concerned, would be £50. Now, the ordinary income of persons occupying farms of that description is estimated on an average at about half the amount of the rent they paid. According to that estimate the aggregate incomes of the six farmers would be £1,000 a year derivable from their capital on the land and the fruits of their industry. We will take it that the man who rents the dwelling-house at £100 a year is possessed of an income of £1,000 a year, which I do not think is at all an exaggerated amount. Well, then, his house, being rated at £100 a year, would produce 50*s.* as the amount of the tax at 6*d.* in the pound. I take the gross estimated rentals in each case, and the farmers who are rated at £2,000 a year will pay among them £50 against 50*s.* The income being the same the farmers have to pay in proportion £50, while the gentleman spending an income of £1,000 a year had to pay only 50*s.* I think, if you follow the illustration I have given you down through the occupiers of farms generally, you will find how this machinery will cut. Now, I cannot conceive a more unjust state of things. But, perhaps, I may be told that there is a mode of correcting inequalities of this sort by the device of assessing the owner which you have introduced into the Bill. If, however, a man were disposed to button up his breeches pocket and to give nothing, I cannot conceive any mode more likely than another to make him more resolute in this determination than the proposed machinery of the Bill. There is many a man who would give you £5 if he were asked to contribute, but if you say that he ought to give this money, he will probably tell you that he will do no such thing. People like to do a thing when it is perfectly voluntary, but they do not like to be asked for a particular sum if they are told that that is the precise amount that they are expected to give. I am one of those who think that if the law on this subject is to be changed the amount to be given ought to be left to the full and free exercise of a man's discretion. And the voluntary principle ought not to be fettered in this way, which is only calculated to create disgust and dissatisfaction, and prevent people doing that which otherwise they would be almost certain to

do. I ask what would be the feelings of the farmers in such a case, when they were called upon to pay £1, when the rich man had only to pay 1s. ? Is it likely you would conciliate payment by such a step as you propose when a man would see upon the face of your Act the most miserable injustice ? The machinery of church rates was well suited to its purpose so long as the payment of church rates was compulsory, but it would be wholly inefficient when voluntary was substituted for compulsory payment. Another objectionable feature of the Bill is the introduction into it of a kind of qualified excommunication. I cannot conceive a worse feature than this. There is often very considerable dissatisfaction if not soreness created amongst the members of a congregation upon the subject of seats in a church, and people are often found struggling with the utmost energy for the possession of a particular seat. When you consider how deep this feeling is when it is once engendered, I think you are introducing machinery in respect to this point into the Bill infinitely more mischievous and worthless for the purpose you design it than any other proposition you could well make. There is another matter which would never have occurred to me but for a remark made in the latter part of the speech of the late Attorney General on the introduction of the Bill. I do not understand why that remark was made, because I do not find in the report of what took place anything that called for it, and it strikes me that the old adage which says that when a man excuses himself he accuses himself is somewhat applicable to the hon. and learned Gentleman. The remark I allude to is that in which the hon. and learned Gentleman said there was no ground whatever for supposing that there would be any danger under the Bill of the introduction of any strange ceremonies into the services of the Church.

SIR ROUNDELL PALMER said, that he had made the remark in question in reply to an apprehension expressed by the hon. Member for North Warwickshire that the Bill might lead to the introduction of strange ceremonies and vestments into the services of the Church.

MR. HENLEY : I am obliged to the hon. and learned Gentleman for this explanation. I was certainly surprised at the observation seeing nothing to warrant it in the Bill itself. I, however, see something in the Bill which strikes me as being

peculiarly significant. It says in one of its clauses that the money shall be expended by the churchwardens with the concurrence of the rector. I am not learned in the law of this matter, and do not know whether or not the money must be spent with the consent of the incumbent, but, be that as it might, the provision is rather obscure, because it says "such treasurer" is to render an account to the inhabitants in vestry assembled, but does not inform them as to who that treasurer is. Thus they had a machinery by which, while the churchwardens were to expend the money with the consent of the minister, somebody else has to render an account. That I dare say is accidental.

SIR ROUNDELL PALMER explained, that it was a mere slip in the printing of the Bill. The original idea was to have a treasurer instead of the churchwarden, and the word "treasurer" was left where it ought not to be.

MR. HENLEY : I am happy to hear this explanation ; but when such an accidental slip escapes the notice of a man like the hon. and learned Gentleman, in regard to a matter which must have bothered him a good deal, it made one look rather narrowly into it, especially as the copy which I hold in my hand, and on which I am commenting, is an amended copy of the Bill. I also see in this Bill a provision which I consider is one of a most undesirable, and I believe of a mischievous character. It is a proposition, too, by no means calculated to facilitate the voluntary collection of monies for the maintenance of the Church—I allude to the provision for dividing the parish into two distinct camps. That, in my opinion, will be one of the greatest misfortunes. You are to have a separate churchwarden elected by a portion of the people, with some of those persons qualified and some of them disqualified. At present it is the very general practice—I know not whether it is also the law or not—for the parishioners to elect one churchwarden and for the minister to nominate another. We are not informed by the Bill whether that is to be continued or whether there is to be another churchwarden elected for the purposes of that measure. The Bill likewise states that all the money collected at the offertory is to be at the disposal of what is called the ecclesiastical churchwarden. That was a matter of very considerable importance. Great part of the money so collected is for the poor, and I have never understood that

Mr. Henley

a poor person in a parish is to be shut out from the benefit of the money collected at the church door because he did not happen to be of the same religion. I shall have still further objection to the money so collected for the poor being taken out of the ordinary operation of the law, as it now stands, and the present distribution of which, I believe, has always worked very smoothly, and I do not see why that principle should be introduced into a Bill like this. I have now endeavoured as shortly as I am able to state my objections to the machinery of the right hon. Gentleman's measure, which will mar and hinder the application of the voluntary principle, to which we must come if church rates are to be abolished. An hon. Friend of mine (Mr. Neate) has proposed an Amendment, in the principle of which I entirely concur. It is an Amendment conceived in a full and fair spirit of compromise, and is to the effect that Church rates ought not to be abolished without some legal means being provided for the maintenance of the fabric of the Church; and I cannot sit down without expressing my thanks to my hon. Friend for proposing an Amendment which I believe to be so sound in principle, and which I am quite content to accept in place of a direct negative upon the second reading of the measure.

MR. A. PEEL said, as the subject was a new one to him in that House, he hoped he would be allowed to make a few observations upon it. He viewed with satisfaction the prospect of a termination being put to this interminable question of church rates, because while he was aware of the advantages which the Church of England had derived in the sustentation of her fabrics and maintenance of her churchyards from church rates, he was convinced that those advantages had been much more than counterbalanced by all the evils, the bickerings, and the strife that the collection of this impost had given rise to, and by the idea becoming more and more deeply rooted in the public mind that this was not a fair and equitable tax, but was a remnant of religious intolerance. He did not wish to reopen the whole question, as if it had never been discussed before, but he wished to refer to an argument which had been put forward on authority. That argument was that the Church of England was a national institution, and that being a national institution, it was the right of all to partake of its ceremonies; and that this bargain that they

were making by this Bill was an unequal bargain, as they were keeping up the privilege, but doing away with the corresponding obligation of supporting the institution. Now he said that argument was nothing more than a quibble, because it put out of sight all the circumstances of the day. It was impossible not to recognize the fact that there was a large and influential body of Dissenters outside the Church. He thought that the policy of the Church towards those persons should be one not of fear, but of conciliation. It should regard them not as foes, but as a body of allies who had the same hopes and interests as they had. But he wished to come to the Bill now immediately before the House, and he ventured to say that the country owed another debt of gratitude to the right hon. Gentleman the Member for South Lancashire for bringing in a Bill by which there was, at least, a prospect of settling this question. He, however, felt some objections to the Bill, and he wished to state them as plainly as he could. The sting of the whole question was the money payment, and he regretted that they had retained in this Bill that which was the cause of all the bitterness. He should be told that this payment was not compulsory, but if it were not compulsory he did not see why they need have any legislative sanction to enforce it. He should prefer to leave the matter to the voluntary efforts of the Church of England, and that they should not attempt to bolster up what was practically a voluntary subscription by legislation. There was something invidious in his mind in the provisions in the Bill for reinstating a member of the Church of England in his former position. He must pay up his arrears before he could be so reinstated. He should be told that there were hundreds of parishes that now cheerfully paid church rates, and that this Bill would work injuriously in them. Well, he saw no reason why these parishes should not continue to pay the rates. But there were many outlying and poor parishes in remote districts in which there might be a difficulty, and he confessed that that argument had weighed very strongly with him, and had made him wish to wait to see if any compromise could be effected before he exposed them to voluntary efforts. But if the arm of the Church was not long enough and if the charity of the Church was not wide enough to reach those outlying parishes, all he could say was that for his part he had grievously misun-

derstood the strength and charity of the Church. But if Dissenters, or the organs of Dissent in that House who represented the opinion of the great body of Nonconformists, if they were willing to accept this Bill, it was not for him as a churchman to object to it. For his humble part he should wish to throw down any barrier that existed between the Church and Dissenters, or, to use a better term, Nonconformists, or, to use perhaps the best and happiest term of all, Nonconforming churchmen. He should accept this Bill and vote for it, not because he saw in it any intention, or suspected that there was any covert intention, to bring about that which he conscientiously and fervently wished for, but because he did see in it an earnest symptom of that which he believed they must come to, and the sooner they came to it the better, he meant total, unconditional, and untrammelled abolition.

MR. HUNT said, the hon. Gentleman who had just sat down had expressed his thanks to the right hon. Gentleman the Member for South Lancashire for his attempt to compromise this question. He was disposed to join with him in that expression of opinion, because he thought that any Member, in whatever position in that House, who attempted to deal with this question so as to do away with that feeling of irritation which had existed for so many years, was entitled to their thanks. But, at the same time, he could not agree with his hon. Friend that if Dissenters were disposed to acquiesce in this Bill as a settlement of the question, therefore churchmen should also acquiesce in it. What had been the difficulty in settling this question? It was because there was a principle at issue which no Bill that had ever been brought forward had been at all able to deal with. The broad question at issue between those who took a lead in proposing the abolition of church rates and those who maintained church rates was this. The advocates of abolition said, "We will admit of no compromise which reserves a legal rate for the repair of the Church." On the other hand, those who were in favour of church rates said, "We will be no party to a compromise which does not preserve to the Church some legal means of maintaining the fabric." For many years the question was argued in that House as a question of conscientious grievance, that Dissenters were made to pay the expenses of worship

in a church in which they did not join. Well, churchmen were willing to relieve Dissenters from the payment, but then they found that Dissenters were not willing to be relieved, and there came up the phrase which was now a matter of history, "Dissenters refuse to be ticketed." He confessed that when the objection was first made he was disposed to think it was a fanciful objection, but further consideration had led him to believe that the Dissenters were right in refusing to be ticketed. He said that in the interest of the Church. The prevalence of Dissent in many places, he regretted to say, had been traceable in past time, and to some extent was still traceable, to the lukewarmness and inactivity of the Established Church. He thought they had only to call attention to the system of pew rents, which drove the poor into the worst part of the church, and left the best places for those who could afford to pay for their seats, to account in a great measure for the poor going elsewhere. The poor had felt that they were not fairly dealt with. There was also the question of hours of service and length of service, and he was not satisfied that all classes of the community were sufficiently considered in this matter. There was also the question of style of preaching to the lower classes. He believed that in many cases they resorted to other places because the discourses there were delivered in more vernacular language. He looked forward to a time when these things might alter, when the Established Church would open wide her arms and endeavour to embrace in her folds many of those who were now driven to Dissenting places of worship; and therefore he should be sorry in the interests of the Church to see a broad line of demarcation drawn between churchmen and Dissenters by any system of ticketing. But he confessed that the Bill before the House seemed to him to ticket Dissenters. Though not exactly in the way that was proposed before, it was equally ticketing whether they ticketed them by exclusion or by designation. What were the provisions of the Bill? Why, that no person was to vote at the poll on church rates unless he had previously entered his name in a book stating that he was willing to pay church rates. Now, he wanted to know what was that but making a list of the churchmen in the parish? All the ratepayers who were not on the list were, in fact, ticketed as Nonconformists, and therefore he did not see how the proposi-

tion of the right hon. Gentleman at all got out of the ticketing difficulty. But, as he stated when he first rose, the great difficulty in settling this question was the question of principle—whether there should be a legal provision for the maintenance of the Church. In fact, this question lay at the root of the connection between Church and State, and he could not for the life of him understand how they could say the Church was connected with, and maintained by, the State if there was no legal provision for the repair of the Church. He understood the hon. and learned Gentleman to say that he was for having a legal provision for the maintenance of the fabric. But there was nothing in this Bill to make such a provision, and therefore he considered they were justified in opposing it. On the other hand, if there was such a provision, he asked the right hon. Gentlemen who had charge of the Bill to state where that provision existed. If he could be satisfied that this Bill contained such a provision, or that by any alteration of the Bill they could make such a provision, it would be with the greatest pleasure that he should see in another Session this measure made the basis of a settlement. But he did not understand the Bill to contain any such provision. What did the Bill do? It abolished the compulsory enforcement of church rates, but it went on to maintain the existing machinery for the collection of a voluntary rate. What was a voluntary rate? It was simply a subscription on the basis that everyone should pay *pro rata*. But that was not a rate in the sense in which they understood a rate. What was understood by a rate was that which could be levied by law. This Bill preserved the present machinery to collect that which there was no legal right to enforce. The Bill provided that no persons were entitled to go to the poll unless they had signed a book stating that they were willing to pay their respective shares. But supposing they afterwards refused to pay, there was nothing in this Bill to compel them. Therefore, it seemed to him there was no legal provision for the maintenance of the fabric of the Church. Then there was a matter of detail which presented a difficulty. Suppose a parish with 100 ratepayers, the churchwarden, in making his calculations, would put down say half of them as willing to sign the book and pay the rate, and he would then fix the rate at say 6*d.* in the pound. But if only one half of those he

calculated on paid, then double the amount of the rate would be required. There was another provision of the Bill which gave great encouragement to the view of many persons that there ought to be a separation between Church and State, and that was that there was to be a secular and an Ecclesiastical churchwarden. That was a sort of Japanese institution. In Japan there were two Emperors, the Tycoon and the Mikado, one of whom had charge of Ecclesiastical, and the other of temporal matters. That principle had never been recognized in the parochial system of this country; and, independently of the inconvenience it would occasion in working the business of the parish, he must say it was the first step he had seen proposed by any one holding a position like that of the right hon. Gentleman opposite towards the separation of Church and State. Then there was the objection alluded to by his hon. Friend the Member for Warwick as to what effect this proposition would have upon the conduct and practices of the parochial clergy. They all knew what were the evils arising from the system of pew rents; they knew that the clergy sometimes by doing their duty and preaching faithfully diminished the number of pews that were taken in their churches, and consequently reduced their own emoluments. But if this rate were voluntary, and if the payments in the nature of church rate were to be made by those who signed this book from time to time, he wanted to know what would be the influence of that upon the conduct and the preaching of the parochial clergy. Would there not be attempts made to induce them to agree to the views and wishes of certain parishioners by threats that if they did not so agree those parishioners would not sign the book? It seemed to him that they would excite rash parishioners to put the screw on the clergy, which the clergy in many cases would not be able to resist. This Bill was not one that could be accepted by the Church as a settlement of this question. He understood that it was introduced as a compromise between Nonconformists and Churchmen. What he understood by a compromise was, that each litigant made a concession in return for some other concession, but he was at a loss to know what the Dissenters gave up here in return for what the Church gave up. Perhaps the right hon. Gentleman (Mr. Gladstone), if he addressed the House on

that occasion, would explain that point. He wished to say a word with regard to the alleged agreement as to the opposition to this Bill. He understood that he was supposed to have run counter to an alleged agreement, by objecting the other night to the second reading of that measure being taken at one o'clock, and stating his desire to have an opportunity of expressing his opinion upon it. He much regretted any agreement having been entered into that the second reading should be agreed to by the Government on the understanding that the Bill should not be proceeded with further this Session, and that such assent to the second reading should not be taken as an assent to the principle of the Bill. But as such an agreement had been entered into, if a division were taken he would not vote upon the second reading, but would retire from the House, at the same time reserving to himself the right of voting against the measure if it were re-introduced in another year.

MR. GOLDNEY expressed his thanks to the right hon. Gentleman (Mr. Gladstone) for bringing in this Bill. It was brought in not so much on the general principle as in relation to the measure which had already received the sanction of the House for the total abolition of church rates; and he thought that in the face of the vote given by the hon. Member for Oxford in favour of the second reading of the Bill for the Total Abolition of Church Rates, it was not competent to that hon. Gentleman to propose his Amendment with reference to this Bill. A large majority of the House voted for the second reading of the Bill for the Total Abolition of Church Rates, and the right hon. Gentleman the Member for South Lancashire stepped in and said: "I do not think it right or fair to pass, as against all parties, a sweeping measure for total abolition; and therefore I propose that parishes shall, if they are willing, be at liberty to assess themselves voluntarily for the purpose of maintaining the fabric of the Church." He (Mr. Goldney) could scarcely conceive that the Church would be worse off if the right hon. Gentleman's Bill passed than it would be if the Bill for total abolition passed. Every one was anxious that the fabric of the Church should be maintained. The total cost of maintaining that fabric had been £60,000 a year on an average during the last ten years, and as there were trust funds which

produced £37,000 per annum for the maintenance of the fabric of the church, this question reduced itself to one of about £20,000 or £25,000 a year. The other portion of the church rates, £150,000 a year, was put to a great number of purposes that were not strictly church purposes, such as payments for bell ringing on the anniversary of the Queen's accession, payments for fire-engines, vestry clerks salaries, and other non-ecclesiastical matters. Could it be supposed that Churchmen would not voluntarily contribute £20,000 a year for the maintenance of the fabric of the Church? He believed that far more would be raised by a voluntary rate than was now raised by a compulsory rate. Would it not be wise to pass such an Act as this, and thus prevent people from making political capital out of seizures of goods for non-payment of a 2s. rate? If this Bill were read a second time, it would be quite competent to any hon. Gentleman to propose a clause in Committee similar to the Amendment of the hon. Member for Oxford, to secure to parishes in which unsuccessful attempts might be made to work this Bill, sufficient money out of the surplus funds of the Ecclesiastical Commissioners, or some other ecclesiastical body, to keep the fabric of the church in repair in those parishes.

MR. THOMAS CHAMBERS said, all the provisions of the Bill after the abolition clause were disadvantageous to the Church and objectionable in principle. Gentlemen on both sides of the House had vied with each other in rendering thanks to the right hon. Gentleman the Member for South Lancashire when he brought in his Bill. But the House now presented an extraordinary example of sudden change of sentiment, for hon. Members were now flatly contradicting their former speeches. Though taunted by the right hon. Gentleman with objecting, as a lawyer, to the closing of the Courts, the fact, on the contrary, was that the only clause which he supported was that for closing the Courts. All the rest he, as a Churchman, entirely disapproved of. The Bill of the right hon. Gentleman was spoken of as a compromise. But it was no compromise. Compromises might be attempted of two kinds—one possible, one impossible. A possible compromise might be where the Church expenses were divided into two parts, to one of which the Dissenters did not object, while on the other the Churchmen did not insist. The maintenance of the fabric,

for instance, might be thrown on the public, but the expenses of worship on the worshippers alone. But such was not the compromise proposed by this Bill. He believed that the time for compromises had gone by. He was sorry for it. What was proposed by this Bill by way of compromise? Why, the impossible. It was an attempt at a compromise between compulsion and voluntarism. There was to be a rate, but it was to be voluntary, not exactly free, not altogether forced. It was proposed to stop half way. The thing was impossible. The Bill would preserve all the jealousies, all the heart-burnings, all the dissensions, and all the strifes which we wanted to get rid of. Church rates were, he might add, paid either on the ground of public obligation as a citizen to support a national institution, or as an equivalent for a certain amount of accommodation received by the person who paid them. They were, indeed, levied on both those principles where Dissent was unknown, but the payment must now be ranged under one or the other of the two heads which he had just mentioned. If, then, the system of compulsory church rates was abolished it was clear that the first of those two principles must be abandoned. As to the second, he would only say that it was, in his opinion, a very reasonable principle that a man should be called upon to pay for the accommodation which he received, nor did he agree with those who maintained the opinion that the doctrines taught by our clergy would be influenced by the list of their subscribers. That was a slander upon them, and if it were true they would be unworthy to be the ministers of any religious denomination. Now, if the voluntary principle were adopted a man would pay not in proportion to the size of his pew, but according to his means and according to the necessities of his church, which was a very fair thing to do. It could not, however, be expected that in a large population every one would act upon the highest principles, and many would, no doubt, proceed upon the lower principle of paying in exact proportion to the accommodation which they required. In those parishes in which that view was taken what, he should like to know, was to become of the principle of rating? A man might be an old bachelor having considerable property, but having only one seat in church, and he would be called upon to contribute a sum entirely beyond the amount of accommodation assigned him. He might, in illustration of the way in which the Bill as

it now stood would be likely to operate, read a letter which he had some time ago received from a gentleman of great experience in the matter. The writer said—

“Sir,—As a Churchman and a large ratepayer, I beg to lay the following before you. It is proposed to make a man's church rights depend upon his paying church rates. There are others in this parish having equal pew accommodation with myself who pay only a fortieth or a sixtieth as much to the rate as I do, so that they could keep up their church rights at the cost of a few shillings, where it would cost me £20. Then, again, the vicar pays nothing to church rate, his property being by law exempt, yet he has equal accommodation for his family to that which I have, and then out of the two churchwardens he appoints one (half the executive) without contributing to the funds placed in their hands. At present we work through by mutual forbearance, the law being in that state that neither party cares to invoke it; but once sanction the proposed scheme, and an element of discord will be introduced into the Church which it will not be easy to allay. Our churches were built and endowed by the landowners for those living on their property, so that every inhabitant has certain rights to the use of the parish church and services, and the non-payment of any temporary levy ought not to deprive him of those rights. If the seat which he has in the parish church is to be paid for let it be according to the value of that seat, or such a gross injustice will be done as will be a never-ending cause of contention. The alteration proposed by the Chancellor of the Exchequer is crude and inconsiderate, shows such a want of knowledge of the actual state of things and disregard of principles of taxation as one little expected from such an authority upon facts and financial matters.”

Under the Bill of the right hon. Gentleman discord would, he feared, be introduced generally. By retaining the form of a rate without its force they lost at once the grace of voluntarism and the grasp of law. They could no longer enforce; they could only threaten. Everything odious in the form of compulsion was retained, while everything efficient was sacrificed; and we were left, at the same time, without the power and freeness of voluntarism, and without the vigour and authority of law.

LORD JOHN MANNERS said, he had taken considerable pains to discover why it was that the right hon. Gentleman opposite was so extremely desirous on the 1st of August to obtain a decision of the House on the principle of his Bill. On the last occasion on which the Bill was discussed the right hon. Gentleman said he thought it due to the hon. Member for Bury St. Edmund's to push it to a second reading; but if, instead of doing so, he would withdraw it, the Bill of the hon. Gentleman, which stood for Committee,

might pass through that stage which there was no intention of opposing, so that he did not see that he had any reason whatever to be obliged to the right hon. Gentleman for the course which he professed to have taken in his interest. His opinion was that the real reason which urged the right hon. Gentleman to take the opinion of the House on the second reading of his Bill was, that he was anxious to have a full discussion on the merits or demerits of the particular scheme which he proposed, in order that the country might be able to form a judgment upon it. The public could, however, form their judgment without the aid of Members of that House; but the right hon. Gentleman, it was pretty clear, sought to learn what were the sentiments and feelings entertained with regard to it by the House of Commons. That being so, he ought, he thought, to thank his right hon. Friend the Member for Oxfordshire for having moved the adjournment of the debate a few nights ago. The House had in the course of the discussion that morning been favoured with three speeches, which were nominally in favour of the principle of the Bill. The first was that of the hon. Member for Warwick, but then he had concluded his speech with an eloquent peroration in favour of total abolition. Then followed his hon. Friend who sat behind him, who also said that he was in favour of the principle of the measure, but who was of opinion that if it passed it would be found necessary to apply for the necessary funds for the maintenance of the fabric of the Church in many instances to the Ecclesiastical Commission. He must, however, remind his hon. Friend that there would be no limit to the assaults which would be made upon their funds which had already been allocated for very different objects. The House had listened in the next place to the sound and able speech of the hon. and learned Member for Marylebone, who supported the principle of the measure, but maintained that what were called the compromise clauses should be abandoned. The discussion therefore did not, he thought, warrant the right hon. Gentleman opposite in supposing that his Bill was likely to be received with greater favour than when it was originally proposed. He had indeed heard—he was himself absent in consequence of illness at the time—that some arrangement had been arrived at between the right hon. Gentleman and his right hon. Friend the Member for Buckinghamshire to

the effect that the Members of the Government should not vote against the second reading. That being so his opposition to the measure must be confined to speaking against it, but he nevertheless thought it was desirable that he, as an individual Member of the Government, should state the views with respect to its provisions which he entertained. He should therefore proceed, with the permission of the House, to make a few observations on the principle of the Bill. He was aware that in speaking in opposition to a measure which was said to have been introduced in the interests of peace he was pursuing what might seem an incongruous and unpopular course. It was, however, his bounden duty, he thought, to examine into the price at which the promised peace was to be purchased, and to ascertain, if possible, whether the provisions of the Bill were in reality likely to secure a settlement of the question at all. As to the price which was to be paid, he could not help looking upon it as involving the sacrifice of the very principle and essence of church rates. That principle and essence consisted in the securing up to the present time to the poor the maintenance of the services of the Church of England in some 10,000 parishes throughout the land. Pew rents had been adverted to in the course of the discussion, but it was impossible to deny that to give legislative sanction to the principle of making money of the seats in our parish churches would be to pursue a course opposed to the usage of this country. He also objected to the Bill because it would take away from the poor people of the country the security which they had hitherto enjoyed in the possession of the glorious parish churches of England, which, with the services performed therein, had been granted to them for ever free of all cost. The Bill was introduced in the interests of peace. But, he would ask, was not this a serious price to pay for this peace? And was this all? Was it not obvious that by terminating church rates—for if the Bill ever became law church rates would be virtually at an end—they must in a great degree invalidate the existing relations between Church and State in England. Upon that point he should like to quote some remarks which had been made by the right hon. Gentleman the Member for South Lancashire. The right hon. Gentleman in discussing in 1837, a scheme which proposed while abolishing church rates to provide for them a sub-

stitute, used the following memorable words :—

"It was painful to him to be obliged thus to characterize the policy of Ministers; but he felt that he should not be doing his duty if he refrained from speaking his sentiments. He was convinced, that by agreeing to the plan of the Government, they would subvert the Established Church. It was plain, from the recorded admissions of the organs of Dissenters in that House, that all future attempts to act on the principle of an Establishment would be resisted to the utmost by that which styled itself the popular party. . . . The devotion of the Romans was not enlightened by a knowledge of the precepts of Christianity; here religion was still more deeply rooted, and firmly fixed. And would they now consent to compromise the security of its firmest bulwark? No Ministry would dare to propose its unconditional surrender; but with the same earnestness and depth of feeling with which they should deprecate the open avowal of such a determination they ought to resist the covert and insidious introduction of the principle."—[3 *Hansard*, xxxvii. 501.]

Again, in 1850, the right hon. Gentleman used words scarcely less remarkable. He had referred to those passages, not with the view of making any accusation against the right hon. Gentleman for having since changed his opinions, but because they tended to show very clearly the price which he asked the House in the present instance to pay for peace. He now came to the preamble of the Bill, and certainly nothing could be more alarming than the picture which it drew of the existing state of affairs. It set forth that great litigation and ill-feeling were the result of the present system; but it should be borne in mind that church rates extended throughout the length and breadth of England, while it was impossible to deny that the charge, to a certain extent, involved a financial operation. He would, however, ask the right hon. Gentleman, as a man who was intimate with finance, whether the collection of the poor rates and the revenue did not frequently give rise to litigation, and he should like to know from him whether it was his opinion that those charges ought, on that account, to be abolished? Years ago, no doubt, when the subject of church rates was first brought before the House, there was a great deal of litigation; but now, thanks to the action of the Liberation Society, and the steps taken to resist its efforts, and owing, still more, to the decisions pronounced by that eminent Judge—Dr. Lushington—the law of church rates had become one of the best understood in the State, and litigation was proportionately diminished. For his own part, he ventured to say that if, after a

very short space of time, the litigation to which the right hon. Gentleman referred were continued, it would be owing to the superhuman efforts of the Liberation Society in sowing strife and division, to which Society this Bill would give a great and unnecessary triumph. The right hon. Gentleman seemed to assume that the people of England could not assemble to settle whether 1*d.*, or 2*d.*, or 3*d.* in the pound should be raised for the maintenance of the fabric of the Church without ill-feeling, but that he felt assured must be regarded as a libel on the community at large. He would, in the next place, shortly advert to the character of the peace which was proposed. At the present moment church rates were levied in some 8,000 or 9,000 out of the 10,000 parishes of England without any vexation whatever, but how would the case be when the present Bill came into operation, and when every parish would be divided into two hostile camps? For his own part, he could conceive no measure more calculated to lead to local jealousies, local vexation, and local strife, than the right hon. Gentleman's Bill. If the clauses described as constituting the compulsory principle passed into law, they would aggravate every tendency to strife, and he could not conceive a greater source of irritation in a parish than depriving of their immemorial rights as parishioners the poor who did not contribute to the maintenance of the fabric of the church. With regard to the collection of the voluntary rate, the provision in the Bill would prove a dead letter. Farmer Smith, who wrote down his name in a book as willing to pay his share, would, when called upon by the collector, no doubt, say that he was willing to pay if his neighbour Jones paid, and Jones would decline the contribution because he had heard that his neighbour Smith had no intention to pay. Thus no collection would be made, and all the burden would fall on the unfortunate clergyman of the parish. The church rate having thus fallen through, the landlords would raise their rents, and the very mischief then occurred which the right hon. Gentleman in the speech referred to pointed out. 5 or 10 per cent went into the pockets of the landlords, and the services of the Church were left to be provided for as best they might. He would now refer to an important consideration not hitherto noticed. The restoration of many of our ancient churches was now being carried on by means of money bor-

rowed upon the security of church rates ; but if this Bill passed, no funds could in future be raised in that manner, and our old ecclesiastical fabrics would be allowed to fall into decay and ruin. This Bill was an arrow from the quiver of the hon. Member for Birmingham, aimed with great precision at the parochial part of the Church of England ; but that its adoption would not settle either the question of church rates, or any other of the ecclesiastical questions which were bound up in it, was proved by the suggestion of the hon. Gentleman himself, that in Committee a clause should be introduced to provide for the abolition of Easter dues, and by the declaration of one of the organs of the Liberation Society, that as long as tithes continued to exist these questions could not be considered as settled. It was related of the officer who commanded the guard to which was intrusted the defence of the Bank of England during the Lord George Gordon riots, that he addressed the gentlemen volunteers who had come to his assistance in these terms—"Gentlemen, we do not fear the rioters, if the gentlemen volunteers on our flanks and in our rear will be good enough to ground their arms." They who defended the principle of church rates, and the existing relations between Church and State, did not fear the Liberation Society, or the hon. Gentleman the Member for Bury St. Edmund's, but undoubtedly they did feel their power of resistance to a certain extent enfeebled by these amiable efforts of the right hon. Gentleman the Member for South Lancashire. He entreated the right hon. Gentleman, if, animated by a sincere affection for the Church of England, he introduced the present measure with the simple idea of effecting a compromise beneficial to the Church, to weigh well during the recess the strongly-recorded, and, he believed, unanimous feeling of the laity, as well as the clergy of the Church of England, with respect to the present proposal. He never remembered so universal a feeling of condemnation expressed on any of the Church Rate Bills hitherto brought forward, as had been expressed out of the House on the Bill of the right hon. Gentleman. On the introduction of the Bill, the right hon. Gentleman said that unless it met with a fair amount of support from both Church and Dissent he should not think it his duty to persevere with it. The expression of feeling which had already taken place outside these walls demonstrated that Church-

men were hostile to the principle of the Bill and disliked its details, and the discussions in the House had shown that that support to the principle and provisions which he at one time expected to obtain had not been offered by hon. Members. He therefore thought that the right hon. Gentleman would be well advised if he took all these manifestations of feeling into consideration.

SIR GEORGE GREY said, that the discussion which had taken place upon this Bill had afforded an additional proof that those who proposed any settlement of the church rate question, short of total and unqualified abolition, undertook a very difficult task. The real question was, whether the proposal of his right hon. Friend, while satisfactory to the main body of the Dissenters, would not be more advantageous to the Church than the Bill of the hon. Member for Bury St. Edmund's, which enacted the unconditional abolition of church rates, subject only to the payment of existing debts. Now the Bill of his right hon. Friend proposed to maintain the machinery by which church rates were assessed, in order that it might be made use of in parishes where the ratepayers were perfectly willing to avail themselves of it, and to pay the rate when made, provided no compulsory process was adopted. There was a hardship in affirming the abolition of church rates, and enacting that none should, under any circumstances, be raised, for there was no reason why those parishes which were willing to raise and pay church rates should be prohibited from doing so, and, though about half the population did not pay church rates, yet the number of parishes in which church rates were paid (the parishes being small) was about 80 or 90 per cent. The hardship was when a minority in a parish were forced by compulsory process to pay church rates. He regarded the principle of the present Bill as sound. It abolished church rates in the sense of their being leviable by compulsory process ; but it retained the machinery for those who chose to make use of it for a voluntary assessment. There seemed to be nothing unreasonable in the proposition—on the contrary, the principle appeared to be generally acceded to—that those who did not contribute to the voluntary rate should not take part in the application of the fund. A great deal of the objection to the Bill turned, not on the principle, but on the details, which might be fully considered in Committee,

Lord John Manners

and in the consideration of which much advantage might be derived from the criticisms which had been offered in the course of this debate. Many of the provisions of the Bill had been misrepresented, and he would refer to one misrepresentation dwelt on by the noble Lord, who said that the Bill would deprive the poor of that right to accommodation in the parish church which from time immemorial they had possessed. He presumed the noble Lord referred to that part of the Bill which declared that no person, declining to pay the voluntary rate, should be entitled to demand as of right that any seat or portion of the Church should be allotted to him. That provision, however, took away no right which the parishioners generally and individually had to accommodation in the parish church. In almost every country church there were particular seats appropriated to persons of property, while the general body of the church was given up to the public. By the provision in the Bill, a person possessing a seat in a church by a faculty or custom would, if he did not pay the church rate, lose the right to the seat, which would be given up to the general body of the parishioners, and therefore the accommodation for the parishioners would be increased instead of diminished. The Bill removed one of the greatest objections he had always entertained to the abolition of church rates, because it left the parishioners free to exercise their own discretion as to levying church rates. It seemed that he was understood by the noble Lord to have given his assent to the proposal that the money for the repair of the fabrics of the Church should be taken out of the funds at the disposal of the Ecclesiastical Commissioners. He gave no opinion upon that point, though he admitted it was competent for the House to adopt, in Committee on the Bill, a provision in the spirit of the Amendment of the hon. Member for Oxford, that a certain sum should be appropriated out of the revenues of the Ecclesiastical Commissioners for the maintenance of the fabrics of the Church. Indeed, if no legal provision were made for the repair of the fabrics, the necessary sum could come out of no other funds. In Ireland for many years the course had been taken of charging the funds in the hands of the Ecclesiastical Commission with the repair of the fabrics. He hoped the House would affirm the second reading of the Bill, and in any future Session

when brought before the House he thought it would be considered more beneficial to the Church than the entire abolition of church rates.

Mr. SELWYN wished to state that he was not actuated by any feeling of hostility to the authors of the Bill when he opposed the discussion of this Bill after midnight some days ago. On the contrary, admitting the weight due to the names of the right hon. Member for South Lancashire and the hon. and learned Member for Richmond, he was anxious that any proposal coming from them, especially one which was said to be of the nature of a compromise on this subject, should be fully considered. He was also mindful of the advice and censure given by the right hon. Member for South Lancashire to those who followed what he called the principle of indiscriminate resistances. That advice had been shown to be uncalled for and that censure undeserved, because they had always expressed themselves desirous of a settlement of the church rate question. Take the proposal made by his right hon. Colleague on the part of the Government of Lord Derby in a former year—namely, that Dissenters should have the power of exempting themselves from paying church rates. Take the proposal of the Solicitor General and the proposal of the hon. Member for North Warwickshire, which obviated every objection on conscientious grounds to the payment of church rates—these were all of the nature of a real compromise, but every one of them was met by an Amendment that the Bill should be read that day six months. Now they were met by a proposal not for a compromise, but for abolition. In the last Parliament no friend of the Church had ever expressed an opinion in favour of the principle of this Bill, which was, in fact, nothing but a repetition of a proposal made by the hon. Member for Birmingham. A compromise implied some concession; but there was no concession in this Bill; but he considered that it would be more injurious to the Church than the measure of the hon. Member for Bury. The first of the three principles involved in the Bill, as stated by the Member for Richmond, was the abolition of a compulsory church rate. That was the Bill of the hon. Member for Bury. The second—namely, the continuing the machinery for a voluntary rate, only threw a doubt on what at present was perfectly indisputable. At present voluntary contributions were unfettered, but the Bill provided that it should be lawful in any

parish where no provision was made adequate for the maintenance of the Church to make voluntary contributions for that purpose. Who was to judge whether there was no sufficient fund? The hon. Member for Richmond admitted that the law imposed on parishes the obligation of maintaining the parish church, and it also left persons free to contribute. But this clause not only raised a doubt, but fettered the parishioners, for it implied that voluntary contributions should not be made except when there was no sufficient fund for the maintenance of the Church. He maintained that the provision regarding the persons entitled to vote upon the voluntary assessment would turn out perfectly nugatory, for though those persons declared their readiness to pay their respective shares, yet they were not under any legal obligation to do so. The churchwardens were also to be converted by the Bill into a sort of Cerberus, and he thought the provision on that head would give rise to great litigation, as doubts would arise in many cases whether the whole Cerberus was to act, or only two parts out of the three. With respect to the 8th clause, which contained the third principle of the Bill, the provision relative to the right to a seat in the church, was more objectionable than any other, as tending to destroy the nationality of the Church. He was astonished to hear the right hon. Gentleman the Member for Morpeth speak about faculties, as if the right to seats in the church depended on faculties. Every one knew that the right by faculty was a rare exception, and that every parishioner had a right to a seat in the church, though, in order to prevent unseemly disputes, the churchwardens, as Executive officers, regulated the enjoyment of that right. It had been said that the obligation to pay church rates depended on the accommodation which a parishioner received in the parish church, but he denied that altogether, for it was an obligation imposed by common law for the maintenance of the Church for the good of all. He likewise objected to the principle of the Bill, because it drew a distinction between two classes—those who paid and those who did not. He admitted the important services which in many instances had been rendered by Dissenters in the cause of religion and education. They had often filled a void which had been left by the shortcomings of the Church; but none of the Dissenting communities would ever dream of undertaking

the great general responsibility belonging to the National Church. The position which they occupied was to act for the benefit of particular congregations; but the parish church was for the parishioners at large, irrespective of classes or individuals; and the more poor and the more unwilling to accept the services of the Church the people of a district were, the more necessary it was that the ministrations of the Church should be provided for them. Looking to this Bill in the aspect of what the hon. Member for Richmond called its third principle, it must be at once apparent that, so far from being in the least degree beneficial to the Church, it was a denial of the very principle on which it rested, and was, in point of fact, destructive of the nationality of the Church. He would now say a few words upon the position in which this question stood. He had heard of some arrangement which had been entered into by certain right hon. Gentlemen on both sides of the House; but those who, like himself, sat below the gangway, knew nothing of any such agreement, and he, for one, was no party to any arrangement. But, at the same time, he was willing fairly to consider any proposal made in a friendly spirit for the purpose of a compromise. To the present Bill, however, he never could assent; and if any division took place he must vote against it, considering it entirely hostile to the Church in its principles and in the whole of its details. He trusted that the right hon. Gentleman (Mr. Gladstone), finding that those whom he wished to conciliate could see nothing in the Bill but what would be more injurious than total repeal, would withdraw the Bill, and that during the recess he and other Gentlemen would employ themselves in endeavouring to discover something more worthy than this of the name of a compromise; but should he and others be disappointed in this, they would in a future Session meet readily every reasonable offer for a settlement of this question. But if their own attempts at compromise were met, as they had been before, by absolute refusal, or by an offer like the present Bill, which was worse than the total abolition of church rates, and if they were compelled again to fight the battle, they would do so with the same spirit and confidence that animated them in the last Parliament, when they converted a majority of seventy-four into a minority of ten; they would be ready to resist any such measure, not

merely on account of those 9,000 parishes in which church rates were cheerfully paid, but also as advocates of that old Saxon principle of local self-government, the right of the people to tax themselves for purposes which the majority should determine to be for the general good.

MR. HOLDEN said, believing that church rates were the cause of great religious strife, and were not beneficial to the Church, he hailed with satisfaction the present Bill. He belonged to one of the largest Nonconformist Churches in this country—namely, the Wesleyan Methodist Church, and as it had been referred to in this debate, he rose to give the House some information respecting it. The hon. Member for Buckingham said, on Tuesday, 24th July—

“The Wesleyans, for instance, did not wish to see the Church of England degraded or destroyed; they only desired to be relieved of church rates.”

As it was now admitted on the other side for the first time that the Wesleyans desire to be relieved of church rates, it was not necessary for him to prove that such was the case. It was perfectly true that the Wesleyans did not wish to destroy the Church of England, and, in fact, that originally the Wesleyans were members of the Church of England, and that some of their most eminent ministers were clergymen, and remained clergymen of that Church during the whole of their lives. Some of them were even bigotedly in favour of the connection between Church and State, but as the body grew more numerous, and felt the pressure of their own religious institutions, they became sensible of the burden of being obliged to support the Establishment in the shape of church rates. He remembered the time when they kept aloof, under the influence of their religious guides, from all contests about church rates, but one after another they were drawn into those contests, and he knew one parish in which through their opposition church rates were abolished. They would not have objected to the income derived from fixed sources—such as tithe—being continued to the Church; but regarding church rates as a voluntary impost, which the majority of the parishioners might grant or refuse, they thought they were perfectly justified in availing themselves of the state of the law to oppose church rates, contributing as they did so largely for the support of their own religious institutions. He believed, also, that

the existence of church rates had tended greatly to alienate the Wesleyans from the Church. The Wesleyan Methodist Church in England and Wales numbered 2,643,400, and in the various dependencies of this country the numbers were 1,045,968. But there had been several separations from this body, and taking the seceders and the others together, there were 5,788,308, of whom 250,000 belonged to foreign stations of their Missionary Societies. The Methodist churches raised annually a sum of £2,074,000 for the maintenance of their own religious institutions, and all these, he believed, would be glad to be rid of church rates. They contributed liberally and freely to the support of their own institutions, and they therefore thought they ought to be relieved from any obligation to support the institutions of so wealthy a body as the Church of England. He was bound to express the opinion that many who had left the Church to join the Wesleyan Methodists had been driven from the Church by the strife which arose out of the contests about church rates. He believed that, upon examination, it would be found that more than one half the nation belonged to the Nonconformist Churches, and it therefore behoved those belonging to the National Church to consider what was wanted to maintain the good feeling and attachment of the masses of the people to the National Church, and to remove those causes of strife and dissension which had existed up to the present time. He begged to declare his adhesion to the Bill introduced by the right hon. Gentleman the Member for South Lancashire.

MR. NEWDEGATE said, in consequence of the statement he had made on a former occasion in respect to this Bill not having been clearly understood, he wished now to repeat it. The objections which he had to the Bill was, that whereas by the Bill the legal control of the ornaments, services, ministrations, and appropriation of seats in the parish churches would be given to the officer called the ecclesiastical churchwarden for the purposes of this Act; and whereas by the 9th clause that officer was to be appointed, or might be appointed, by a minority of the parish—namely, by those who paid the rate as contradistinguished from those who did not pay it, his (Mr. Newdegate's) objection was that the representatives of the minority of the parish would, in such case, have the sole control of the interior and exterior management and of the externals of the ministration of

the Church. That objection was the stronger, because that officer would probably become the representative of persons of extreme opinions in the parish, whether those persons were of High Church, Low Church, or No Church principles, they would probably be the most willing to pay the rate under such circumstances, because they would know that by paying it they would obtain an undue control, by law, over the manner in which the services of the Church were to be provided for and would be carried on. The Bill would thus give encouragement to the minority in a parish representing extreme opinions to enforce them on the whole body of the parishioners. He was sorry to say he had seen gross abuses arising from the circumstance that the clergymen and others of a parish entertained extreme opinions. He had seen one clergyman proclaim himself a Nonconformist or a Calvinist. Cases of ritualistic excesses were now more frequent, as was proved by the petitions before the House. The effect was to drive the great body of the parishioners from the church, who refused payment of the church rates, as the only remedy left them. The hon. Member for Knaresborough gave them to understand that certain portions of the Wesleyan body objected to the payment of church rates. Now, a remarkable case occurred in his county which showed that a very different feeling than that attributed to them prevailed amongst the Wesleyan body. The clergyman of a particular parish in his county had been a high churchman and opposed to the church rates. The result was that from want of the necessary funds the church was gradually falling into a state of decay. The Wesleyan portion of the parishioners, however, came forward, and in vestry assembled declared themselves in favour of a church rate, which, being carried by their votes, was applied to the restoration and repair of the parish church. He (Mr. Newdegate) concurred in the opinion of his hon. Friends the Members for Cambridge and Oxfordshire that this Bill struck directly at the national character of the Church of England. It contained a principle of exclusion, which would destroy the national characteristics of the Church of England, and produce a state of things well calculated to foster divisions between the Church of England and the Wesleyan body. He had presented a Bill to the House that would have swept away every vestige of personal liability, and would give full

relief to conscientious scruples so far as Dissenters were concerned. It proposed a real compromise, and, if passed, would transfer the payment of rates for the maintenance of the church from the whole body of occupiers to the owners of property. The measure now before the House purported to be a compromise, but he denied that it was a compromise at all. It gave up the whole principle of a parochial provision for the maintenance of the fabric. Indeed, it did worse, for it armed the minority who chose to pay the rate with the power, it might be, of excluding the vast majority of the parishioners from any interference with the affairs of the church, and some, probably, from seats in the church. Having been misunderstood as to what he had previously said in respect to this Bill he trusted that the House would excuse him for entering into this explanation.

THE SOLICITOR GENERAL, having taken part in a very earnest endeavour to settle this question by way of compromise, desired to offer a few observations. In the Bill which he had introduced, but which had not yet been read a second time, and probably would not now be so during the present Session, he addressed himself most anxiously to frame a measure which would effect a real compromise by steering a middle course between the two parties; and he believed those who studied it, free from the influence of the Liberation Society, would find that it was entitled to the serious consideration of all who wished a settlement of the question. He invited the attention of the right hon. Gentleman the Member for South Lancashire and the House generally to the principles of his measure. Indeed, if they calmly considered the provisions of his Bill, he believed it was possible that they would obtain, not only the approval of the late Chancellor of the Exchequer, but also that of a large body of Members on the opposite side of the House. The great difficulty in dealing with church rates was to have a law applicable to the whole country—the rural population and the population of the towns being entirely at variance with each other on the subject. In the large towns it might be said they had already practically abolished church rates; but, on the other hand, there was a vast body of the rural population—90 per cent of these parishes willing to pay and contributing readily and cheerfully for the maintenance of their churches. It, therefore, seemed to him

Mr. Newdegate

that a measure proposed as a real compromise must accommodate itself to both of these parties. The demand for total abolition was chiefly urged by householders in towns, and in boroughs where parties were pretty equally divided its advocates were in a position to exact pledges which many Members conscientiously believed ought not to be given. ["No, no!"] Hon. Gentlemen said "No!" but he knew, from private conversations, what pressure was put upon candidates, and without making any reflection on such Gentlemen, it might easily be conceived that when the issue of an election depended upon a few votes a pledge might be exacted, almost unconsciously, in favour of total abolition. He had endeavoured to frame a measure which should be of general application, and should adapt itself to the varying circumstances of different places. It seemed to him, therefore, that just as each parish should decide whether or not it would have a church rate, according to the preponderance of one side or another, so each individual should have the right to say whether or not he would contribute to the maintenance of the Church; and though many clauses in his Bill, being hastily drawn up, might, no doubt, be improved, the principle of the measure was that every person who desired not to pay the rate might absolutely relieve himself from the obligation by simply giving notice to that effect. He did not propose to require any person to declare that he conscientiously objected to the payment of the rate, and it would be just as competent for a member of the Church of England as for a Dissenter to give the notice of objection. He believed, indeed, that the great body of Dissenters, so far from disliking to avow their principles, were proud of their Nonconformity; but, as the organ of the Liberation Society had raised a cry that Dissenters would not be "ticketed," he had thought it right to avoid that difficulty. In attempting a compromise it was obvious that not only must the relief of Dissenters be considered, but the measure must be of such a character as to be acceptable to the Church. Now, as regarded Dissenters, if a notice that they did not desire to contribute to the rate would entirely relieve them from the liability, they surely ought to be satisfied, for upon no just principle could the parishes willing to raise rates—amounting to 90 per cent—be over-

ruled by the 10 per cent which took a different view. His plan accordingly—and he hoped it would be considered by the right hon. Gentleman (Mr. Gladstone)—if he gave further attention to the subject during the recess—enabled persons who desired to do so to continue the payment of rates, and as any settlement of this question must be submitted to the other House, he might remark that he had reason to believe that his Bill would meet with the concurrence of the Bench of Bishops, whereas, he understood the measure of the right hon. Gentleman would not receive their support. Now, a Bill which relieved Dissenters, and at the same time obtained the approval of those most interested in the Church, plainly presented the elements of a compromise, whereas the present measure, though introduced by the right hon. Gentleman as a compromise, and though still persistently described as such, was an absolute concession to the Dissenters, without a single redeeming feature in favour of the Church. A Bill framed on such a principle was not likely ever to pass. Moreover, instead of getting rid of strife and ill-feeling, the Bill would increase it threefold. It would actually allow three church rates to be made instead of one; for it did not do away with the old rate, but simply provided that it should not be recoverable at law. A vestry, therefore, might still meet to decide whether such a rate should be made or not, and as where Churchmen had a majority they would naturally prefer a rate at common law, leaving persons to refuse to pay if they thought fit, the same discussions as hitherto would naturally take place. Then by the 4th clause the vestry was at liberty to assess a voluntary rate, which would be rate No. 2, and would be attended by the same discussions and heartburnings; and, last of all, by the 5th clause the inhabitant householders and occupiers of land could make a voluntary rate. Thus there would be three opportunities for strife and dispute, and when the rate was made those who had assented to it would not be liable to pay it. A scheme more impracticable could not be conceived. But the difficulty did not cease there, for there would be two sets of churchwardens with no definition of their respective functions, except that one set was to be for secular purposes and the other for ecclesiastical, an arrangement which would certainly lead to great confusion. Then under Clause 8 there would be endless disputes as to what pa-

rishioners were entitled to seats in the Church. It was evidently impossible that the Bill could pass in its present shape. He should be happy to assist in any measure that might be acceptable to both sides, but it was hopeless to expect anything like a compromise with those who were influenced by the views of the Liberation Society. As to the recovery of the rate, the hon. Member for Northampton (Mr. Gilpin) had referred on previous occasions to cases where legal proceedings had been taken for the recovery of sums like 3½d. or 6d., but if this was an objection to church rates being recoverable by law, the same argument would apply to all other duties or imposts, and it must be remembered that these cases had been purposely selected for litigation by the opponents of the rate. He thought County Court Judges might have power, if his proposal were adopted, to determine the legal liability of those who had given no notice of objection, and when persons had voluntarily incurred the liability there was no reason why they should not be made to pay. There was a considerable difference between a voluntary rate and the plan he suggested, for in the former case many persons who now paid the rate cheerfully would put off the collector time after time, and would at last, perhaps, decline to pay at all, whereas under his scheme the rate would be a legal charge on all who had not sent notice of objection. This would be a great boon to the Church, and would preserve the connection of Church and State unimpaired. In conclusion, he would urge that a measure of compromise ought to make concessions to both sides, and any measure of this character he would heartily support; but the Bill of the right hon. Gentleman, with its three rates, two sets of churchwardens, and two sets of inhabitants, did not answer to this description, and he did not intend, therefore, to support it, though he should not vote upon it.

MR. HADFIELD said, that in his opinion the Bill of his hon. Friend the Member for Bury St. Edmund's was a better Bill than the one they were considering, which had been introduced by the right hon. Gentleman the Member for South Lancashire. He (Mr. Hadfield) was accused as a Nonconformist of not wishing to see church rates abolished, seeing that they made so good a grievance; but he did wish to part with them, not, however, on the terms offered by the Solicitor General. If

The Solicitor General

the hon. and learned Gentleman would provide that those only who were willing to pay should give a notice, instead of requiring a notice from the objectors to all church rates, he (Mr. Hadfield) believed that his Bill would pass. But it was in fact and virtually a Bishop's Bill. The Bishops, forsooth, would not have the Bill of the hon. Member for Bury St. Edmund's, nor the Bill of the right hon. Member for South Lancashire, but it seems they would consent to that of the Solicitor General. What! Were they, the Commons of England, to submit to the dictation of the Bishops? To ask the consent of Bishops whether they might introduce and pass a Bill necessary for the public welfare? The Bill of the right hon. Member for South Lancashire would, if passed, produce more money for the Church than was raised at present; but it was so sweet to members of the Church of England to squeeze a little money from Nonconformists, that the Bishops would not consent to part with the power. They (the Nonconformists) were told they were an inferior class, and that it was predominance, not money, which the Church demanded. He knew it was not the paltry £300,000 a year, which they now got, that stood in the way. Why, then, permit of this incubus of church rating to retard their proceedings every Session, when the same sum would be voted for a beneficial object in a single night? He could tell the hon. Member for Buckingham that his words would not speedily be forgotten. He could tell him that Nonconformists acknowledged no predominance and no superiority in members of the Church of England. They (the Nonconformists) had been and were the best friends of the Throne, and they claimed Her Majesty's protection, so that they might not stand before the world as serfs, but as equals in every respect of members of the Church of England.

THE SOLICITOR GENERAL explained. He did not say his Bill was the Bill of the Bishops. He drew the Bill, and from what he had heard he had every reason to believe it would meet with the support of the dignitaries of the Church.

MR. HADFIELD said, that was exactly how he understood the hon. and learned Gentleman.

MR. GLADSTONE: My noble Friend the Chief Commissioner for Works alluded in his speech to an arrangement which he said had been made between the Government and Gentlemen sitting on the Opposi-

tion Benches, but of the particulars of which he was not cognizant, and with respect to which he appeared to be doubtful what the effect was to be. Now, as arrangements made between the representatives of different parties with regard to the proceedings of that House were essentially of a public character, and as on a former occasion I, to some extent, misconstrued the meaning of the arrangement, I will state, as accurately as I can, what it was. I received a communication from Her Majesty's Government through the regular official channel, intimating that no objection would be made to the second reading of my Bill, provided I did not seek during the present Session to go beyond that stage. But undoubtedly when that announcement was made to me, I did not expect that the Commissioner for Works, who was a Member of the Cabinet, the Secretary to the Treasury, and the Solicitor General, would make detailed and elaborate speeches in opposition to the second reading of the Bill, and that the noble Lord would have announced that this Bill would be more injurious to the Church than a measure of simple abolition. I am unable to understand the position of Members of the Government who can express such opinions, and yet feel themselves restrained from voting against the Bill. I make no complaint against any one; but I confess that if this is to be the effect of the understanding thus brought about through the agency of the Government, I hope that on future occasions such understandings will be more carefully considered by the persons who propose them, so that they may know their minds before they propose them. My noble Friend characterized my Bill as a reproduction of the project of the hon. Member for Birmingham, and I could not but be amazed when I found the hon. Member for Birmingham, the recognized and established bugbear of the country, and who had done, so very much against his own will, such excellent service to hon. Gentlemen opposite in other matters this Session, could not even now be let alone in reference to a humble Bill of this kind, but was to be discredited in connection with this measure also. My noble Friend is no doubt better acquainted with the hon. Gentleman the Member for Birmingham and his proceedings than I am; but I am not aware that the hon. Gentleman the Member for Birmingham had mooted the point that Dissenters not contributing to church rates should become disabled from

holding the office of churchwardens, or of taking part in the disposal of the church rate. Having listened carefully to this debate, I have heard many objections to the Bill, but those of the Solicitor General must, I think, have arisen from his not having carefully studied the measure. As to their being separate rates under the 4th and 5th clauses, the hon. and learned Gentleman forgot that one of the rates provided for parishes, and others for ecclesiastical districts. But it is to the speech of the right hon. Member for Oxfordshire that one looks for the more solid objections against the Bill. With respect to his objection about the offertory monies, he will find that the Bill leaves them wholly untouched, and that what he terms qualified excommunication means only that where there has been no payment of rates there shall be no appropriation of seats. However, these matters are not of the essence of the Bill. I turn to his objection that machinery contrived for a compulsory rate was ill adapted for a voluntary one. He said that there might be in a parish a cluster of farmers who paid collectively £2,000 a year rent; and one individual, who was richer than them all, who paid only £100 a year because he had no land, and that the farmers would be rated on the whole of their rent whilst the individual would pay only on his £100 a year. Now, in the first place, I cannot admit the correctness of the right hon. Gentleman's figures. The farmer's expenses are deducted from his rent, the same as for the income tax; but without dwelling on that, I must admit that land will always pay the highest. The right hon. Gentleman calls this a fundamental objection, but he forgets that it applies equally to the Bill of the Solicitor General. I admit that in rural parishes, where this rate is a burden on the land, our remission will make the rate a present to the tenant, but the question is whether it is not worth our while to make the sacrifice for the settlement of the question. We do not compel the parishes to use the old machinery, and when dissatisfaction springs up it will not be used. I am not at all prepared to accede to the proposal which has been made to us, that because we have failed to remove the objections of those who are opposed to us, we should withdraw our Bill. When I introduced the Bill I had no hope of removing the objections of my noble Friend or the hon. Member for Cambridge. But the encouragement we have received to

proceed with the Bill has been ample. I do not complain of the diversity of opinion that exists in reference to the Bill. Many, no doubt, on this side of the House would prefer simple abolition, whilst on the other side there are many who would not acquiesce in any important change; but we stand between these two forces. We would give the exclusive management of the money raised to the Church, placing them in a much better position than they would occupy if they subscribed a sum amongst themselves, when, the moment they came to disburse it, all the non-paying parishioners could insist in taking a part in its management. We seek in fact to settle a question which has been agitated as long as one recollected, and which if not now settled may continue to be agitated until the youngest of us grows old. The prolongation of a controversy like this will not be for the advantage of the country. The hon. and learned Gentleman who has just sat down appears to be under the impression that he has made a marvellous discovery, and has been enabled, after the consideration he has recently bestowed upon the measure, to produce a plan marked by strong features of originality and ideas that have never occurred to those who have previously dealt with this question. The oracular manner in which the hon. and learned Gentleman has pointed out that it is the rural parishes in which the rate is paid, and the populous urban parishes in which it is not paid, has at any rate been amusing to those who have been working at this matter for the last five-and-twenty years. The hon. and learned Gentleman evidently thought he was opening up a new mine, and extracting from it some sterling ore which he offered to us exceedingly cheap; but the truth is that the sterling ore has been long discovered, and has been battered and twisted into every possible shape which the most ductile metal could assume. For a number of years the House has been accustomed to have submitted to it plans of exemption from church rates, one and all of which have failed, having been found unavailable for effecting a settlement of the question. There is the hon. Member for Warwickshire who has proposed a measure for saddling church rates on land. [Mr. NEWDEGATE: Retaining.] I did not use the word "saddling" in an offensive manner; but at any rate his proposition would constitute an important transfer of the charge. The principle of this Bill

Mr. Gladstone

has, as the hon. Gentleman well knows, been proposed to the House and rejected by a large majority. I do not know whether he cherishes the hope that there will be some change or reaction in this House; but it is enough for me to say that while unwilling that the present conflict should be continued between the maintenance of the law in its present unsatisfactory state, and the total abolition of church rates, which is moved year after year without avail—observing at the same time that no plan, founded on exemption, for the transfer of the charge has yet obtained much countenance—I think there is some ground for the hope that the present Bill will receive the sanction of the Legislature. As the great bulk of those who are favourable to total abolition are willing to make the concessions contained in this Bill, and as many of those who have voted against total abolition are also willing to accept the measure, I am naturally not undesirous of bringing the question to a conclusive position by obtaining the judgment of the House. I am encouraged by what has fallen from my noble Friend, who feels himself safe from proposals for the total abolition of church rates, but who does not feel that he is safe against a proposition which, while it receives the support of the friends of abolition, also receives support from some of those who are not favourable to abolition. Encouraged by many circumstances, and by none more than by this declaration of my noble Friend, I look forward with sanguine expectation to the vote which the House is about to give.

COLONEL TAYLOR: Before the Question is put I wish to say a word or two in consequence of what the right hon. Gentleman the Member for South Lancashire has just stated. The communication I made to the official organ on the other side was to this effect:—The Government would not take a division against the second reading of the Bill, but they reserved to themselves the right of discussing the matter in the fullest possible manner, and they were not to be regarded as accepting the principle of the Bill because they did not take a division against its second reading. That was the statement made by me, and accepted by the other side.

Question put, and *agreed to*.

Main Question put, and *agreed to*.

Bill read a second time, and *committed* for this day month.

CHURCH RATES ABOLITION BILL.

(Mr. Hardcastle, Mr. Dillwyn, Mr. Baines.)

[BILL 11.] COMMITTEE.

Order for Committee read.

MR. HARDCASTLE, in withdrawing the Bill for the Abolition of Church Rates, said, that he had not pressed his Bill beyond a second reading, believing that no useful purpose would be gained by so doing, and being desirous in every way in his power to support the Bill of the right hon. Gentleman the Member for South Lancashire. That, at the same time, in the altered circumstances of the case, he reserved to himself—speaking on behalf of those with whom he acted, as well as personally—the fullest liberty to introduce the same Bill, or any other Bill with the same object, in a future Session of Parliament.

Order discharged: Bill withdrawn.

CHURCH RATES COMMUTATION (No. 2)

BILL—[BILL 30.]

(Mr. Newdegate, Mr. Bovill.)

SECOND READING.

Order for Second Reading read.

MR. NEWDEGATE, in moving that the order for the second reading of this Bill be discharged, said, he reserved to himself the right of bringing it forward at another time. What had occurred during this debate had only served the more to convince him that there was no just claim on the part of the owners of property to profit by the abolition of church rates. In fact, he thought that nothing would be so injurious to them as to put into their pockets a portion of the money that belonged to the parishioners, and the result would be that if church rates were abolished some regular impost would be imposed in lieu of them, though it might not be applied to purposes so salutary as church rates.

Order discharged: Bill withdrawn.

REFORMATORY SCHOOLS BILL.

(Mr. Knatchbull-Hugessen, Sir George Grey.)

[BILL 184.] CONSIDERATION.

Order for Consideration read.

Bill, as amended, considered.

LORD EDWARD HOWARD, in moving a new clause to the effect that the managers of any school shall on receiving a youthful offender into their custody enter

his name and his religious persuasion in a book to be kept for that purpose, said, that if he should receive an assurance from Government that they intended to introduce a measure which would put a stop to the terrible system of proselytizing in reformatory schools, he should withdraw his opposition to the Bill.

Clause (Book containing name and religious persuasion of offenders on entry to be kept).—(Lord Edward Howard.)—brought up, and read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."

MR. WALPOLE said, it was the intention of the Government, when a satisfactory arrangement had been entered into on this subject with the head of the Roman Catholic Church in this country, to introduce uniform clauses embodying the terms of that agreement into the Bills for the regulation not only of reformatories but also of workhouses, prisons, and industrial schools. The right hon. Gentleman the President of the Poor Law Board was now in communication in reference to this subject with the head of the Roman Catholic Church in this country; and he was prepared to give every consideration to the proposals which might emanate from that quarter. In the meanwhile, until an arrangement had been come to, it would not be convenient to deal with the subject in the manner proposed by the noble Lord opposite.

LORD EDWARD HOWARD said, that after the explanation of the right hon. Gentleman he would take the Bill as it stood, on the principle that half a loaf was better than no bread. He begged to withdraw the clause he had proposed.

MR. KINNAIRD protested against the charge brought by the noble Lord against the reformatory schools, that they adopted a terrible system of proselytizing. Nothing of the kind took place in those schools, which were admirably conducted, and were of the greatest benefit to the country.

MR. M'LAREN wished it to be understood that it was only owing to the lateness of the Session that the principle of the Bill was not more fully discussed. No hon. Member must be taken to be committed to any particular religious clause.

Motion and Clause, by leave, withdrawn.

MR. REARDEN said, he rose to move the following clause :—

"That schoolmasters and schoolmistresses be appointed to every Protestant reformatory, to whom the instruction of Catholic children shall be committed until such children are sent to a school conducted in accordance with the offenders' religious persuasion."

Clause brought up, and read the first time.

Motion made, and Question, "That the said Clause be now read a second time," put, and *negatived*.

Clause 12 (Offenders under 16 may be sent to Certified Reformatory Schools.)

MR. ALDERMAN SALOMONS proposed to add the following words :—

"And no child receiving religious instruction from a Jewish minister shall be compelled to attend church or chapel, or be taught religious doctrines inconsistent with the Jewish faith.

Amendment proposed,

At the end of Clause 12, to add the words "and no child receiving religious instruction from a Jewish minister shall be compelled to attend church or chapel, or be taught religious doctrines inconsistent with the Jewish faith."—(*Mr. Alderman Salomons.*)

MR. WALPOLE had no objection to the insertion of the words, but believed them to be unnecessary.

MR. COWEN expressed the opinion that the wish of the hon. Member who moved the Amendment would be best complied with if the wealthy among the Jews would put their hands into their pockets and make a reformatory school after their own heart.

Motion made, and Question, "That those words be there added," put, and *negatived*.

Clause 35 (Repeal.)

MR. AYRTON moved an addition requiring that when a child was admitted to a reformatory school at the request of its parents the State should contribute nothing to its support.

Amendment *negatived*.

Clause *agreed to*.

Remaining clauses *agreed to*.

Bill to be read the third time *To-morrow*.

House adjourned at a quarter before Six o'clock.

HOUSE OF LORDS,

Thursday, August 2, 1866.

MINUTES.]—PUBLIC BILLS—First Reading—

Turnpike Acts Continuance* (253); Local Government Supplemental (No. 4)* (254); Railways (Ireland) Temporary Advances* (255); Bills of Sale Act (1854) Amendment* (256); Oysters Cultivation (Ireland)* (257); Naval Discipline* (258); Dockyard Extensions* (259); Consolidated Fund (Appropriation)*; Landed Estates Court, &c. (Ireland)* (260); New Zealand* (261); Cattle Diseases Prevention Act Amendment (No. 2)* (262); Prisons* (263); Industrial Schools* (268); Reformatory Schools* (269); Public Health* (270).

Second Reading—Turnpike Trusts Arrangements* (247); Poor Law Amendment* (248); Aberdeen Provisional Order Confirmation* (234).

Committee—Court of Session (Scotland)* (226); Thames Navigation* (214); Local Government Supplemental (No. 2)* (201); Local Government Supplemental (No. 3)* (202); Land Drainage Supplemental (No. 2)* (224); Railway Companies' Securities* (240).

Report—Thames Navigation* (214); Metropolitan Commons* (250); Local Government Supplemental (No. 2)* (201); Local Government Supplemental (No. 3)* (202); Land Drainage Supplemental (No. 2)* (224); Railway Companies' Securities* (267).

Third Reading—Thames Navigation* (214); Parochial Buildings (Scotland) Act Amendment* (226); Fees (Public Departments)* (233); Parishes (Scotland) Act (1844) Amendment* (235); Rochdale Vicarage* (204); County Assessments* (221), and *passed*.

JAMAICA.—QUESTION.

THE EARL OF ROMNEY said, that seeing the noble Earl the Secretary for the Colonies in his place he desired to ask him a Question, on a subject with respect to which a great many persons felt a deep interest—he meant the condition of Jamaica. There were few persons in the country who, while anxious to see law and order in the colony supported, were not also anxious that in support of law and order nothing should be done at all injurious to the rights of any of Her Majesty's subjects. There were, he was aware, certain other persons so prejudiced on the matter that no answer that could be given would be satisfactory to them. It was, therefore, most desirable that they should have some assurance from Her Majesty's Government that in whatever might be done their course of conduct should be such as to give the fullest confidence to Her Majesty's subjects that right and justice would be carefully respected on both sides. He

hoped, therefore, that some statement would be made on the part of the Government which would indicate the course of policy that was likely to be pursued in this matter. What he wished to know was this—Whether Her Majesty's Government agreed in the main with the views of the late Ministry on this question, and whether his noble Friend could state what steps had been taken, or would probably be taken, in reference to the state of affairs in Jamaica?

THE EARL OF CARNARVON: The Question which my noble Friend (the Earl of Romney) has asked me refers to a matter of the most painful interest. No man who has at all looked into the circumstances of the case can doubt the very grave necessity which rested upon those in authority to adopt the most vigorous measures to repress the disorders. On the other hand, it is equally clear that there have been a few cases of undoubted cruelty, some cases of undoubted oppression, and some of undoubted injustice. At the same time, I must say that it is very difficult to form an accurate judgment at this distance, and with the comparatively insufficient materials which we have before us; because, bulky as is the Report of the Commissioners, the evidence is such that it is exceedingly difficult for us here at home to deal with it, or to know how fairly and equally to apportion the blame among those to whom blame is due. In the first place, the evidence is of a very conflicting nature. Making all possible allowance for exaggeration and misconception, there has been undoubtedly a great deal of very hard swearing and a great deal of perjury. I quite agree with the opinion expressed by the right hon. Gentleman my predecessor in office (Mr. Cardwell) that the heart-burnings, the irritation, and the angry feelings consequent on what has taken place ought, for the sake of the colony, as soon as possible to be put an end to. At the same time, there is no use in denying that very great injustice has been done, and in many cases I do not hesitate to say that very great blame appears to me to be due to those who encouraged it. There are three classes of persons to whom that blame is due—first of all, the naval officers; secondly, the military officers; and thirdly, the civilians. With regard to the naval officers, speaking generally, I should say that, upon the whole, the amount of excesses chargeable to them is less, perhaps, than affects the other two classes.

At the same time, there are some cases in connection with that service which require investigation, and—though I am not quite sure—I believe they are at this moment under consideration by the Admiralty. With regard to the military officers the case is somewhat different. Their number is larger, the charges against some of them are of a serious nature, and at this moment measures are being taken respecting them. Looking at the Report of the Commissioners, it will be seen that though there are many cases to which they allude, but three persons are designated by name as persons against whom further proceedings should be taken. As to the Commission, I take it that it stands in this position: it was not a court of justice appointed to try these persons—it could not pronounce any verdict upon them or inflict any sentence; it had no authority for this purpose. As far as I understand it, the Commission was in the nature of a grand jury called upon to find whether there were fair grounds against these persons for making further investigation. That, I take it, is the position in which the Commissioners stood as a tribunal. Now it is true that the Commissioners mention several cases, such as those of Colonel Elkington, Colonel Hobbs, who afterwards came to a very untimely end, Captain Hole, Lieutenant Adeock, and one or two others; and I must say that it is impossible to read many of these cases without feeling the deepest pain and regret. I think that the letters to which some of these officers have put their names are indecent and absolutely disgusting. But, as I said before, the Commissioners only alluded to three individuals by name—Provost Marshal Ramsay, Ensign Cullen, and Assistant Staff Surgeon Dr. Morris. With regard to Provost Marshal Ramsay, I believe that he is at this moment standing upon his trial for murder in Jamaica. All further action is therefore precluded, and it would be wrong for me to say anything while these judicial proceedings are pending. As regards Ensign Cullen and Dr. Morris, the question is a very different one. The Commissioners themselves stated that, in spite of conflicting evidence, the conduct of these two persons was of so suspicious a character that they recommended further investigation. I have, therefore, felt it my duty to bring the matter under the notice of the Commander-in-Chief, and to submit for his consideration whether it would not

be expedient first of all to try these two persons by courts martial; and secondly, inasmuch as Sir Henry Storks has left the island, and Major General O'Connor, the chief officer in command of the troops, was, unfortunately, implicated more than was desirable, and assumed a very considerable responsibility in many of these transactions, I have felt it my duty to submit for the consideration of the Commander-in-Chief whether it would not be desirable either to remove the courts from the island of Jamaica, or to constitute those courts of officers who would be entirely independent of the recent transactions there. That view has been taken by the Commander-in-Chief, and, consequently, these two persons will be brought to trial before courts martial, taking the precaution which I have ventured to suggest. Lastly, there comes the question of the conduct of the civilians; and here, of course, I feel myself mainly responsible, for I hold this distinct view—that if any colonist suffers from injustice, whatever may be his class, his condition, or his colour, he has a right to redress at the hands of the Colonial Minister in this country. Acting in this sense, I have instructed Sir John Grant, the present Governor of Jamaica, to institute the most searching inquiry in his power in order to ascertain whether there are any civilians whose conduct demands inquiry. In this I simply followed in the footsteps of the right hon. Gentleman who preceded me in office (Mr. Cardwell), who had previously given instructions to the same effect; but I thought the subject was of such importance, that I have sent out further instructions urging Sir John Grant to pay particular attention to the subject. And I have such confidence in Sir John Grant as a wise and humane administrator, that while on the one hand he will not, I believe, rake up unnecessarily those smouldering embers which it is for the good of the colony should expire as soon as possible; on the other hand, if there be just cause for investigation, I am sure he will not shrink from it, whatever difficulties may attend that inquiry. I ought to mention further, that as some thirty-five persons are at this moment in confinement in Jamaica under long sentences for the part they took in the insurrection, and as I believe that many of these persons are ignorant people, misled by more designing persons, I have left it to Sir John Grant to report to me whether in

any of those cases the prerogative of mercy may not be fairly and with policy exercised. I am sure that I represent the feeling of Parliament as well as my own when I say I hope it will be found possible to deal with these offenders somewhat more leniently than they have been dealt with in the colony.

My Lords, I should be glad to stop here, but I feel bound, after the Question put to me by my noble Friend, to say a few words further. It is impossible to discuss this question without touching more or less upon the conduct of Mr. Eyre—because, after all, Mr. Eyre was the Governor, and he was responsible for everything which took place. Now, I cannot doubt, on the one hand, that the insurrection was a most serious one, and that the circumstances of the time were very grave. I readily admit the promptitude, the courage, the fearlessness of responsibility which he displayed; but, on the other hand, I am in justice bound to say that these qualities, if they are not accompanied by sound judgment on the part of the person who possesses them, become faults rather than virtues, and are in the nature of a curse rather than a blessing to the colony with the government of which that person is intrusted. This, I think, was the case of Mr. Eyre. I believe he was completely absorbed in the one paramount idea of crushing out this insurrection and of saving the colony; but he saw only one side of the question—he saw only one half of his duty, and only acted up to that limited portion of his duty. Now, the Governor of a colony is the representative of the Crown, and the first attribute and quality of the Crown is not only justice, but perfect impartiality, and the power of rising above the panic and the apprehensions of the moment. It was by this quality that Lord Canning, when placed under circumstances somewhat similar, though undoubtedly much more momentous, deserved and obtained the admiration of his country, by rising above the prejudices and passions of the moment and by preventing the persons who surrounded him from being carried away by those feelings. It is to the fatal want of this quality in Mr. Eyre that we may trace at least half of the mischief which arose after the outbreak through the unnecessary prolongation of martial law and the many excessive severities which took place during that period. Courts martial form at all times a very

exceptional and a very deplorable tribunal. No one will doubt this who considers their constitution, and the youth, the ignorance of the first principles of law, and very often the prejudice, combined with the absolutely unlimited discretion, of their members. Perhaps your Lordships may recollect how, not quite a century ago, Lord Cornwallis, in the Correspondence which has been recently published, has left on record his bitter feeling of the atrocities carried on in 1793 by courts martial under his own eyes, and with hardly any power on his part to repress them. As courts martial were in 1793 so they are in 1866, because the objections to them depend much on the inherent nature of the tribunal itself. I will not attempt to enter into some of the legal technicalities and inquire whether or not courts martial, if it be not a solecism to say so, are legal. There may be cases of dire necessity, when it is absolutely imperative to proclaim martial law, and to administer it by court martial; but, in such cases, there are several rules which ought to be observed. In the first place, martial law ought not to be allowed to continue one single day or hour beyond the time which is absolutely necessary. In the next place, a caution should be given to those who administer those courts—not indeed in the shape of a code of minute rules, because that would be impossible—but by a general instruction. The officers should feel that they will be held accountable for any excessive acts of authority on their part. Just in proportion as they are completely free to act, so, I think, they ought to be jealously watched, and, if necessary, controlled and checked by their superior officers. Unfortunately, this was not the case in Jamaica. In the panic and confusion of the moment these safeguards were neglected, and no doubt very serious consequences resulted from that neglect. It has been said, further, that martial law in Jamaica was complicated by this peculiar circumstance—that there was an Act in the colonial statute book which, while it certainly expressed the opinion that courts martial ought not to be established except in cases of grave necessity, nevertheless did seem to encourage the Governor to proclaim martial law, under circumstances somewhat less grave than should justify such a course. No doubt Mr. Eyre understood that he had no option but to continue that Act in operation for

a full month; but that was a great mistake. It will be the duty of Her Majesty's Government to look closely into this point, and first to see whether similar Acts do not exist in some of the West Indian colonies, of which I cannot speak positively now; and second, to revise them and bring them more into conformity with our idea of what they ought to be. I am further considering the expediency of drawing up a short and simple code of regulations for the instruction and guidance of Governors who may be placed in circumstances similar to those in which Mr. Eyre was placed. I do not think you can provide for every single case; but you may lay down landmarks and principles which shall guide Governors under such exceptional circumstances. Much has been said respecting the case of Mr. Gordon—I do not wish to say anything about it, and for this reason, that I believe it is a most terrible case, and one that is indefensible. The evidence upon which he was hung was insufficient to have convicted him. At the same time, I wish to say there can be no doubt that both Mr. Eyre, who accepts the whole responsibility, and the officers who acted in subordination to him, acted with most complete *bond fides* in the matter. Personal feelings and irrelevant considerations were entirely absent from their minds; and, however mistaken they were, they believed they were performing their duty. Therefore, the proposal which is sometimes put forward, to indict Mr. Eyre on the charge of murder, seems to me to be one of the most preposterous proposals that could be made. Whatever offence Mr. Eyre has committed, murder is certainly not the offence that can be charged against him, and I believe such a charge would be utterly repugnant to the common sense of Englishmen. I think Mr. Eyre has suffered severely indeed; his recall has been as heavy a blow as could possibly be inflicted upon him. Looking to his position and his antecedents, I believe that blow has fallen on him severely. As regards the state of Jamaica now there are great difficulties to be solved; but I have every confidence in Sir John Grant, than whom, I believe, there was no one more competent to grapple with those difficulties, and whose appointment as Governor is, I believe, the best that could have been made.

EARL RUSSELL: I concur with the

opinion so well expressed by the Commissioners, with regard to the trial and execution of Mr. Gordon. I understand the noble Earl to say that he, too, concurs in it. I only wish to say further, with regard to the late Government, that we all thought the Report made by the Commissioners was not only an able Report, but that it judged impartially the conduct of Governor Eyre and of all the persons whose conduct it dealt with. I believe that, both in the praise the Commissioners gave Governor Eyre, for the promptitude and extreme readiness with which he put down an incipient insurrection, and in the blame they cast upon him, the Commissioners were equally just, fair, and impartial. I quite agree with the noble Earl that there are not any grounds for accusing Mr. Eyre of murder; but, at the same time, we cannot help deploring the undue severity that was used.

THE EARL OF CARNARVON: As far as I understand the verdict of the Commissioners respecting Mr. Eyre, I entirely accept it and concur in it. I understand it to be this—that Gordon was not proved to be guilty of complicity in this insurrection, and that he was executed upon evidence which was wholly insufficient. In that opinion I entirely concur.

LORD HOUGHTON: I wish to ask the noble Earl, whether he has entertained the question of giving compensation to any of the suffering families?

THE EARL OF CARNARVON: The question of compensation involves this point—that compensation must be paid either from the Consolidated Fund or from Colonial revenues. The place for discussing the question of paying compensation out of the Consolidated Fund would be rather the other House of Parliament than your Lordships' House. I should doubt whether this country would be disposed to make a grant on this account. Of the Colonial revenues I can give only a poor account. It will require the utmost efforts on the part of Sir John Grant to make both ends meet; the revenue has declined, and probably it will be many years before he will be in a position to make any considerable allowance from that source. It is also to be borne in mind that the question of compensation is a most difficult one. Fraudulent claims of all kinds are sure to be put forward the moment you announce that either the Colonial or the Imperial Government will pay compensation; and it would require

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the greatest sagacity to distinguish those that ought to be satisfied. I should be sorry to debar myself absolutely from entertaining this question. Much must depend upon the reports of Sir John Grant. I shall be equally unwilling to make any promise that compensation shall be given. I wish, indeed, to leave myself entirely free to adopt the course that may seem best.

HYDE PARK.—QUESTION.

THE EARL OF DERBY: The noble Earl opposite has given me private notice of his wish to put a Question respecting Hyde Park. I shall be glad if he will oblige me by not asking that Question until to-morrow. I have conferred with the Secretary of State for the Home Department, but it will be necessary to confer with the Department of Woods and Forests, because the Park is in its control, and not under that of the Home Office. I should like to be furnished with more accurate information than I now possess.

EARL RUSSELL: The Question is one of considerable importance, and I am quite ready to postpone the Question until to-morrow.

House adjourned at a quarter before
Seven o'clock, till To-morrow,
half past Ten o'clock

HOUSE OF COMMONS,

Thursday, August 2, 1866.

MINUTES.]—PUBLIC BILLS—Second Reading—Habeas Corpus Suspension (Ireland) Act Continuance [256]; Foreign Jurisdiction Act Amendment* [258].

Report of Select Committee—Railways (Guards' and Passengers' Communication) [No. 465].

Committee—Patriotic Fund* [257]; Constabulary Force (Ireland)* [224]; Expiring Laws Continuance* [255]; Ecclesiastical Commission* [254] [*Lords*].

Report—Patriotic Fund* [257]; Constabulary Force (Ireland)* [224]; Expiring Laws Continuance* [255]; Railways (Guards' and Passengers' Communication)* [81]; Ecclesiastical Commission* [254] [*Lords*].

Considered as amended—Public Health [202]; Industrial Schools* [185]; Common Law Courts (Fees and Salaries) [240].

Third Reading—Public Health [202]; Reformatory Schools [184]; Industrial Schools* [185].

INDIA—SELECT COMMITTEE ON EAST INDIA COMMUNICATIONS.—QUESTION.

MR. CRAWFORD said, he wished to ask the Secretary to the Treasury, Whether Her Majesty's Government will take into their early consideration the Recommendations of the Select Committee on East India Communications?

MR. HUNT, in reply, said, the recommendations of the Select Committee came under two heads—namely, Telegraphic and Postal Communications. As to the former, he was not able to give the hon. Member any information at present; but, with regard to the postal communications, the matter had been under the consideration of the Government, and it was proposed as soon as possible to give notice to determine the existing contracts with the view of carrying out the recommendation of the Committee.

WINDING UP OF INSOLVENT ESTATES. QUESTION.

MR. CRAWFORD said, he wished to ask Mr. Attorney General, Whether, with reference to the number of Insolvent Estates now in course of being wound up under the orders of the Court of Chancery, and the magnitude of the interests dependent upon them, any arrangements are in contemplation, by which the delay which must arise in some instances, by reason of the long vacation, in the administration of these Estates, and the distribution of their assets, may be avoided?

THE ATTORNEY GENERAL said, he understood that the hon. Gentleman's question related more particularly to the Companies which were being wound up by the Court of Chancery, because they had been unable to meet their engagements. Considerable misapprehension existed as to the precise functions of the Court of Chancery with respect to these Companies. When an order was made for winding up one of those Companies the Court of Chancery appointed a liquidator or liquidators, being influenced in such appointment by the wishes of the majority of those who were concerned. When the liquidators were appointed it was they who really administered the affairs, collected the assets, discharged the debts, and also paid the dividends. The Court did not interfere beyond this—that the checks paid by the liquidators required to be signed by

one of the chief clerks of one of the Judges. A general order had been issued some days since by the Lord Chancellor as to the signing of those checks, directing that it should be done during the vacation at the chambers of any Judge which were open; and the chambers of one Judge were always open. Therefore no delay would occur in the vacation as to those payments being made. He ought to explain that a case might possibly arise—although it would be entirely exceptional—in which some question of law might be raised as to whether some particular individual was entitled or not to receive a dividend, or was liable to make a contribution to the assets of the Company. If a question of that kind presented itself—and they were very rare, perhaps not one in many thousand cases—it would share the ordinary fate of any question which arose in litigation at the time when the Courts were not sitting for the transaction of business.

CHINA—TRANSIT DUTIES.—QUESTION.

COLONEL SYKES said, he would beg to ask the Secretary of State for Foreign Affairs, Whether it has come to his knowledge that in the provinces in which and adjoining to which the Treaty Ports are situated, in the north of China, the local Mandarins for the last two years have been in the habit of exacting heavy illegal transit duties on merchandise, to the great injury of the import and export trade of those Ports, particularly Ningpo; that the navigation of inland waters by British vessels has been interdicted; and that a shed for drying silk cocoons, built by the agent of Messrs. Jardine, Matheson, and Co., on the Great Canal has been pulled down—all in breach of Treaty obligations; and whether action will be taken with the Imperial Government to insure the fulfilment of the terms of existing Treaties?

LORD STANLEY said, in answer to the first question of the hon. and gallant Member that he had himself searched and caused search to be made as to the allegations that heavy illegal transit duties had been imposed upon merchandise by the local Mandarins, and he could obtain no information on the subject, nor did he believe that any existed in the department. With regard to the second question, as to the navigation of inland waters by British vessels having been interdicted, it was undoubtedly true that the Chinese Govern-

ment had forbidden such navigation. The matter had been brought before Sir Rutherford Alcock, the English Minister, who was of opinion that the Chinese Government were not acting contrary to the treaty. On receiving that information, Her Majesty's Government thought it better to refer the question to the Law Officers of the Crown, and their opinion being in accordance with that of Sir Rutherford Alcock, the Government felt themselves compelled to express their concurrence with it. With respect to the third point, all he knew was contained in a private letter received by the last mail a few days ago. That was an *ex parte* statement, and of course no action could take place upon it until they had fuller information.

THE METRICAL SYSTEM.—QUESTION.

MR. J. B. SMITH said, he would beg to ask the Secretary of State for Foreign Affairs, Whether he is aware that there is a Bill before the Congress of the United States of America to adopt the metrical system of weights and measures; and, seeing that the metrical system is in use in France, Belgium, Holland, Spain, Portugal, Switzerland, and Italy, and that Russia has intimated her intention also to adopt it if England adopts it, whether, with the view to facilitate the growing intercourse between the nations of the world, the noble Lord will take the opportunity of returning peace in Europe to invite a congress of nations to consider the practicability of adopting an international system of monies, weights, and measures?

LORD STANLEY, in reply, said, he understood that there was before the United States Congress a Bill of the kind to which the hon. Gentleman referred; but he had not heard what had become of it, whether it had been passed, rejected, or was still in suspense. As to the second part of the question, the hon. Member was doubtless aware that he (Lord Stanley) had long been personally friendly to the introduction of a metrical system of weights and measures, believing it to be the best and most convenient system. But he could not be blind to the fact that considerable difficulty stood in the way of the adoption of so extensive a change; and he need hardly remind the hon. Gentleman of what was sufficiently obvious—namely, that until they had themselves adopted such a system it would be impossible for them to call an international congress in order to press its adoption upon other countries.

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GAS COMPANIES.—QUESTION.

MR. ALDERMAN LUSK said, he would beg to ask the Secretary of State for the Home Department, Whether it is the intention of Her Majesty's Government to bring in a Bill next Session for the better regulation of Gas Companies; and, if so, to amend the Gas (Metropolis) Act (1863), in accordance with the Report of the Select Committee appointed to inquire into the operation and results of that Act?

MR. WALPOLE said, in reply, that he had not had time to read the Report of the Select Committee, and therefore could not give the hon. Member a definite answer, but the subject would be taken into consideration during the recess.

ABYSSINIA—IMPRISONMENT OF BRITISH SUBJECTS.—QUESTION.

MR. DARBY GRIFFITH said, he would beg to ask the Secretary of State for Foreign Affairs, Whether the Mission of Mr. Rassam to the Emperor of Abyssinia has not at present resulted in the detention of two other gentlemen who accompanied him—Lieutenant Prideaux, of the Indian Army, and Dr. Blanc, without obtaining the final liberation of the other prisoners; and whether, in dealing with the case of Mr. Flad, who has been allowed to come over under hostage to return, endeavours will be made to offer some adequate inducement to the Emperor Theodore, which shall take effect only when the prisoners shall be delivered into safe custody at Mapowak or elsewhere? The hon. Gentleman also asked for the production of papers on that subject.

LORD STANLEY, in reply, said, it was unfortunately true that Mr. Rassam and the other two gentlemen named in the hon. Member's questions were still detained by the Emperor of Abyssinia. From the latest accounts he understood that they were not kept in confinement, but were not allowed to leave the country. With reference to the question put the other day by the hon. Member of the alleged ill-treatment of the prisoners, he might say that, according to the latest accounts received at the Foreign Office, he had no knowledge of any such circumstance; and it would rather appear that, as far as was compatible with their detention, they had been personally well treated. Mr. Flad had come over to this country, leaving his family behind. He had seen

that gentleman, and had also had the advantage of seeing Colonel Merewether, who, being in command at Aden, is necessarily conversant with the subject. He (Lord Stanley) had endeavoured to arrange for some such inducement as the hon. Member referred to being offered to the Emperor in order to procure the release of these persons. As soon as the Abyssinian climate would permit Mr. Flad would return; but, in order that no false impression might be conveyed to the House that there was any unnecessary delay in taking these steps, he might state that, owing to the rains, it would be of no use for Mr. Flad to start till the beginning of September. He hoped that the hon. Member would not press for the production of the papers at present. All these transactions had taken place before he had anything to do with the Foreign Department; but he found that the general belief both among those who were interested in that matter, and those who were best acquainted with it, was that the publication of these papers would be much more likely to injure than to benefit these unfortunate prisoners.

CATTLE AND SHEEP DISEASE IN HOLLAND.—QUESTION.

MR. BAZLEY said, he wished to ask the Vice President of the Committee of Council on Education, Whether Her Majesty's Government are in possession of information from the Dutch Government and also from the British Minister at the Hague, of no disease whatever existing in the sheep of the whole of the Netherlands; and whether the sheep from the latter country may not forthwith be introduced into the United Kingdom to be slaughtered for food?

MR. CORRY said, in reply, that information had been received through the Minister of the Netherlands to the effect that no disease analogous to the cattle plague existed among the sheep in Holland. The plague did, however, prevail among the cattle there to a very considerable extent, particularly in South Holland, and there was no indication that it was diminishing. It was known from experience that sheep were not only susceptible of the disease, but that they also carried it with them from place to place, although not actually affected themselves. Under those circumstances, Her Majesty's Government did not think it would be prudent to allow sheep from Holland to be imported at present into the United Kingdom.

INDIA—CLAIMS AGAINST THE STATE OF OUDE.—QUESTION.

COLONEL FRENCH said, he would beg to ask the Secretary of State for India, Whether, with reference to the statement made by him on the 23rd instant—namely, that “he could not pledge himself generally” to refer the Reports of the Commission and the decisions of the Government of India on the cases of the several claimants against the State of Oude to the Judicial Committee of the Privy Council, he will allow the Reports on Mr. Frith's cases to be reviewed by the Judicial Committee of the Privy Council?

VISCOUNT CRANBOURNE replied that the claims of Mr. Frith, which were of long standing, had been decided against him in the local Courts in India. The power of referring cases under such circumstances to the Judicial Committee of the Privy Council was one which was rarely exercised unless there were good grounds for believing that it was a tribunal by which an opinion could be pronounced upon them with advantage. In the present instance the decision would appear to have turned entirely on a question of fact, which could be better decided on the spot than before the Judicial Committee. He therefore did not feel that he ought to advise the reference of the case of Mr. Frith to that tribunal.

LONDON, CHATHAM, AND DOVER RAILWAY.—QUESTION.

MAJOR DICKSON said, he wished to ask the President of the Board of Trade, Whether his attention has been called to a report of the embarrassment of the London, Chatham, and Dover Railway Company, and to inquire if he has taken any measures to secure the public against the inconvenience of any interruption in the working of those lines?

SIR STAFFORD NORTHCOTE: Sir, I can hardly say that my attention has been officially directed to the position of the London, Chatham, and Dover Railway Company; but through the usual sources of information my attention has been called to the affairs of that important line, which was in a very peculiar position; that, in point of fact, a receiver had been appointed by the Court of Chancery, and that at this moment the affairs of the Company were in the hands of the receiver. As regards the interests of the

shareholders and debenture-holders, I do not know that I have anything particular to say. But my intention has been drawn to the question as to how far the interests of the public may probably be affected by the position in which that Company at present stands, and by the danger which exists of the probability of the stoppage of the traffic. The agent of the Company called upon me the other day for the purpose of inviting my attention to certain clauses proposed to be inserted in a Bill now before the House of Lords. The effect of those clauses is to enable the Company to raise by preferential shares a sum of money sufficient to cover the amount now owing by them in respect to land which they had just purchased. It is an extremely important question, in so far that there is a large quantity of land which the Company have purchased, and for which they agreed to pay £700,000. If the landowners could not get the purchase money they might, undoubtedly, exercise their rights and take possession of the land. And, as that land happens to be in a position material to the whole undertaking, and is chiefly connected with the Metropolitan Extension line, such a step might considerably inconvenience the public, and prejudice the interests of the shareholders and debenture-holders who are connected with other portions of the line. The Company, through their agent, asked the Board of Trade whether they thought it desirable that these clauses should be inserted? The object of the clauses was to give the Company power to raise the money necessary to enable them to carry on their works with advantage to the public and to the shareholders generally. They represented that the Court of Chancery, after defraying the working expenses of the railway, would be probably bound to apply the surplus to the discharge of the purchase money of the land referred to, and if that were so it would take the whole surplus income for years to come, leaving nothing for the shareholders. The Board of Trade was of opinion—in which I myself, of course, shared—that if such an arrangement as that proposed by the new clauses could be effected, it would be a good and desirable one. I expressed my opinion to the agent to that effect. But I am informed that some objections have been raised in the House of Lords against the introduction of such clauses. I do not know the nature of those objections, and therefore am un-

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able to pronounce any opinion upon them; but as regards the question of the interests of the public, whatever arrangement may be made in the matter, there is little doubt but that the traffic will be continued, and the public need not apprehend any stoppage of the line.

THE CHOLERA—THE ORDERS IN COUNCIL.—QUESTION.

CAPTAIN VIVIAN said, he rose to call the attention of the Secretary of State for the Home Department to a case mentioned in the Police Report of *The Times* of that morning, from which it appears that Mr. J. M. Wills, a surgeon temporarily appointed to look after the health of the parishioners of St. Botolph Without, Aldgate, applied to the Magistrate at the Thames Police Court for an order to destroy infected clothes and other things which had been left in a lodging-house at the East End of London, in which three cases of Asiatic cholera, of which two had proved fatal, had occurred. The Privy Council had directed—

“That the vestry or board shall in dwellings where cholera or diarrhoea exists cause proper disinfectants to be used in sufficient quantities for the purpose of disinfecting the discharges from the sick and the bedding, clothing, and other things thereby infected, and cause every article of clothing, bedding, or furniture which they shall find incapable of being speedily disinfected to be forthwith destroyed, the vestry or board within a reasonable time replacing all such articles or paying a reasonable value to the owner.”

Mr. Wills stated that he had seen the solicitor and clerk of the Whitechapel Board of Works, who did not know how to act, and the magistrate in answering his application said—

“The Privy Council had given directions to vestries and district boards to do certain things, and they had no power to enforce those orders. He was utterly powerless, although he was desirous of doing all the practical good in his power. He thought this was a very proper case, in which an immediate application should be made to the Secretary of State.”

Mr. Wills added, that “the Board of Works now shrunk from the responsibility of enforcing the orders of the Privy Council.” Now, what he wished to know was, Whether the attention of the right hon. Gentleman has been drawn to the case; and, if so, whether he has given any directions by which the Board of Works will be authorized to carry into effect the orders of the Privy Council?

MR. WALPOLE, in reply, said, his attention had not been called to the case

to which the hon. and gallant Gentleman referred. He did not know that the Secretary of State had power to issue any orders such as he had mentioned. The Public Health Bill, which stood first on the Paper for that evening, gave much greater power than existed under the present law to destroy infected articles. He should, he might add, make inquiry into the subject, and would take care to do everything in his power to enable the law as it stood to be enforced.

THE RIOTS IN HYDE PARK.

QUESTION.

MR. J. STUART MILL presented the petition adopted at the meeting in the Agricultural Hall, complaining of the exclusion of the public from Hyde Park on Monday week, and praying the House to institute an inquiry into the conduct of the Chief Commissioner of Police, and of the Police generally.

MAJOR STUART KNOX said, he would beg to ask the hon. Gentleman, Whether a letter which appeared in that morning's paper from Mr. Beales was genuine; and, if so, whether he can inform the House who the "public leaders" mentioned in it were?

MR. J. STUART MILL: Sir, I am not in the least degree authorized to make any communication to the House on behalf of the Reform League, of which I am not even a member; and I beg to refer the hon. and gallant Gentleman to those who are members, and particularly to Mr. Beales himself.

PUBLIC HEALTH BILL.

(*Mr. Bruce, Mr. Chichester Fortescue, Sir George Grey.*)

[BILL 202.] CONSIDERATION.

Order for Consideration read.

Bill, as amended, *considered*.

MR. THOMAS CHAMBERS moved a new Clause (Nuisance authority may require payment of costs or expenses from owner or occupier, and occupier paying, to deduct from rent.)

Clause *agreed to*, and added to the Bill.

MR. AYRTON moved a new Clause—

"If any person suffering from any dangerous infectious disorder shall enter any public conveyance without previously notifying to the owner or driver thereof that he is so suffering, he shall on conviction thereof before any justice be liable to a penalty not exceeding five pounds, and shall also be ordered by such justice to pay to such owner and driver all the losses and expenses they

may suffer in carrying into effect the provisions of this Act; and no owner or driver of any public conveyance shall be required to convey any person so suffering until they shall have been first paid a sum sufficient to cover all such losses and expenses."

Clause *agreed to*, and added to the Bill.

Clause 16 (Power of Police with respect to Nuisances.)

MR. AYRTON moved to add the following proviso:—

"Provided always that no officer of police shall be at liberty to enter any house or part of a house used as the dwelling of any person without such person's consent, or without the warrant of a justice of the peace, for the purpose of carrying into effect this Act."

MR. WALPOLE said, that the hon. and learned Member for the Tower Hamlets had misunderstood the clause, the object of which was to put the nuisance authority in motion when it had neglected its duty.

MR. POWELL considered it would be better to get rid of the clause altogether.

MR. HENLEY thought they ought not to make these powers too stringent, or they might be resisted, and consequently not do half the good they would if put into a more reasonable shape. The police ought not to have powers to enter these tenements at all hours of the night.

MR. ALDERMAN LUSK said, it would have the effect of making the police spies on their masters or neglect their duties, and would move to strike out the clause.

Amendment *negatived*.

Amendment proposed, to leave out Clause 16, as amended.—(*Mr. Lusk.*)

Question, "That Clause 16, as amended, stand part of the Bill," put, and *agreed to*.

Clause 19 (Addition to Definition of Nuisance.)

MR. AYRTON moved an Amendment to strike out the words exempting private houses from penalties in the event of the chimney sending out black smoke.

Amendment proposed, in page 7, line 14, to leave out the words "not being the chimney of a private dwelling house."—(*Mr. Ayrton.*)

MR. WALPOLE opposed the Amendment. They had not arrived at a time when they could interfere with private houses, there being no provision in use for the better consumption of their coal.

Question, "That the words proposed to be left out stand part of the Bill," put, and *agreed to*.

MR. AYRTON thought that when they declared that a house was overcrowded they ought to fine the owner, and not to turn the inmates into the street. He would therefore move the addition of a Proviso to that effect.

Amendment proposed,

At the end of Clause 19, to add the words "Provided, That it shall not be lawful to remove any person from any dwelling house on the ground that such dwelling house is overcrowded, but the owner of such dwelling house shall be proceeded against in the manner provided by the twentieth section of the Act of the eighteenth and nineteenth Victoria, chapter one hundred and twenty-one."—(*Mr. Ayrton.*)

MR. POWELL thought that power ought to be granted to effect the removal of some of the inmates in houses that were overcrowded, and unless such a power were granted the nuisance could never be abated, on account of the incredible obstinacy which was too often observed among the poorer members of society.

SIR GEORGE GREY opposed the Amendment as tending to render the Act inoperative.

Question, "That those words be there added," put, and *negatived*.

Clause 25 (Removal of Persons sick of infectious Disorders, and without proper Lodging, in any District.)

MR. AYRTON moved the addition of a Proviso that no order of removal should be made without notice being given to the sick person, so as to give the opportunity of objection. As the clause stood, a patient might be carried off to a hospital without notice.

Amendment proposed,

At the end of Clause 25, to add the words "Provided, That no order shall be made without sufficient notice of the application for the same being previously given to such sick person, to enable him, or any one on his behalf, to appear and oppose the same."—(*Mr. Ayrton.*)

MR. WALPOLE said, the object of the clause was to remove a person suffering from an infectious or contagious disease from a house where there was insufficient accommodation, and the Amendment would defeat that object.

Question, "That those words be there added," put, and *negatived*.

Clause 39 (Evidence of Family in case of over-crowded Houses.)

MR. AYRTON said, it would be competent for a policeman to seize persons living

together as a family, and unless they could give legal proof of relationship they would be liable to fine or imprisonment. This was a very strong step on behalf of morality, which the House would not be willing to apply to the upper classes of society, where there was often as much necessity for it. He proposed the omission of the clause.

Amendment proposed, to leave out Clause 39.

MR. THOMAS CHAMBERS said, nothing could be easier than for the parties charged to show that they were one family, while it would be an impossibility for the police to prove the negative.

MR. J. STUART MILL said, the only proof that would be required would be *repute*.

MR. WALPOLE said, that if a proper statement were made explaining the relationship of the parties, they would not be interfered with.

Question, "That Clause 39 stand part of the Bill," put, and *agreed to*.

Clause 47 (Clause H. Mode of Proceeding where Sewer Authority has made default in providing sufficient Sewers, &c.)

MR. AYRTON said, that under this clause the Secretary of State would be entitled to appoint some person to perform any duties imposed by the Bill upon the nuisance authorities in the event of the latter neglecting to discharge them, and to recover from them the costs incurred by reason of their default. He thought such an arrangement very unjust towards the ratepayers, who would be compelled to pay for the improvement of the property of those who had neglected to comply with the provisions of the Bill. He would therefore propose a Proviso to be added to the clause.

Amendment proposed,

At the end of Clause 47, to add the words "Provided always, That no nuisance authority shall be required to pay any costs or expenses incurred by any other person acting by order of the Secretary of State or officer of Police without the consent of such authority where by this Act, or any other Act, such costs and expenses are imposed, in the first instance, on the owner or occupier of property, or on any other person violating the provisions of this Act."—(*Mr. Ayrton.*)

MR. WALPOLE said, that the clause proceeded upon the assumption that the nuisance authorities had neglected to perform their duties.

SIR GEORGE GREY remarked that the fact of the Secretary of State recovering the costs of the improvements from the nuisance authorities would not prevent them from obtaining repayment from the owner of the property improved.

Question, "That those words be there added," put, and *negatived*.

Another Amendment proposed,

At the end of the Clause, to add the words "Provided, That all such costs and expenses shall be recoverable by the local authority from the owner or occupier of property, or from any other person violating the provisions of this Act."—*(Mr. Thomas Chambers.)*

Question proposed, "That those words be there added."

Amendment, by leave, *withdrawn*.

Clause 50 (Clause L. Description of Vessels within Provisions of 6 G. 4. c. 78.)

THE SOLICITOR GENERAL moved the following addition :—

Every Vessel having on board any Person affected with a dangerous or infectious Disorder shall be deemed to be within the Provisions of the Act of the Sixth Year of King George the Fourth, Chapter Seventy-eight, although such Vessel has not commenced her Voyage, or has come from or is bound for some Place in the United Kingdom.

SIR ROBERT COLLIER thought that the powers proposed to be given to the Privy Council were too large. As he understood the words, they would give the Privy Council power over all persons labouring under the cholera and infectious diseases on land, in sea ports, and on board ships.

THE SOLICITOR GENERAL said, it was not intended to give powers of too wide a character to the Privy Council in the matter, and if the words should be capable of too wide a construction the Government would insure that they were revised.

MR. M'LAREN asked whether it was the intention of the Government to make the clause apply to Scotland? The clause was defended on the ground of the existence of cholera, and if with regard to the great ports of England it was necessary that such a power should be given to the Privy Council, why not also with regard to Scotland? If this clause were required for England it was wanted also for Scotland.

THE SOLICITOR GENERAL said, that the suggestion of the hon. Gentleman the Member for Edinburgh (Mr.

M'Laren) would receive consideration, and there would be an opportunity in the other House of Parliament of making the clause applicable to Scotland, if it should be found necessary to do so.

Amendment *agreed to*.

Remaining clauses *agreed to*.

Bill read the third time and *passed*.

REFORMATORY SCHOOLS BILL.

(Mr. Knatchbull-Hugessen, Sir George Grey.)

[BILL 184.] THIRD READING.

Order for Third Reading read.

THE CHANCELLOR OF THE EXCHEQUER said, that there was an understanding that the Habeas Corpus Suspension (Ireland) Act should begin the business of the evening. He regretted that owing to the great pressure of business the Government had not been able to fulfil the engagement. But the hon. Member for Cork (Mr. Maguire) in the most obliging manner had allowed them to go on with the Public Health Bill, under the impression that it would not take up much time. He would not oppose the hon. Gentleman, if he wished it to move that the next three Orders of the Day be postponed until after the other Orders of the Day, so that the Government might fulfil their engagement; but, at the same time, he need not remind the hon. Gentleman that it was very important that the Reformatory School Bill should be read a third time, and the Industrial Schools Bill should be advanced a stage. But, at the same time, he was quite in the hands of the hon. Gentleman.

MR. MAGUIRE said, he was willing to assent to the proposition of the right hon. Gentleman.

Bill read the third time and *passed*.

HABEAS CORPUS SUSPENSION (IRELAND) ACT CONTINUANCE BILL.

(Lord Naas, Mr. Secretary Walpole, Mr. Attorney General for Ireland.)

[BILL 256.] SECOND READING.

Order for Second Reading read.

LORD NAAS: Sir, I can assure the House that a more unwelcome duty could not devolve upon any hon. Member than now devolves upon me in having to move the second reading of this Bill. I am fully sensible of the responsibility which the Government take upon themselves in recommending this measure to the House;

and nothing but the absolute necessity which in their opinion exists for the continuance of the powers which were granted by Parliament early in this year could induce them at this period of the Session, or, indeed, at any period, to make such a proposition. When the Act which we now propose to continue was originally introduced into this House by the right hon. Gentleman the late Secretary of State for the Home Department (Sir George Grey), he fully and accurately described the circumstances of the case as it then existed, and he showed to the House, and I think proved to it in great detail, the dangerous and treasonable nature of the Fenian conspiracy. The right hon. Gentleman then showed, not only by facts which were known to all, but by the information which was at the disposal of the Government, and also by papers which were proved at the trials that have taken place to have been in the possession of the Fenian prisoners, that this conspiracy was in no degree political, but that it was a conspiracy entirely of a rebellious character, whose only object was the annihilation of British power within the kingdom of Ireland, and the establishment of a Republic in that country. It is not necessary for me now to go over the ground which the right hon. Gentleman then traversed. There can be no doubt whatever in the mind of any man in this House as to the nature of that conspiracy, as to its design, or as to the means by which it was proposed by its members to carry it into execution. The facts were plain, they were admitted by all; and the House with readiness, at the invitation of the late Government, passed a Bill which suspended till the 1st of September next the Habeas Corpus Act in Ireland. Sir, I believe that the power then intrusted by Parliament to the late Government was used by them with the greatest boldness and at the same time with the greatest prudence. I believe that every case was carefully inquired into by the late Lord Lieutenant of Ireland himself, and also, as far as he could, by my right hon. Friend opposite (Mr. Chichester Fortescue). Numerous arrests were made, and persons who were known to be leaders of the movement were consigned to prison. But a better effect even than that caused by the consignment of these persons to prison was produced immediately after the passing of that measure; for a number of persons who were known to be engaged in these treason-

able practices instantly left Ireland from the fear of coming under its operation; and I believe the great majority of them still remain out of the country. It is impossible to describe to the House the very great sense of security which these acts gave to all the loyal and well-disposed inhabitants of Ireland. It is impossible to overrate—and I can speak from personal experience—the very great sense of alarm which pervaded almost all classes in that country at the commencement of this year. I believe the immediate effect of the action of the Government was to restore confidence, and to induce many persons who, under a feeling of apprehension, had made arrangements for leaving Ireland, to remain in that country. Now, although the late Lord Lieutenant of Ireland cannot, I think, be said to have made any extravagant use of the powers intrusted to him by Parliament, still a great number of persons were arrested under the authority then given to him. We find that from the time when the Habeas Corpus Suspension Act came into operation, as many persons altogether as 756 have been arrested. Of that number there remained in custody on the 23rd of July last 339 persons. A few have been released since then; and I believe the number now in custody is something like 320. So that from the first passing of the Act until the 23rd of July 417 of these prisoners have been discharged from custody. A number of these persons were discharged upon the representations and applications of the United States Consul—as many, I think, as twenty-six. The condition invariably attached to the releases made at the instance of the Consul to the United States was that the persons so released should leave the country; and I believe that that condition has in every case been fulfilled, and that means have been taken to see that the parties thus promising to quit Ireland have really gone. That, Sir, is the present state of things. The Act which we ask the House to continue for some time longer will expire, as the House knows, on the 1st of September. But from every quarter I learn—from every authority whom I can trust in Ireland I learn—that it would be impossible, with any safety to the peace of the country, to liberate those 320 men all at once, and set them free in the unconditional manner which we would be obliged to adopt if the powers conferred by the Act were allowed to expire. It is perhaps well for the House

Lord Naas

to recollect who the persons remaining in custody under the provisions of this Act are. The mode of dealing with these persons in respect to their release, as practised by the late Government, has always been uniform. I believe that in every case a memorial has been presented, very careful inquiry has been made as to the circumstances of their arrest, as to the antecedents of the persons arrested, and also as to whether their release can be granted with safety; and that in every instance in which the Government were satisfied that those persons could be released without danger to the public peace, they in the most unhesitating manner restored them to freedom. But with regard to the 320 men now left in prison, many of them are men in favour of whom these strong representations have not been made. A great number of them are persons who, even if they have applied for their discharge, have not made any offer to leave Ireland, or have not been in a position to offer substantial bail for their good conduct should the Government see fit to discharge them. I am informed that numbers of these men still speak with confidence of the ultimate success of the conspiracy in which they have been engaged; that they profess to think that that conspiracy has been baffled only for a time, and that they make no secret of their intention to return, if possible, to those practices which have brought them into trouble. As the day for the expiration of the Act approaches, of course there is a greater disinclination shown by these persons to apply for their release. Therefore it is really a matter of the greatest importance that the Government should be armed with powers which should enable them to release these men upon taking security from them, as far as possible, that they will not use their liberty to resume those practices of which I am afraid they had for some time been guilty. And, Sir, one great reason for proposing the continuance of this Act is that the Government will have the power to release with safety a great number of men now in confinement; and I can assure the House that in dealing with these men it will be in no degree the desire of the Government to exercise any harshness towards them—on the contrary, the Government will be prepared to deal with them in the spirit of forgiveness. But, at the same time, we shall feel it our duty to take every security we can that they shall become no longer dangerous to the State. I hope the know-

ledge that the Government have this power will make an impression on these persons, and that having seen the utter hopelessness of their design, and having, as many of them have done, endured a long imprisonment and undergone so much already, they will be inclined to offer to the Government—as many are able to do—a sufficient security to warrant us in allowing them to go free. That, I think, is one of the strongest arguments I could urge upon the House for the necessity of continuing these powers. But there is also another reason for continuing the Act which I cannot conceal from the House, and it is this—that this conspiracy, this movement does exist, I am sorry to say, in another country at this moment to a very great degree. If, Sir, this conspiracy existed solely in Ireland—if it were in no degree a plant of foreign growth—if it were entirely confined to the dominions of the Queen, it might then be a question whether, under present circumstances, it would be necessary to continue this Act in force, and we might have some hesitation in proposing its renewal. But the origin of the movement lies far away, within the confines of the great Republic at the other side of the Atlantic. In that Republic a great organization, numerous and wealthy, exists, making no secret of its objects, which are by all the means at its disposal to strive for the separation of Ireland from England. I need not remind the House that since the passing of this very Act the invasion of Canada has taken place—an act which shows how desperate are the designs of the members of this conspiracy, and to what lengths they are prepared to go. Had it not been for the magnificent behaviour of the Canadian people, for their loyalty and spirit, and for the manner in which they rose as one man to defend the colony from invasion, disastrous consequences might have ensued. There is one circumstance which the House must have witnessed with the greatest satisfaction—the conduct of the American Government on this trying occasion. Casting aside all other considerations, as soon as it was shown that any point of their territory was being used for attack on a friendly Power, the American Government acted in complete fulfilment of international obligations, and despatched generals and troops to stop by force the attempts of the invaders. The conduct of the United States Government in this transaction can never be recollected or referred to by the people of this country without grateful acknow-

ledgment of the important service rendered, through which, in a great measure, the invasion of Canada became an utter and a miserable failure. But still, I am sorry to say, the organization goes on; and with such skill is it conducted, with such matchless audacity do the leaders put forward the most absurd statements, and announce the most atrocious designs, that they have succeeded in inducing great numbers of persons in America to believe that they are really in earnest, and that by their agency a great rising in Ireland will be effected, and a successful attempt made to separate Ireland from the British Crown. I believe there are at this moment thousands of persons in America who are persuaded of the truth of these assertions, and who have already subscribed and are prepared to subscribe further sums of money to carry those plans into effect. I should be sorry to attach undue importance to any statements made in America by the leaders of this movement; but it is right, in considering this subject, the House should know that meetings continue to be held, and to all appearance, and as far as we can judge, that there is no present chance of this movement in America subsiding. I read with some astonishment a speech delivered in the city of Boston as lately as the 10th of July last by the man Stephens, so well known in this country. I do not wish to create needless alarm by repeating his statements; but when one who has attained such great notoriety is able to collect a very large assemblage to listen to opinions such as he broadly and publicly put forward, the House, I think, will feel that the matter cannot be altogether passed over. Stephens said—

"We shall not give up the cause of Ireland until the power of Britain is broken on our soil; and it must be broken soon or never. 'Soon or never' is the motto of the men at home in Ireland, and this should be your motto—you of the Irish race here in America. There are thousands of true Irish patriots who are now living lives almost of outlaws on their native soil, who, spite of all their sufferings, are holding firmly together as a mass and power, equal to meet Britain on the battlefield, and to break British power in Ireland. [*Cries of 'Give us a chance.'*] My friends, you ask for a chance. I give you a chance; for here, to-night, in the name of the Irish people, I bind our race to action—to the final battle between England and Ireland, even on Irish soil this very year. And to prove to you how earnest I am in making that pledge, I solemnly declare to you, my friends and countrymen, here to-night, that sometime this year I myself shall be on Irish soil to meet whatever is before me. To-night, before this vast assembly of men, I solemnly bind myself, on my

honour and the honour of the Irish people, to a struggle with England this year; but in making this pledge I trust, and, indeed, I am confident, that you here in America will not betray us."

These sentiments were listened to and applauded by a large number of Irishmen in the great city of Boston. As long, therefore, as an organization such as this exists, even in a country so distant as the American Republic, it is necessary that the House should confer, and that the Government should hold the power of thwarting and stopping the designs and efforts of these men. Stephens does not state it as his intention to invade Ireland with numbers brought from the other side of the Atlantic. A proposal of that kind would be so absurd and Utopian that I cannot believe any man, even the most enthusiastic here or in America, could ever believe in the possibility of its being carried out. But in the latter part of his speech he does say that it is by Irishmen on their own soil he expects to be assisted. And he broadly states—what I believe to be entirely unfounded, but it shows the extent of the design and the objects of the conspiracy—that there are in Ireland a sufficient number of drilled men to enable him to carry out successfully a war with the full power and might of England. It is to guard against the mischief done by the constant transmission of information by agents from America that we ask the House to continue these powers. They have had the effect hitherto of scaring away a great many of these men, and I believe if this Act is continued it will succeed in preventing the arrival of emissaries whose only objects are disturbance and rebellion. If throughout the winter those persons in Ireland who sympathize with the movement—and I am afraid they are many in number—see that these American agents cease to arrive in the country, and hear no more of that which has been termed "The coming help" from the other side of the Atlantic, they will at last begin to recognize the folly and absurdity of the movement—to see that it is utterly and entirely hopeless. I am happy to say that in Ireland itself there are signs which we must all hail with delight—that the movement is to a great extent dying away; but still from time to time there are unmistakeable signs that it exists. I am sorry to say that in Dublin there is still a press which weekly transmits throughout the length and breadth of the land the most treasonable writings and the broadest sedition; a press unrivalled

in the misrepresentations and falsehood of its productions, read by persons who scarcely read anything else. As long as that press continues to exist and to pour forth its seditious writings it is impossible that it should not be attended with pernicious effects. Drillings of men have also, I am sorry to say, occurred in particular districts. Shortly before Lord Kimberley left Ireland it was represented to the Government that drillings were taking place in the western part of the county of Cork. Means were taken to obtain information, and it was found that three men who were known to have left the country immediately on the suspension of the Habeas Corpus Act in the early part of this year had returned to the neighbourhood. Lord Kimberley very properly issued warrants for the arrest of those three men; and it is a remarkable fact that these drillings, which had been very constant in the neighbourhood for some weeks previously, immediately ceased, and no attempt whatever was made to renew them. This shows how valuable is the power conferred by this Act, and how immediate is its effect in stopping practices which are in themselves unlawful and which cause great alarm and uneasiness to all loyal and well-disposed persons in the country. I have no hesitation in saying that, if Parliament does not continue in the hands of the Government the power given by this Act, very great alarm will be experienced in Ireland. The great mass of the loyal and well-disposed residents and holders of property in Ireland fully expect that Parliament will sanction the proposal of the Government. I think I have shown the necessity of the course, and I hope the House will feel no hesitation in adopting it. I believe I am accurate in stating that the late Government approve the course we propose to take. I am authorized to declare that the late Attorney General for Ireland (Mr. Lawson) believed the continuance of this Act to be necessary, and the late Lord Lieutenant (Lord Wodehouse), I believe, will state in the other House of Parliament that, in his opinion, a necessity does exist for the course which we propose. I am aware of the responsibility devolving upon a Government that proposes such a measure, and of the responsibility attaching to those Members of the Government who have to carry the Act into execution. I sincerely hope the passing of this Act may, in operation, turn out to be nothing more than

an act of precaution, and that it may place in the hands of the Government the power of releasing many now in prison, proper precautions being taken to prevent their engaging or continuing in treasonable practices. I believe that these powers, exercised as they were by the late Government, and exercised as they will be by the present Government, will in no degree interfere with any of the liberties or the rights of the great majority of Her Majesty's subjects. They will be exercised in a manner totally different from that in which they might be carried into effect under a despotic Government, for the Ministry will be responsible to that House and to Parliament for the course which under the provisions of the Bill they might take. The powers which the measure will give the Government will, I can assure the House, be exercised under a deep sense of that responsibility. The strictest inquiry will in every case be instituted before they are put in force, and persons will be deprived of their liberty only when after such inquiry it is manifest they cannot be allowed to continue at large without risk to the public safety. Before I sit down I wish to say a few words with respect to the Resolutions which the hon. Member for Cork (Mr. Maguire) proposes to move, by way of Amendment, to the second reading of the Bill. The first of those Resolutions affirms—

“That the same state of things on which the late Government justified their application to Parliament to suspend the Constitution in Ireland no longer exists.”

I am happy to think that precisely the same state of things does not prevail now; but, then, it is only a question of degree, and I must remind the House, that so far as the statement contained in the second Resolution—to the effect that the supremacy of the law has been vindicated by the ordinary tribunals of the country—is concerned, when the Bill of the late Government was introduced the State trials were over, and that it was because the right hon. Gentleman the late Home Secretary found that the steps which had been taken were not sufficient to meet the emergency that he had invited the House to pass the measure. So far as relates to the administration of the law, therefore, it cannot be said that the state of things at present is different from that which existed when the Bill was first submitted to Parliament. With reference to the next two Resolutions, which relate to the di-

minution of crime in Ireland, as disclosed at the present assizes, and the absence of political excitement, I could only say that I, in common with every Member of that House, must feel grateful for the existence of the state of things which they affirm. There was never, I believe, at any time a greater absence of ordinary crime in Ireland, or fewer symptoms of a disposition on the part of the great body of the people to have recourse to outrage or misconduct of any kind. To the Resolutions which embody that view, therefore, inasmuch as they merely declare that which is the truth, I can offer no objection, save in so far as they are proposed in the shape of an Amendment to the second reading of this Bill. The two last Resolutions, however, raise questions in connection with which there may be some difference of opinion. They seem to imply that the hon. Member for Cork (Mr. Maguire) is under the impression that there is something in the legislation of Parliament for many years past which has promoted, and which may have been the cause, of the Fenian organization. In that view I cannot concur. I would be understood as speaking especially in reference to those who were directly engaged in the conspiracy; but the opinions, writings, and speeches of those men tend, I think, entirely to disprove the assumption that bad legislation has been in any degree the cause or provocation of the movement. They do not seek for improvements in the law — on the contrary, their object is to uproot all law. Their efforts are not directed to bringing about changes in our legislation — they demand revolution, plainly avowing it to be their intention, if possible, to destroy the authority of the Crown in Ireland, and upon its ruins to establish a republic. How is it possible, I would ask, that men entertaining such designs can be influenced by any legislative action on the part of this House? There is, therefore, in my opinion, in connection with the Fenian movement, nothing which shows that Parliament is in the slightest degree to blame for its development. Without wishing to introduce into the discussion any topic which would be likely to give rise to controversy, I may observe that there are two questions relating to Ireland which have been much debated of late years — the question of the Established Church in that country and the land question. Is it possible to suppose that any action

which Parliament may have taken with regard to those two subjects can have in the slightest degree affected the Fenian movement? Can it be said that men who openly avow it to be their intention and determination to upset everything in Ireland, and who by their acts show their disobedience and contempt of the mandates even of their own clergy, can feel any interest in the maintenance of the Established Church? Is it possible to believe that men who distinctly declare that they will, if successful, confiscate and appropriate to their own use the whole of the property of the country, busy themselves for a moment about such questions as, whether compensation should or should not be given to a tenant for the improvements which he may have made on his farm? For my own part, I have not the slightest hesitation in saying that the leaders of the movement do not appear to be influenced by any considerations which could be brought to bear by means of any legislation to which Parliament could give its assent. I am, however, at the same time, very far from saying, that that is a good reason for maintaining that there is no necessity for further legislation with respect to that country. I feel myself obliged with great sorrow to admit that considerable discontent prevails in the South of Ireland. I should not, indeed, be performing my duty, if I attempted to conceal that which everybody knows. I entertain the honest conclusion, therefore, that while the Government are bound to use every legal means in their power to repress treason, and to protect the loyal and well-disposed subjects of the Queen, it is not less their duty to take into their earnest consideration, and to propose to Parliament any legislation which may appear calculated to promote improvement in the condition of the people. The whole course of legislation since the passing of the Emancipation Act has evinced the most earnest desire on the part of this House to benefit the people of Ireland, and I think no man can truly say that Parliament has been neglectful of the interests of that country. If any hon. Member will look back on what has been the course of legislation towards Ireland for the last thirty-five years; if he will reflect how, ever since the Catholic Emancipation Act of 1829, every question affecting her welfare has been repeatedly discussed, and how measures tending to benefit her population have been passed into law, he can scarcely, I

think, stand up and say that Parliament had been neglectful of her interests. It would be idle to enter into a detailed account of the measures relating to Ireland, and having in view her advantage, which have within the period to which I refer received the sanction of the Legislature. Suffice it to say, that in the history of no country will it, I believe, be found that so many beneficial changes have within the same space of time been introduced. Every one of those changes was, I feel assured, made with an anxious determination on the part of the House to ameliorate the condition of the Irish people. Many of them, at the same time, have not proved so successful as could be desired in promoting the objects which their authors had in view. They, therefore, require revision and alteration, and I feel firmly convinced that their discussion will again be approached by the House in the same spirit in which they were originally brought forward. For myself, and the Government with which I am connected, I can only say that we are animated by the greatest desire to deal with Ireland in a liberal and generous spirit. I can only say, in conclusion, that should I, representing the Government in that House on Irish matters, be so fortunate as to propose and carry any measures which may have the effect of smoothing some of the ancient asperities, or healing any of the old sores which still exist in Ireland, I shall be fully satisfied with the course I have taken, and shall feel success to be an ample reward for the many years of anxious consideration I have given to every measure affecting that country.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Lord Naas*.)

MR. MAGUIRE, who had given notice on the second reading of the Habeas Corpus Suspension (Ireland) Act Continuance Bill to move the following Resolutions :—

"That the same state of things on which the late Government justified their application to Parliament to suspend the Constitution in Ireland no longer exists :

That the supremacy of the Law has been sufficiently vindicated in the ordinary tribunals of the Country :

That the Assizes just brought to a close have in all instances displayed a most extraordinary and gratifying diminution of crime, and, in many instances, a complete absence of serious offences, either against property or person :

That there is likewise an utter absence of political excitement of any kind whatever :

That measures of repression unaccompanied with measures of a remedial character tend rather to aggravate than lessen those evils in which perennial discontent and periodical disaffection have their origin in Ireland :

And, that a wise, generous, and thoroughly liberal policy is that which is alone calculated to promote the material prosperity and contentment of the Irish people, while adding to the strength and enhancing the moral dignity of the Empire."

said : Sir, I have listened with the greatest attention and deepest anxiety to the speech of the noble Lord who has just sat down, and I confess I have not been disappointed, for, in the course of my experience, I never heard so grave a demand made upon Parliament upon so futile and miserable a case, or supported by arguments so poor, inconclusive, and unsatisfactory. No doubt the noble Lord has done his best for his purpose ; as if he were of opinion that a further suspension of the constitution in Ireland was necessary, it was his duty of course to make out the best case he could to induce Parliament to agree to his proposition. The noble Lord says the constitutional liberty of Ireland must still be suspended ; that the Lord Lieutenant of Ireland, the stipendiary magistrates, and the police are to rule that country with unlimited sway for the next six or eight months, because some 300 persons are pining in prison, some of whom are too poor to obtain legal assistance, some of whom have no friends, and some of whom are still so strong in their opinion that they will not ask for mercy of the Executive. If the noble Lord had entered into an analysis showing the number of prisoners who could not get bail, the number who were too poor to employ a professional man to assist them, and the number who would not make any appeal for mercy, I do not think fifty would be found among the prisoners who are not most anxious to escape from the terrible bondage to which they are now subjected. I may say that from my own knowledge I do not believe there are fifty men, out of the whole number now in custody, who would not be glad to get out, and who would not willingly enter into any guarantee which could be demanded of them never again to take part in the Fenian conspiracy, or in any illegal confederacy whatever. But while the noble Lord at one moment excites alarm he allays it the next. He is too truthful not to admit that Fenianism has died out, or has nearly died out. There are, we know, old women in every country, in various gar-

ments, and of both sexes, and there are a great many persons, no doubt, who are only too anxious to maintain those extraordinary powers in order to advance their own selfish interests or designs. Now, let us see what Earl Russell said in 1848, when, for the ninth time since the Union, a similar demand to the present was made. In 1848 Lord John Russell expressed the same sort of pain at being compelled to suspend the constitution in Ireland as the noble Lord the Chief Secretary for Ireland has done to-night, and he added—

“It appears to me that it is absolutely necessary that I should prove three things as the grounds of my proposition. One is, that the present state of things in Ireland is fraught with evil—that it threatens danger—and that we are on the eve of an outbreak if it is not timely prevented.”—[3 *Hansard*, c. 697.]

Now, I ask, where is the evil? The noble Lord does not venture to describe it. Where, I ask, is the danger? The noble Lord cannot find it. And what chance, I ask, is there of an outbreak in Ireland? As much as there is of rebellion in Downing Street. Why, Sir, there is no more chance of an outbreak in Ireland at present than there is that the present occupants of the Treasury will, without a hostile vote, give up their places to the Opposition. The noble Lord must admit that there is nothing in the present state of Ireland which calls for the suspension of the constitutional liberties of that portion of the Empire. The state of things which existed early in the present year was very different to that which prevails now. When in February last the late Government proposed the suspension of the Habeas Corpus Act, my hon. Friends and I did not deny then that a great crisis had arrived, and that the Government was justified in asking for extraordinary powers; but all we did, or intended to do, by the vote which we gave on that occasion, was to enter our protest against that system of dealing with Ireland, and the impolicy of withholding those measures, which in our consciences we believed necessary for the safety of the country. At that time there were some 500 or 600 American emissaries, or rather Irish Americans, going through every portion of Ireland, and carrying on their operations, as has been remarked, “under the very nose of the Government.” There was intense excitement; there was sullen animosity; and there was a strong belief on the part of the people, certainly, in the South of Ireland, that help would come from Ame-

rica. I think it is of great importance that English Members should carry these facts with reference to the state of Ireland and the causes of discontent in their minds, so that when we meet next year we may find the benefit of their thoughtful consideration in just and generous measures towards Ireland. I am aware that many Members of the American Government charged us during the Civil War in the United States with injustice towards them and towards the American people. Now, I have always proclaimed my belief, and I here repeat my deliberate expression of that belief, that the late Government acted fairly towards the belligerents; but that, unfortunately, was not the belief of the American people, or of the Irish in America. The latter thought they would avail themselves of the animosity which prevailed in America against England, and they believed the American Government would not molest the Irish in any attempt they might make to carry out their designs against England. At the risk of popularity—and every man wishes to be popular with the party to which he belongs—and in the face of every misconception, I endeavoured to expose the absurdity of the idea that the American Government would permit the violation of its Neutrality Laws, or allow an armed force to leave its territory to invade that of a friendly Power. The mass of the people of Ireland did not, however, understand the niceties of International Law. They believed not only in the exasperation of the American Government and people, but in the power of the Fenians to do what they liked; and they believed not only that there would be an outbreak, but that the time for the rising had been actually fixed. The noble Lord has spoken of the “magnificent conduct” of the people of Canada; and I hope the noble Lord will take to his heart the moral which that conduct implies. The Canadians, it should be remembered, are a well-governed people. They have religious equality, free institutions, and perfect security for the possession of their land. No man, from political motives, caprice, avarice, or cruelty, could turn them adrift as beggars on the world, as the Irish tenants have been. In fact, they have all that freemen could desire. I, too, admire the loyalty of the Canadians; but their loyalty was not a sentimental feeling of devotion to England, but a sincere affection for their own or their adopted country and the institutions under which

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they live and flourish. The noble Lord ought, I think, to have reserved his praise for the conduct of the American Government. The Canadians were worsted in the first conflict with the Fenians, and if it had not been for the material assistance rendered by the American Government, who sent their best generals and their best troops to the spot, and thus prevented a real struggle, the most serious consequences to Canada and England might have ensued. As the Government of a free people, it could do nothing so long as the Fenians confined themselves to words; but the moment the words were followed by deeds, and an overt act of invasion was attempted, the American Government put forth its strength on that occasion, and it was the American Government, rather than the Canadian Volunteers or the British troops, that defeated the Fenian movement in Canada. Now, I know how anxiously every day's tidings from America were watched in Ireland, and that it required a succession of vigorous acts on the part of the American Government—acts of treason to them, as the Fenians imagined—to obliterate from the minds of the Irish people the delusion under which they had so long laboured. But now, I venture to say that the great mass of the people of Ireland, however ignorant of the principles or niceties of International Law, know this, that the American Government will put down every similar movement, as it put down that which was directed against Canada. The noble Lord has given us, in justification of his policy, a statement made by a well-known gentleman, Mr. Stephens, to the effect that the Fenians of America are about resorting to still more desperate measures—that Ireland is now to be invaded instead of Canada. Whatever may have been the feeling in Ireland six months since, there is no more fear of a Fenian invasion there now, than there is that the Americans will declare war against England next week. And as to that alarming bomb-shell which the noble Lord has thrown on the table, it was calculated to make a painful impression on any one of weak nerves; but I could tell the noble Lord of something still more terrible. If I were to tell the noble Lord of things said by O'Mahony and Roberts—both of whom, if I mistake not, are County Cork men—I venture to say the noble Lord's hair would stand on end, and would not be got smooth again for a fortnight. But the fact is that not only have these men—Stephens,

O'Mahony, and Roberts—had many disputes—fought as fiercely as the celebrated Kilkenny cats—but that the watchful eye of the American Government is upon their movements. Stephens is the only man of them capable of effecting anything worthy of serious attention, and it is evident that he can do nothing among his countrymen in America, or amongst the Americans themselves, in consequence alike of the action of the American Government, and the suspicion of his good faith, which is general amongst his countrymen in the States. I believe that Stephens is a sincere enthusiast, and not “a British spy,” as it has been asserted he is; but amongst the great majority of Irish Americans—amongst a very great number of them—the general feeling is derogatory to his character; and certainly, there is in Ireland no thought or expectation of an invasion to be effected in a few months under his auspices. Now, I think I have shown that there is a different state of things at present existing in Ireland to what there was some time since. The organ of the Fenian movement has almost been obliterated from memory. The leaders of the Fenian movement in Ireland are suffering the most terrible punishment that, next to death itself, any Government could inflict on those who violate its law. The organization has utterly broken down—the conspiracy is shattered; and as to armed resistance in support of it, the idea of it does not exist in the country. The noble Lord endeavoured to alarm us by talking of recent drilling in the county of Cork. I have been in that county lately, and in frequent communication with all classes of persons there, and I declare that I never heard a word about such drilling, and I really think the story, however alarming it was intended to be, is not worth much consideration. The noble Lord will imagine, perhaps, when I come to speak of the absence of crime, that there is no connection between that and the absence of political excitement. The noble Lord, however, ought to feel pride as an Irishman at the absence of crime in his country. On this point, however, I feel it my duty to refer to the reports on the state of crime in Ireland which were made by the Irish Judges at the last Assizes, in order that I may place it on record that at a time when Ireland was entirely free from crime and all kinds of political agitation, and when a clause in an English Act which proposed to give a policeman some com-

paratively trifling power was not allowed to proceed, the Government asked the House of Commons to agree to a Bill to suspend the constitution in Ireland. I will begin with the county of Tipperary, and there I think it has been shown that the ordinary law is sufficient of itself for the punishment of offenders. There was a Fenian case tried before the Judge in the South Riding of Tipperary. Two men were charged with having fired at a policeman and wounded him. One of these men was sentenced to twenty years, and the other to ten years penal servitude. In the North Riding another prisoner was charged with sheltering one of the two men so sentenced, and was acquitted. The other cases were few and simple. In Limerick there was a light calendar, which contained only one outrage connected with the Fenian movement. In Kerry there were only two offences, and one of a trivial character. I am speaking now from the public records of these assizes. In Waterford there were only three other cases, and the Judges congratulated the grand jury on the lightness of the calendar. In Wexford there were only two or three cases, and in Wicklow the Judges were presented with white gloves, the indication of a maiden assize. In Kilkenny Dr. Ball congratulated the grand jury on the peaceful condition of the county, only nine cases having to go before them for assaults, not one of them of an aggravated nature. At that assize there was not one of those agrarian offences, he remarked, that had convulsed the country in former times. That was the case in Kilkenny. In the Queen's county the Judges informed the grand jury that the cases to come before them would not exceed five. In Westmeath, too, there were only five, not one of which called for the observation of the Judges, who congratulated the grand jury on the general state of the county. In Fermanagh, the Judge congratulated the grand jury on the light state of the calendar, which he said he was also happy to find was a correct symptom of the state of the county. In Galway a similar state of things existed. In Drogheda the Judge received a pair of white gloves. In Down Judge Monahan said there were three or four cases for trial, and they were of a trivial character. In Donegal the Judge received white gloves; there was not one case for trial. In the King's County, Chief Justice Whiteside, who would have ornamented the Treasury Bench had he been present,

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and who deserved his elevation, on which I heartily congratulate him;—in the King's County, Chief Justice Whiteside said, "On looking at the calendar I observe a decided improvement—crime has very much decreased." In Antrim the cases were few and trivial, as also in Carlow. I now, Sir, come to the county of Cork, and the charge of Mr. Justice Fitzgerald to the grand jury, as it has a special bearing upon the question before us—whether there is really anything in the actual condition of Ireland to call for the suspension of its liberties. I also do it for the reason stated by the noble Lord, that there have been those recent drillings in that county with which he has so much startled us. Mr. Justice Fitzgerald having in the first instance congratulated the grand jury on the light state of the calendar, which contrasted so pleasingly with the state of things when he opened the Special Commission on the previous December, then dwelt on the necessity of arming the Executive with further powers to stamp out the embers of the rebellion or conspiracy which had then so painfully engaged the attention of the country; and he added—

"And I am induced, gentlemen, to make these observations because I find that, upon the calendar, so late as the 6th of May last, a very serious offence has been committed in the West Riding of the county. That is, gentlemen, that some persons were arrested, charged with being implicated in the Fenian conspiracy, that they were violently rescued from the police, and that a serious assault was made on the police in consequence. Gentlemen, that occurred on the 6th May last, in Macroom, in this county, and I cannot help calling it a very grave offence. We recollect well the conduct and deportment of the constabulary during a period of trial and difficulty, and possibly not unattended with danger; they are entitled to our entire support, and I think one will consider it as a very grave offence, a serious assault committed on the constabulary whilst in the performance of their duty, and especially if that assault has been committed with a view to frustrate the arrest of a person charged with so serious a crime as implication in the Fenian conspiracy."

The court must have been crowded on this solemn occasion, while the grand jury were no doubt awe-struck at the gravity of the charge. The day for trial came, and one may imagine the excitement with which the awful revelations of this new Fenian case were awaited by a breathless audience. Nine young men were arraigned, a jury was empannelled, and the case proceeded; but, alas, for those who looked for a sensation case, the only reference to Fenianism made during the trial—the only

piece of evidence in support of the terrible conspiracy—was, where a witness deposed that one of the prisoners wore a Fenian hat! This reminds me of another instance of quite as absurd a nature, which goes to show how a panic magnifies the most trifling piece of evidence into proof of something tremendous. A magistrate, whose name I do not like to mention, committed a man for no stronger reason than that I could make out than that he had an American cent in his pocket—which circumstance he and the policeman regarded as very remarkable. But in the county of Cork case, notwithstanding the awful fact of the Fenian hat, eight out of the nine prisoners were acquitted, and but one was found guilty—of what? not of Fenianism, but of having, while drunk, resisted the police! Here was a labouring mountain bringing forth a ridiculous mouse with a vengeance. It is really important that the words of the Judge when summing-up should be given, as he relied upon this dangerous rescue of a Fenian as the reason why the present proposal of the Government to further suspend the Constitutional liberties of a people, should be assented to; and, moreover, as he represented the county and city of Cork as the most important centres of the Fenian organization. Here are his Lordships' words as reported—

"He said the case required their serious attention. The principal prisoner engaged in the transaction was Wiseman, to whose conduct the origin of the unfortunate row was due. He should say, however, that the row showed a very great want of discretion on the part of the policeman Coakley. That there was a breach of the peace there was no doubt, but it was also clear if there was more discretion and temper displayed on the part of the police there would not have been the very serious riot which had been. The better course for Coakley to adopt would have been, when he discovered Wiseman drunk, to send him home and summon him at the sessions, and there was no doubt that he would be properly dealt with; but instead of pursuing such a prudent course, Coakley, after asking Wiseman once to go home, and the latter seeming disinclined to obey him, Coakley put him under arrest, and hence the whole disturbance."

I make the noble Lord a liberal present of that startling statement, and I am only sorry he did not fortify his speech with so tremendous a case. And now I come to the city of Cork, which, according to Mr. Justice Fitzgerald, was one of the great centres of the conspiracy; and we shall see how its condition justifies the unconstitutional demand of Her Majesty's Ministers. I must admit that a very griev-

ous wrong was done to Baron Hughes by one of Her Majesty's defenders named John Knight, for had not that gallant hero taken it into his head to commit bigamy, that learned Judge would have received a pair of white gloves from the sheriff, there being no other case for trial. I shall read the words of the Judge. His Lordship, addressing the grand jury, said—

"Mr. Pike and gentlemen of the grand jury of the county of the city of Cork, I am happy to have to congratulate you upon the peace and tranquillity of your great city. The evidence of that is, not only the calendar, which presents only one case for trial at this assizes, but also the constabulary Inspector's report, in which the cases are very few, of the ordinary character, in such a population as your city contains, and nothing shown by that of a character to disturb the general peace and tranquillity of the country. Gentlemen of the grand jury, there is but one case for your consideration to-day. The charge is one of bigamy."

Now, then, I think I have established two propositions—first, that the supremacy of the law has been vindicated in the ordinary tribunals of the country; and secondly, that the assizes have shown the most extraordinary and gratifying diminution of crime. But I make this statement also, that there is an utter absence of political excitement in the country. On that point I can bring an impartial witness into court—*The Times'* Correspondent, who is a well-informed gentleman, and, to my mind, in every way reliable. Writing from Dublin, July 28, he says—

"The excitement produced by Fenianism has completely subsided, and crime is at the lowest ebb. In several counties, during the assizes, the Judges have received white gloves, having had no criminal business brought before them. There has not, I believe, been in any of the counties a single case of agrarian outrage or combination of any kind."

Here you have it distinctly stated that the excitement produced by Fenianism has completely subsided. But, I ask, could the excitement have subsided if there were any hope of assistance from connivance on the part of the American Government against this Government? Could it have subsided if there was any belief that Stephens, or Roberts, or O'Mahony was likely to succeed in his plans against Canada or Ireland? Now, I do not know that there is any other proposition which has been made by the noble Lord that I have to contend with. I believe the noble Lord must admit the main facts I assert, and I maintain that he has said nothing which proves it to be impossible to maintain the

peace in Ireland except by a continuance of this Act. But the noble Lord goes farther, and ventures upon ground of the greatest gravity. In fact, I threw out a challenge to him, and the noble Lord has at least attempted to answer my Resolutions. One of my Resolutions condemns the use of repression, unaccompanied by remedial measures; and another insists upon the importance and advantage of adopting a liberal and generous policy towards Ireland. But, before I address myself to this part of the case, I may state some grounds of objection to the present proposal. One is as to the Ministers by whom it is made; the other is as to the time at which it is made. Many Gentlemen at this side of the House cannot give to hon. Gentlemen opposite the same confidence which they would have given to their predecessors in office, even though making the demand now made by the present Government. The reason as to time is, to my mind, one of much importance. When the late Government asked for this unconstitutional power Parliament was sitting. We had then the opportunity of controlling, or at least influencing, the acts of the Executive. I like to be candid and fair; and I must admit that the late Government did administer the law, as far as they could, temperately and mercifully. I believe that in no way did they overstrain their authority, and I have no terms but of admiration in which to speak of the conduct of the late Lord Lieutenant and his administration in Ireland. But the necessary operation of the law was cruel; and was it not stated by the right hon. Gentleman the Member for Louth, at that table, that actually some of those Fenian prisoners had to be taken from the county gaols because the authorities of those gaols would not yield to the suggestion or submit to the commands of the Executive? And what was the punishment? It was cruel and inhuman. Many, indeed the vast majority, of the prisoners were kept for twenty-two hours out of the twenty-four in solitary confinement. That in itself was a terrible punishment, and one full of danger to its victims; and but for two hours the prisoners—these untried prisoners—had a miserable excuse for exercise in exercise of a most irksome and painful nature. The Government had to interfere over and over again; but it was the exercise of their privilege by individual Members that called the attention of the Government to the facts, and induced the

Government to interfere. Now, however, we cannot interfere with any such effect. Supposing the Government were to arrest 200 or 300 men in Ireland—I do not say they will, nor do I think they need, and I hope they will not—but suppose they did, what opportunity would there be of any Parliamentary action in favour of such unfortunate prisoners? Until this House meets in February the Government will be altogether independent of the wholesome control of Parliament, and no similar influence can be brought to bear upon their conduct. Then, again, I do not think that the policy enunciated by the noble Lord at the head of the Government in reference to Ireland is one that ought to inspire confidence in the House, and least of all in Irish Members, when he asks for these extraordinary powers. It is not one which ought to enlist the sympathy or obtain the approval of the Representatives of Ireland. While Mr. Whiteside sat in this House he was constantly declaiming against “Larcom and the police.” What is now the meaning of the complaint made by the noble Earl (the Earl of Derby), that the country gentlemen, the magistrates of Ireland, have been kept too much in the background, while the police were intrusted with too much power? What is the meaning of the marked preference expressed by the noble Earl for magisterial as opposed to police responsibility? The noble Earl at the head of the Government has distinctly stated that, in his opinion, the gentry of Ireland have been too much neglected, and that they should now be taken more into the council of the Executive; that the late Government had been too fond of relying on the reports of the police, and that it was desirable to have reports supplied by the gentry. First, let me remark here what a dangerous thing it is to transfer power from the police to a body of men many of whom are carrying on a silent war against the peasantry as relentlessly as ever was waged in the days of Cromwell. In my opinion the policy is a dangerous one, and is more calculated to inflame discontent than to secure the public peace. As a proof of its danger I may mention a case which occurred the other day at Cork, where two respectable citizens, one of them the son of a Protestant clergyman, went into a billiard-room; whilst there at play they saw a gentleman looking at them through the window, and presently he came in followed by an inspector of police and four con-

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stables, and the inspector arrested both gentlemen. The charge against them was that one of them had said, "To h— with the Queen, and may the green flag wave over us!" The gentleman who had caused these young men to be arrested was the son of a magistrate. The charge turned out to be totally and entirely untrue. The magistrate's son endeavoured to evade the consequences of his folly; but an action being brought against him, he was mulcted in £75 before Master Burke. But though the charge so ended in the case of persons of good position, poor and helpless men would have languished in jail for many months to come. For my part I would trust to Larcom and the reports of the police rather than to the irresponsible power and reckless statements of men whose passions too often coloured what they saw. To my mind there is not much of promise in the policy of the new Government. In Ireland people were in the habit of regarding and describing the emigration as a great national calamity; but there is a division in the Cabinet already upon this subject. The Chief Secretary seems to think that the emigration was a scientific depletion, not a hæmorrhage, and that it was a necessary process for relieving the country of an increased population. The Chancellor of the Exchequer, on the other hand, thought it was a hæmorrhage—a wasting away of the powers of nature, and said that some styptic must be applied, and that in general measures some means should be found for arresting this outflow from a nation's life. In my view that emigration is a disgrace to this country and a calamity to Ireland; but I am not sanguine about the future under the new Government unless they bring in some comprehensive measure which will not practically turn into ridicule the tremendous description of the state of Ireland given by the Chancellor of the Exchequer. Now, the late Government did hold out some hope for Ireland. They introduced a Land Bill which was described on the opposite Benches as communistic and revolutionary. So far from its being so, it was a wise and thoughtful response to the earnest wishes of some thirty Irish Members, none of whom were either revolutionary or communistic in their ideas or principles, but who really sought to benefit Ireland substantially, and provide a practical remedy for her most serious grievance. That Bill has been described also as the result of a base bargain. It was no

such thing. I have stood by the late Government during this Session because of their honest effort to deal fairly with a great and fundamental question—because of their yielding to the just and moderate demand of the representatives of the Irish people. In that spirit I stood by the Government through all the changing vicissitudes of a great political campaign; and were the same to take place over again, I would stand as loyally and faithfully by them as I did then. There was no base bargain; but when statesmen rose to the dignity of their position, and introduced measures which are really for the advantage of the country, they are entitled to the respect, the support, and the attachment of the people whom they desire to serve. Let the present Government now come forward with a just, generous, and liberal measure, and I should think myself unworthy to stand up in my place in Parliament if I did not give them also a loyal and generous support. The late Government acted in a fair spirit. They brought in their Bill, which was moderate in its character. The object of that Bill was to facilitate contracts, to enable the peasants of Ireland to improve their land without fear and without restriction; to give to the southern provinces of Ireland some faint shadow of that protection which has grown up under custom in the North of Ireland, and which no landlord anxious to maintain his character, or to preserve the peace of his county, would dare to violate for one moment. But the noble Lord the Chief Secretary, on the part of the Opposition, raised a clamour against that Bill which was incensate and mad. Volunteer whips went round requesting hon. Members to be in their places at a certain hour, if they did not wish to be "improved out of their property;" and in that way the Opposition were prepared to swamp the Government, and to deny the demand which was made by an almost despairing people. I wish I could believe that the Government are alive to the responsibility they have assumed, and will act up to the position in which they have placed themselves. The noble Lord has stated that land has nothing to do with emigration or discontent. I say that it is at the very root of it. If people are disaffected and discontented, ready to receive dangerous principles and to act upon them, I say it is because there is something radically wrong in the country. Even the beneficial measures brought in for this country have

acted fearfully on the agricultural interests of Ireland. Ever since the famine time, war of class against class has been waged in Ireland, and on no field of battle have there ever been so many victims sacrificed as there have been in that country to the landlord power. Let me give the House one or two illustrations to show that the oppression practised by certain landlords was the origin of the emigration from Ireland, and that the cruel exercise of the irresponsible power possessed by their class has since given to it its enormous and dangerous development. In the year 1847 the famine came. But long before that the landlords, aware that they would have to bear a portion of the poor rate, had determined to anticipate the day that was coming by clearing their estates, and thus limiting their responsibility to the smallest possible extent. When the famine came a desperate impulse was given to the exercise of that fearful power. In four years 340,000 persons were evicted. In one year alone 200,000 were evicted. That was in 1849. But let me give the House one or two cases in point. The first case that I shall give came under my own personal knowledge. The same thing that was done in 1847 may be done at the present moment, and it is mainly upon that ground that we ask the Government to interfere by legislation which may afford some protection against injustice and oppression. I shall not mention names. Moreover, the gentleman of whom I am now about to speak is since dead. He possessed an estate in the county of Waterford. It was divided into lowland and upland, into valley and mountain. He had a number of tenantry on the lowland, and wishing to get possession of their farms, he said to them, "I will remove you from these farms, and I will give you mountain farms. If that will not satisfy you, you must go." They were tenants "from year to year." They had, therefore, no possible power of resistance, and were obliged to accept the alternative proposed to them by their landlord. They were sent to the mountain land. They reclaimed the land, and made it good. In course of time, through their hard labour, they became comfortable and prosperous, and regularly paid their rent; but the blight fell upon the land, and the result was that the moment these tenants who were driven to the mountain to till it, and who had reclaimed it, could not pay their rent, the word went forth that they should quit. I

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saw the ruined gables to which the people clung, and it is a fact that the landlord attended the relief committee, and literally closed the meal bag—would not allow a handful of meal to be given to those poor people until they and their children quitted the gables of their demolished houses. In 1849 Sir Robert Peel, standing at the table of the House of Commons, said that in the records of no country, civilized or savage, could there be found described a more awful picture of tyranny than that which he read from the accounts of Captain M'Kay of an eviction in Galway, and from Captain Kennedy of one in Kilrush. There were no less than 16,000 persons evicted in the union of Kilrush. Where did they go to? Many of them died by the ditch side, many sought shelter in the workhouse or withered away in a neighbouring town, and many were driven across the ocean. Here is the case of illegal eviction. The late Sir Robert Peel read this case at the table, and this was, amongst other things, the cause of legislation at the time, though of a trumpety character, absolutely necessary as affording a miserable relief to the victims of extermination. The inspector said it would appear from the evidence recorded that the forcible ejections were illegal; that notices had not been served; that the ejections were perpetrated under circumstances of great cruelty, the time chosen being, for the greater part, midnight, on the eve of the new year, the very hour when the Christian heart bows down in gratitude to God—the eve of the most solemn festival of the church—that the occupiers were forced out of their houses with their helpless children, and left exposed to the cold on a bleak western shore on a stormy night, that some of the children were sick, and that the parents implored that they might not be exposed, that their houses might be left standing till the morning; but that their prayers for mercy were vain, and that many of them had since died. Now, in the other case which Sir Robert Peel read, there was this awful spectacle to be seen in one cabin where the evicted had taken refuge:—the father was lying dead upon the floor; the mother was in the last stage of dysentery, and the two starving children were lying asleep across the body of their dead father. In another instance, Captain Kennedy described how a wretched man left the stones he was breaking and rushed across a wild moor to where a fire was blazing. The agents of the landlord were

burning the hovel which that man had raised with his own hands after he had been driven out of his home, and this course was adopted "to get rid of him" for ever. But there were landlords who took other means to get rid of the people. I know that in one property in the county of Kerry £20,000 was spent for the purpose of deporting the people, and they were flung in such a state of abject and squalid misery upon the quays of New York, that the American Government, for self-protection, had to impose a tax upon Irish emigrants. Were the landlords, then, not the cause of the emigration? We were told the Incumbered Estates Court would give relief to Ireland. It gave relief only to a certain class; but it gave no relief whatever to the tenant occupiers of Ireland. They were handed over as the sheep, the horses, or the oxen, to the next proprietor, who had full power to deal with them as he thought fit, they having no possible security against removal. What happened a short time since? Last year a gentleman purchased in the Incumbered Estates Court a property situated in the county Tipperary. There were 200 human beings upon that property. They did not owe a farthing of rent, and they were willing to accept any rent which the landlord might choose to impose upon them; but the landlord said, "You must go—I do not want you here; I have power to get rid of you." They were got rid of, and they have gone to America, there to swell that discontent which will be a formidable danger to England in future time. It transpired at the spring assizes of last year at Tullamore, that a gentleman made a bargain with an incoming proprietor that he would clear every human being off his estate previously to his successor taking possession. These were improving tenants, men who would be respected in any other country in the world. Fortunately the exterminator blundered in his work, and thus came within the fangs of the law, and he was well punished for his stupidity. But if he had not blundered, he might have turned thousands of Her Majesty's subjects out upon the common highway, and there was no law to call him to account. That is the state of the law at the present moment. The mass of the people hold their farms at will — that is, at the wish or caprice of others. I could mention the name of an absentee proprietor who draws £30,000 a year from the country, and

who has notice to quit served on his tenants every May — thus keeping them in a state of the most abject serfdom. No wonder, then, that if the farmers do not fly from the land, their children do. The farmer says to his son or his daughter— "My child, I have no lease, no certainty, no security. You had better go to America, where you will be secure in your industry, and perhaps I will one day follow." That is the advice given and acted upon; and if many of the landlords were not as I describe them, you would not have that desperate rush that is now taking place from the country. I tell the Government that they need not despair of Ireland; but it is necessary, if they would realize the picture that was drawn by the Chancellor of the Exchequer, that they should deal vigorously with the land laws. My opinion is that the state of the land laws is at the bottom of the whole mischief, and that you will and must have discontent in Ireland until those laws are improved. With respect to the discontent which exists, the Roman Catholic Bishop of Cloyne gave evidence last year, in which he stated, what must be known to every man acquainted with Ireland, that language could not describe the feeling of hatred and vindictiveness with which the people leave the shores of Ireland for America. It is time that the statesmen of England should see that the danger looming in America to this country shall not be increased by their persisting in following a foolish course — denying the existence of grave causes of discontent, or refusing to remove those causes by vigorous legislation. It is for the interest of this country that I call upon them to do something to make the people contented. Let them only do that, and they may defy the machinations of any number of enthusiasts in America. The Chancellor of the Exchequer seems to have found out that this was not an Irish but an American conspiracy. It is, however, idle to shrink from the fact that it is at least partly Irish. The materials to work upon are Irish, those to whom they appeal are Irish; the rank and file are Irish; the discontent is Irish. But I say, put the Irish people in the position of the Canadian people, and they will display the same loyalty to their country and institutions, the same "magnificent conduct," whenever an occasion may arise. Give a man something to fight for, and he will fight for it. Give the Irish people that

something, which they may feel to be their own, and in a short time you will have a declaration from the Irish people in Ireland to their brethren in America to this effect, "In God's name, let us alone—we are now like our Canadian brethren, the laws fully protect us; we have freedom of conscience; and complete religious equality; we are secured in the fruits of our industry; we do not want your interference; it would be ruin to us." That is what I desire to have said on the part of the Irish people; and if justice is done to them, I do believe this is what they will say. The Government should rise to the dignity of their position, and deal with this question firmly and manfully. Irishmen have fought your battles; they have maintained your glory. There is not a battle-field in any part of the world or which your flag has been borne triumphantly, where you will not find amongst the list of the killed and wounded men boasting of Irish names, who had been remarkable for their gallantry. In her great wars this country would not, perhaps, have been so successful as she has been if she had not combined the dashing gallantry of the Irish with the bulldog endurance of the English. You ought, by your legislation for Ireland, make her people feel that they are the same people with yourselves, and to say, "In the name of God, it is time to take you into the bosom of the Empire; we will deal kindly and generously with you from henceforward." Let the Government do as the late Government have done, and act in a kindly and friendly spirit; but if they will not do that, and are determined to impose these laws without qualifying them by laws of another character, we, at least, will protest against the system which has been adopted up to the present time—namely, that of too many coercive and too few remedial measures.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the same state of things on which the late Government justified their application to Parliament to suspend the Constitution in Ireland no longer exists: that the supremacy of the Law has been sufficiently vindicated in the ordinary tribunals of the Country: that the Assizes just brought to a close have in all instances displayed a most extraordinary and gratifying diminution of crime, and, in many instances, a complete absence of serious offences, either against property or person: that there is likewise an utter absence of political

excitement of any kind whatever: that measures of repression unaccompanied with measures of a remedial character tend rather to aggravate than lessen those evils in which perennial discontent and periodical disaffection have their origin in Ireland: and, that a wise, generous, and thoroughly liberal policy is that which is alone calculated to promote the material prosperity and contentment of the Irish people, while adding to the strength and enhancing the moral dignity of the Empire,"

—(Mr. Maguire,)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. GLADSTONE: Sir, I think all who listen to my hon. Friend upon this and almost any occasion must acknowledge the eloquence he brings to the discussion of the state of his country, and the evident sincerity with which he speaks, as well as the impartiality with which he most properly declares he is ready to accord to any Government from whichever side of the House it may be chosen, a faithful and a loyal support, provided its policy be of the kind he believes to be required by the circumstances of Ireland. If this were the occasion upon which the vote of the House should be determined chiefly by the consideration of the policy to be pursued in Ireland, I should probably be found voting with my hon. Friend. In the general spirit of his remarks I cannot but concur. I share with him the conviction that questions relating to tenure of land in Ireland and the relations of landlord and tenant lie at the root of the condition of that country. I think it is impossible to over-estimate the importance of a just and liberal view of the question on the part of the Governments and Parliaments of this land. I do not think, however, it would be wise or expedient, at a time when Her Majesty's Ministers have but just assumed responsibility for the conduct of public affairs, to anticipate the course they may take on this or other subjects, if not of equal, yet of vast importance to the welfare and prosperity of Ireland. But of this I am confident—we speak justly when we say that, in asking the House for a renewal of the Act for the Suspension of the Habeas Corpus in Ireland, they do but enhance and deepen their own obligation to recognize and appreciate the true condition of Ireland, and the nature of the remedies which that condition requires; and in assenting to the proposal now made, if it be shown to be sufficiently supported by reason and justice, we do not weaken,

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but, on the contrary, we materially strengthen the pleas which the hon. Member for Cork has advanced for attention on the part of Parliament hereafter to the case of Ireland. I cannot but say with what satisfaction I have heard my hon. Friend place in their due relation that class of remedial measures for Ireland which are based upon pecuniary assistance. I refer to this subject the more because I have read the report of the speech of a gentleman who has accepted legal office from Her Majesty's present advisers. The purport of that speech—which was, perhaps, not correctly reported—was that it would be well for the Irish, in considering questions of political support, to look not so much to the relief of grievances of a political and theoretical character, but rather to look to the sources from which they could obtain direct assistance for their material prosperity. If that speech was correctly reported I regret that it should have been delivered. I deprecate all Irish policy founded on a mere system of money grants. You cannot raise a country, you cannot liberate a country, you cannot ennoble a country, you cannot descend into and purge the sources of its discontent, by any policy such as that. The only mode of doing justice to Ireland is a mode which shall unite the hearts of the people with the laws and institutions of the country, which shall begin by mitigating and shall finally put an end to that frightful and monstrous evil which not even the fervid language of my hon. Friend can characterize so strongly, and which is best described in my hon. Friend's account of the feeling with which Irish emigrants arrive in America. The question of to-night, however, is mainly of a different character. It is whether the House shall concede to Her Majesty's Government the prolongation of the term for which the Habeas Corpus Act has been suspended. Duties of this kind are, with regard to Governments, elementary; with regard to the feelings, most painful; but, at the same time, within their own sphere, paramount. The maintenance of the peace and order of a country, the taking of due security for the tranquillity of those who desire only to obey the laws and to pursue their avocations in peace, is the first duty of the Government. I cannot, for one, look, nor do I believe hon. Members will look, at the political creeds of those who happen to hold office. My hope and my expectation are that the powers they ask from us,

if they are obtained, will be administered in a lenient, just, and impartial spirit. I do not now wish to enter into the question whether or not the general policy of the Government with regard to Ireland is such, or is likely to be such, as will command my confidence and support. I only look to the fact that to them is confided the administration of the law and the protection of the persons, the lives, the properties and the liberties of the people; and it is our duty to place the necessary powers in their hands to enable them to fulfil their obligations. Let me say one word with regard to the speech of the hon. Member for Cork (Mr. Maguire). While concurring as I do in its general tendency I must take exception to one portion of it, although my objection goes perhaps more to the words used than to the principle expressed by the hon. Member. I refer to the portion of the speech of the hon. Member which treats of the land question. The hon. Member said that we must consider the interests of the 4,000,000 of people rather than that of the 8,000 landowners.

MR. MAGUIRE explained that what he said was, that the interests of the 4,000,000 should be considered as much as those of the 8,000.

MR. GLADSTONE: Well, the proposals made by the late Government with regard to the land question in Ireland—and I think the hon. Member will be ready to admit it—were substantially in accordance with those recommended by the hon. Member himself, and our conviction certainly was that they were no less likely to contribute to the comfort and to the interests of the 8,000 as well as to those of the 4,000,000. But reverting to the question whether or not this act for the Suspension of the Habeas Corpus Act should be extended, I must, in the first place, venture to remind the House that when the right hon. Gentleman the Member for Morpeth (Sir George Grey), on the part of Her Majesty's late Government, introduced this Bill, one of the announcements he made on our behalf was that we were determined to ask from the House the suspension of the ordinary securities for personal liberty for the very shortest possible period, and that, under these circumstances, we did not venture to hold out to the House any expectation that a renewal of that suspension might not be required. Under the peculiar circumstances of the case, we felt ourselves bound to give to Parliament an opportunity of putting an end to this abnor-

mal state of things at the earliest moment consistent with safety. As we are now asked for a prolongation of that suspension it is but just to the Government to state that the time originally fixed for its duration was unusually short, for on many former occasions it has been the practice to ask for the suspension of the Act until the meeting of Parliament for the ensuing Session. The hon. Member for Cork has advanced several reasons against prolonging the suspension. He relied greatly upon the fact that the state of ordinary crime in Ireland is one which may be termed—as far as such an expression can be connected with crime in any way—highly satisfactory. I do not doubt the fact. It is confessed on all hands that Ireland is at present in a very peaceable condition, and free from those acts of outrage and violence which have been unfortunately of very frequent occurrence. But a similar statement would have been equally applicable to the state of Ireland six months ago, when my right hon. Friend, on behalf of the late Government, asked for the suspension of the Habeas Corpus Act; and the fact that ordinary crime is happily confined within narrow bounds, does not suffice to prove that there exists such a state of political security as would enable us to return with safety to the ordinary state of the law. Again, the hon. Gentleman says that the state of things now is not the same as it was when the Act was suspended six months ago—and, in truth, I think as much as that was admitted by the noble Lord in the speech with which he introduced this Motion. But I think that that proposition is also insufficient for the purpose for which it is put forward. There may often exist a state of things which may justify, and even in prudence require, the continuation of a suspension of the Act of Habeas Corpus, while it would not justify the first introduction of such a measure. When a Motion for the suspension of this Act is first introduced, it is obviously the duty of the House to require the most clear and demonstrative evidence of its necessity. On the other hand, when we have once passed into this exceptional state of things, I will not say it is necessary to adduce demonstrative evidence of the security of a return to the ordinary laws to justify us in adopting that course, but I say that risks which should be run in order to avoid entering into that state of things are not necessary to be run in order to escape from a continuance of that exceptional state. That is a

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material fact to bear in mind in discussing this question. The hon. Gentleman has also reminded us that circumstances have recently been greatly changed in consequence of the conduct of the American Government. The noble Lord (Lord Naas), in warm but just terms, referred to the manner in which the American Government have discharged their international obligations towards us in respect of the recent attack upon Canada. Undoubtedly it would be uncandid not to admit that the fact of the discharge of their international obligations by the United States Government has removed many delusive expectations that formerly prevailed in Ireland, that injuries real and imaginary connected with previous occurrences would prevent the American Government from discharging their duty. No doubt, the disappointment of these false hopes and expectations has had a good effect on the people of Ireland. On the other hand, I cannot help thinking that some light has been thrown upon the character of Fenianism in that country within the last six months. It is impossible to find a word too strong to use in condemnation of the policy of Fenianism. Although Fenianism may be regarded as a conspiracy against the existing state of things, against the existing law, and against the existing Government; yet those who look back to the history of Ireland will feel that there are extenuating circumstances for political crimes in connection with the state of things that has existed for a long period. But none of these considerations apply to the late attack on Canada, and I must say I know not where to find upon record anything more abominable in the shape of political violence than the invasion of Canada by the Fenians. The Canadians, at all events, are not responsible for any of the wrongs or grievances—be they real or imaginary—which the Fenians might think they had sustained at our hands. The attack, then, upon them by the American Fenians, was a foul, a ruthless, and a murderous act, deprived of all that could extenuate political error. It shows that these men have within them the temper not only to utter threats—which for my own part I believed were mere words—but to endeavour to carry fire and sword into a peaceful country. If, therefore, on the one hand, we have seen from the conduct of the American Government that we are perfectly secure in that quarter, and that we may reckon beforehand on their dis-

charging every international duty, I must say that that invasion of Canada is an indication of the virulence and malignity of Fenianism, which we could not have thought it possible we should witness. The hon. Member and the noble Lord have referred in terms of just eulogy to the conduct of the Canadian people; and the hon. Member appears to think, and he thinks justly, that their loyalty and their attachment to the British rule is founded on the satisfaction with which they view the law under which they live. I quite agree with the hon. Member in those observations. Yet we see that even their universal loyalty did not enable the Canadians, in the difficult circumstances in which they were placed, to adhere to the provisions of the ordinary law, but they—as we have been with regard to Ireland—were compelled to suspend for a time the ordinary Constitution of the country. The hon. Gentleman the Member for Cork has pointed out the inconveniences which may result from the power for which the Government is now asking being exercised while Parliament is not sitting, and he has pointed out the convenience he has practically felt in having an easy recourse to Parliament, as to the mode in which the exceptional laws have been administered towards those who have fallen under them. No doubt it would be a great convenience, at a time when exceptional laws are in force, if the representatives of the people could at any day, or any hour of the day, come down to this House and set forth in such terms as they might think fit, any circumstances in the treatment of suspected persons which they thought demanded public attention. But, on the other hand, we must recollect that the very fact that the Parliament will not be sitting for the next six months, has a very important bearing in the opposite direction. To refrain from suspending the Act is one thing when the Executive can at any time, and at a moment's notice, come down to the House and ask Parliament for the necessary powers, and quite another for the executive Government to divest itself of its means of action at a time when Parliament is not sitting. And when we see what evils may take place during the six months Parliament will not be sitting, it does tell powerfully in favour of the present application. The noble Lord the Chief Secretary for Ireland has told us that there are now only 300 persons confined under the Act suspending the operation of the Habeas Corpus Act. The

hon. Gentleman the Member for Cork says that of that number the probability is that the greater portion are detained in consequence of being unable from their poverty to obtain the bail required for their release, while others are detained by reason of their reluctance and indisposition to pray for release and to make the requisite submission to the Government. But I cannot help thinking that, after all, many among these persons must be in a position to procure their release by giving a satisfactory explanation of themselves, and satisfactory assurances for the future. It must not be forgotten that the whole number apprehended was 700 or 800, and that more than half have already been released. The process of examining into each case, and of weighing and reweighing any special circumstance, is going on every day, and the release of those apprehended, in order to be safe, must be gradual. It would be most unsafe to make a wholesale and sudden clearance of the suspected cases. I do not see how Her Majesty's Government can, between the present time and the 1st of September, bring the process to a close without danger. It is very well to say, and it is very satisfactory to think, that perfect tranquillity prevails in Ireland. But, at the same time, with these large number of persons still in prison, with regard to whose general disposition towards the Government we have no knowledge, with the threats still held out to us on the other side of the Atlantic, and with the possibility that if this exceptional state of the law were brought to a close many of those who have left its shores under a pledge not to return, would return to Ireland, or if not these, that others might come in their place, I must say, without pretending to have so conclusive a knowledge of the facts as to be able to give a judgment entitled to any authority, that we ought not to do so. On the contrary, I think we ought, as prudent men, acting upon the principles applicable to a case where the Habeas Corpus Act is already suspended, to accede to the demands of the Government. Sir, I was very anxious to say thus much because I think that, taking in consideration the fact that the late Government are responsible for the original suspension of the Act, and for inviting Parliament to pass out of the legal and ordinary into an extraordinary condition of things, it was right for me to give explicitly, on behalf of myself and my Colleagues, our view of the present state of the circum-

stances. We had not, as a Cabinet, an opportunity of considering this question, as six weeks have elapsed since, for a purpose of this kind, we ceased to be Her Majesty's advisers. We have, however, had an opportunity of making communications on the subject. My right hon. Friend the Member for Morpeth and myself have communicated with the late Lord Lieutenant, as well as with my right hon. Friend the Member for Louth (Mr. Chichester Fortescue), and the late Attorney General; and our firm belief, formed on the best evidence that we can obtain, is that it would have been our duty, had we continued to be responsible Ministers of the Crown, to make the very same request that is now made by the present Government. Under these circumstances, of course it is our equally plain and obvious duty to take our full share of responsibility for that proposal. I feel perfect confidence that the extraordinary powers of the law will be used in the same spirit in which they have been exercised by Lord Kimberley—that is, in a spirit which I think I may say has drawn forth the unanimous approbation of this House and of the country. Most reluctantly, but, at the same time, without the smallest doubt as to the propriety of the vote I am about to give, I shall record it in support of the proposition of the Government.

SIR GEORGE BOWYER said, he opposed the introduction of the similar Bill of the late Government because he considered it unnecessary, and therefore unjustifiable; and he now opposed the introduction of this Bill because he considered it to be still more unnecessary, and therefore still more unjustifiable. Even before he heard the speech of the hon. Member for Cork (Mr. Maguire) it appeared to him that the case of the noble Lord the Chief Secretary for Ireland was an exceedingly weak one, considering that the measure was a great measure dealing with and setting aside an important feature of the British Constitution. His principal point appeared to be that 300 persons were confined in the prisons of Ireland, and that there would be danger in their being suddenly released on the termination of the suspension of the Habeas Corpus Act. But it appeared to him to be quite clear that those 300 persons had either committed some offences or they had not. If they had not committed offences, let them be released. If, on the other hand, they had committed offences

against the law let them be brought to trial. He saw no way of escaping impalement on one or the other horn of the dilemma. It appeared to him now, as it appeared to him when the measure was introduced which it was now proposed to continue in operation, that the full constitutional importance of the measure had not been duly weighed; and although he would regret to say anything having a tendency to stir up an ill-feeling between the two countries, he was constrained to express an opinion that if a measure of this kind were proposed for England much more deliberation would have been used, and many more grave reasons would have been adduced than had been done in the present instance. In 1777, when civil war raged in America, and persons who had committed offences in America or on the high seas against the Crown of England had taken refuge in England, Lord North, who was then at the head of the English Government, introduced a Bill for the suspension of the Habeas Corpus Act, in reference to those persons who were charged with the offence of high treason alleged to have been committed in a part of America, then an English colony, or on the high seas. That Act was most strongly opposed by the Liberal party of the day. Mr. Fox who opposed the Bill on the 10th of February in that year, said that nothing but the most inevitable necessity could justify the measure—such a concurrence of circumstances as happened at the Revolution, and he divided the House against the introduction of the Bill. In 1794 there was a still more serious juncture. England was at war with France. There was in France a revolutionary Government, and not only a revolutionary Government, but a highly propagandist revolutionary Government, a Government which proposed to extend its detestable principles to all other countries in the world. At that time the Corresponding Society existed in this country which was in fact a formidable conspiracy, the first object of which was to assemble a Convention to usurp the place of the English Parliament. They actually assembled in Edinburgh, and they had emissaries and correspondents in all the principal towns of the kingdom. The members of the society were not of the poorer and less fortunate classes among whom the Fenians were exclusively to be found, but numbers of them were men of education and station.

Well, Mr. Pitt thought it necessary to suspend the Habeas Corpus Act in England. And mark the difference between suspending the Habeas Corpus Act in England and suspending the Habeas Corpus Act in Ireland! There was a Royal Message—a Message from the Crown—reciting the existence of this Society and the resulting danger to the country; and the Government laid on the table of the House papers relating to the conspiracy, so as to show its extent and its nature, and these papers were referred to a Committee of Secresy, composed of Members of both sides of the House; and it was not till that Committee had examined into the matter and reported that Mr. Pitt came down to the House and proposed the suspension of the Habeas Corpus Act. The Correspondence of that Society with the Jacobins of France was a far more serious affair than the recent one of the Fenians. France at that time meditated and designed an invasion of England; and yet when Mr. Pitt, in April 1794, proposed the suspension of the Habeas Corpus Act, he was met by the strenuous opposition of Mr. Fox, Mr. Sheridan, Mr. Jekyll, and other eminent Members of the Whig party. Mr. Fox said he lamented that the old-established laws, known to the Constitution, had not been applied to the evil, if any evil existed, for that it was an infamous libel on the Constitution to say that it was only able to maintain itself in times of peace and tranquillity, and must be surrendered in times of danger and difficulty. He (Sir George Bowyer) could not help thinking that if circumstances existed in England similar to those which now existed in Ireland, the Government would have hesitated longer before they came down to the House and proposed the suspension of the Habeas Corpus Act. He did not think that there was justice meted out to Ireland; but he did think that this great and momentous measure was moved for in a manner which was not worthy of the gravity of the occasion, and with that regard which ought to be had to the feelings and to the liberties of the people of Ireland. He trusted that his hon. Friend (Mr. Maguire) would divide the House, and give those who agreed with him an opportunity of recording their sense of the injustice which was done to Ireland by this sort of legislation. He feared he would not be able successfully to oppose the Bill; but, before he sat down, he could not refrain from expressing his cordial concur-

rence in a portion of the speech which had just been uttered by the right hon. Gentleman who was a short time back the Chancellor of the Exchequer, and in which the right hon. Gentleman had said that this measure would impose a tenfold responsibility on Her Majesty's Government. He (Sir George Bowyer) said so too. The Government would be armed with extraordinary powers. Let them see that the country had not only peace but justice. Let them take into serious consideration remedial measures which it would be their duty to propose in the next Session of Parliament. Let them not ally themselves with any party or class. Let them hold the scales evenly between all classes of Her Majesty's subjects in Ireland. The House had been exhorted to consider the interests of the many rather than the interests of the few. He (Sir George Bowyer) thought both interests could be consulted by the same measures. He must again press on Her Majesty's Government the duty of grappling practically with the grievances of Ireland, and especially with the land question. It was true that the Fenians had no interest in the question. Most of them had no land, and were not likely to have any; but, at the same time, it should not be forgotten that whatever produced discontent and disaffection was sure to foster conspiracy, even on the part of those who had no interest in the cause of that discontent and disaffection; and if Her Majesty's Government wished to put an end to conspiracy let them put their shoulder to the wheel and take into consideration the grievances—the practical grievances—of the country, and deal with those grievances in an equitable and just spirit, not considering the interest of any class, still less the wishes of any faction, but guided only by a sense of justice and what was due to the welfare of the country.

SIR FREDERICK HEYGATE said, that the question to be determined was whether the powers should be placed in the hands of the executive Government, which both the late and the present Administration had declared it was necessary it should possess; and he thought that when the House considered the importance not only of securing the country against the commission of actual outrage, but also of restoring a feeling of confidence throughout Ireland, they ought not to hesitate to give the Government the powers they now sought for. Even after the last elections,

when drilling was going on in Ireland, they heard from some Gentlemen that there was no necessity for alarm; but all at once the Government told Parliament that a serious state of things had arisen, and a sort of *coup d'état* took place. And it was impossible to look back to what had occurred in the United States and Canada, at the escape of Stephens, and at the almost universal sympathy with the cause that existed in Ireland among the lower classes of the people, without admitting that the suspension of the Habeas Corpus Act had not been effected a moment too soon. Gentlemen who resided in Ireland knew what effect Fenianism had had in driving every tourist out of the country, in tying up capital, and in causing mortgages to be called in. He had been told by some of the largest solicitors in Ireland that owing to the discredit which the Fenian movement had brought upon Ireland, it was impossible to induce English capitalists to lend a shilling for investment there. Manufactures which it had been intended to establish were given up as hopeless, partly because of the feeling of insecurity respecting life and property, and partly from the impossibility of getting advances of money, and the hopelessness of carrying on commercial enterprises in a country which was subject to periodical agitation. The hon. Member for Cork had spoken of the absence of ordinary crime, and his statement on that point was true; but it did not prove that there was no political conspiracy. Again, it was to be observed that in cases of crimes reported by the police, much difficulty was experienced in securing convictions. He remembered having read in the Irish papers what was notoriously the fact—That before Fenianism was known to prevail extensively in Dublin the magistrates there had observed a remarkable diminution in the charges of drunkenness; and it occurred to them that there was something serious in the circumstance. [*A laugh.*] Well, when the ordinary propensities of people were suddenly held in check, it did betoken something serious. He was glad to say that in his part of the country only one man had been arrested for Fenianism—and he was an Englishman; but all the evidence against him at first was, that he was seen constantly sitting on a rock looking through a telescope towards the west. It turned out, however, that he was a head centre and a dangerous character. Considering that the present Government were backed up by the Members

of the last in the declaration that the continuance of this measure was necessary, he hoped the hon. Member for Cork would not press his Amendment, but allow the decision of the House to be an undivided one.

MR. O'BEIRNE: I must say that very strong facts should be brought forward to justify the British House of Commons in agreeing to a measure of this grave character. My hon. Friend the Member for Cork, whose able speech I listened to in common with the other Members of the House with extreme pleasure, quoted the remarkable words of Lord Russell, when an application of a character similar to that now before the House was made. I must ask the House to allow me to again refer to those words for a special purpose. The noble Lord said—

“It appears to me that I should prove three things—first, as the grounds of my proposal that the present state of things in Ireland is fraught with evil—that it threatens danger, and that we are on the eve of an outbreak if it is not timely prevented; secondly, that there are means sufficient to produce great injury and great danger if this measure is not adopted to avoid them; thirdly, that the measure which I shall have the honour to propose is that remedy which appears most proper in the present state of circumstances.”

Now, I have repeated that quotation in order to connect it with the expressions by which it was then adopted by the right hon. Gentleman who now leads the House. The right hon. Gentleman (Mr. Disraeli), on the occasion to which I refer, stated that—

“The only justification for such a proposition must be the necessity of the case, and I think that necessity exists in those circumstances which the noble Lord at the head of the Government so ably referred to.”

Now, I think I have shown by those two extracts that the right hon. Gentleman felt the responsibility which the Government of that period assumed, and up to this moment I cannot find that any similar state of circumstances exists to justify the assumption of such a responsibility on the present occasion. I heard with extreme satisfaction and gratitude the observations of the late Chancellor of the Exchequer (Mr. Gladstone), and on the part of Ireland I thank the right hon. Gentleman for those observations. But while I listened to the observations with pleasure, I heard his concluding remarks with deep regret. I am totally at a loss to know of anything to justify the measure now proposed. No single statement has been made—no offi-

Sir Frederick Heygate

cial information has been submitted—no single fact has been adduced to justify that step. Judging from the appearance of the House, and the late period of the Session, we shall have but a poor division. I regret that the noble Lord did not find it convenient to bring forward this measure at an earlier period. It is a matter of extreme inconvenience to Irish Members to return to their places in this House after they have left; but I do not attribute to the noble Lord any wilful desire or perversity to delay the introduction of the Bill. It must have been painful to him to have to introduce the Bill, as it is most painful to Irish Members to have to take part in a discussion of this nature. I beg to impress on the House that this question of the suspension of the Habeas Corpus Act is indeed but a very indifferent means of reaching the true cause of the present state of Ireland. I am very unwilling to weary hon. Members on a question which has been so frequently discussed before—I mean the question of land. The subject of land in Ireland is different to what it is in England. The system of landlord and tenant in England commenced at a very early period, so early as the Conquest; but such a tenure was unknown in Ireland until the time of James I., somewhat more than 250 years ago. No such system of tenure ever before existed. The system that did exist was one of commonage or clanship, in which the chief of the clan had a life interest, and the others a common interest in him. There was no power of ejectment, no collision between landlord and tenant, no power of distress, and at that period we have no record of any agrarian outrage. Soon after that the change worked its own mischief. In the year 1603, a Bill called the Defective Titles Bill was introduced, and under that Bill estates were confiscated in large numbers, but they were not very long settled before the Protector came and destroyed the entire fabric built by James, and from that period to the present moment, I unhesitatingly say, any hon. Member who takes the trouble to turn over the records of that country or of this will find agrarian outrages have never ceased to exist. Every authority for the last 200 years agrees in one opinion, and that is that agrarian outrages, the disturbances amongst the people, all the difficulties that arise as to the settlement of tenants, the murders and other frightful atrocities which have debased the country, are the result of quarrels about

land, and between landlord and tenant. What said my Lord Clare, an authority well known?—

“Although tithes were stated to be the cause of insurrection, it was not so. It was because the tenants were ground down by exorbitant rents.”

Lord Norbury, the Lord Chief Justice, in the year 1811, said—

“Serious rioting having taken place, the offences were all of the same character, all originating in disputes about land, attempting to fix maximum prices to farms, &c., and, in fact, endeavouring to carry by mob legislation all arrangements in connection with land, both rich and poor.”

But, Sir, I have an authority more familiar to the House, and that is the authority of the late Sir Robert Peel. In the year 1812 the late Sir Robert Peel said, in his place—

“The first object of the disturbances seemed to be, and only to be, to regulate the price of ground, and to prevent all tenants from being evicted.”

I could multiply authorities to a great extent, all of them tending in the same direction. I shall be content, however, with the opinion of Sir George Cornewall Lewis, who, as Poor Law Commissioner in 1833, expressed himself in the Report of the Commission in these words—

“This country has been for seventy years the scene of constantly recurring struggles, and all about land. Successive Governments have apparently exhausted every means in their power to put down the evil, but entirely without success. The statute books are loaded with the severest laws, the country is covered with military and police, capital punishment is unsparingly inflicted, and Australia is peopled with convicts, but as yet all to no purpose.”

And, Sir, I take the liberty of repeating these words of that great authority—“The present legislation will be all to no purpose” unless it be coupled with some determined, some well-considered, some large measure which will set this question for once and ever at rest, and so restore confidence to the people, and spread satisfaction and peace over the surface of the land. Convinced that the state of the country was to be attributed to that cause, I naturally tried to devise a remedy, and I put upon the books of this House a notice for that purpose. As that notice has been referred to by a leading journal this morning, I hope the House will permit me, in a few words, to explain it. Since it was placed on the books I have heard extraordinary observations with reference to it. One hon. Member described it as an application to Her Majesty’s Government to make a present of £1,000,000 to the Irish people for the purchase of Irish

cstates, whether the owners liked to sell them or not. Others desired to know what I meant by placing such a revolutionary proposition upon the paper, and many other observations, anything but complimentary, have reached my ears as to the few simple and perhaps inexpressive words for which I am responsible. But my plan was merely to permit the occupying tenant on an estate about to be sold, if he chose, to purchase the portion of that estate of which he was then the occupier. I sought for no extreme power; I sought for nothing that would interfere with private rights; I only wished to borrow, under the sanction of Government, from the savings banks deposits £1,000,000, on which $2\frac{1}{2}$ per cent was now paid, and to charge that upon the purchase at 4 per cent—if there is anything revolutionary in that proposal I have yet to learn it. But before I took that step I took care to ascertain what was the effect of such a state of things in other countries. I consulted the works of the hon. Member for Westminster, and one of the most important paragraphs I have seen was one in which he points out in terms of approval the very plan I have taken the liberty of proposing. The hon. Gentleman, I do not think, is revolutionary. If he is, he has not shown any revolutionary tendencies since he has entered this House. I had also immense aid from a gentleman, Mr. Fisher, of Waterford, who has given, I may say, his almost entire life to the study of the Irish land question. I have also many authorities upon this subject which I shall merely name—Sir Mathew Barrington, well known to many gentlemen representing Irish constituencies; the late Chancellor of the Exchequer, and many others, among the rest Lord Devon, who, in his Irish Commission, strongly recommended this principle. But, Sir, it was not alone recommended by these gentlemen, Mr. Klay and others, who had studied this question, but has been brought into active operation in many countries of Europe, especially Prussia, where it has been in force from 1803 up to the present time, and has totally reorganized that country, where it has worked in a singularly efficient manner. We have it also in full force in the Channel Islands, where there is not a single farm over ten acres, and where, although the Poor Law is utterly unknown, no pauper is ever seen in the land. With these facts before me, I felt there was a very great amount of weight in my favour, and had I the opportunity I

should have moved the Motion on which I had given notice, but circumstances known to the House caused it to be put back night after night, until eventually I had to give it up for this Session. But in the early part of next Session I intend placing a notice again upon the paper, and I hope I may be permitted to proceed with it. The Irish people, Sir, are impressed with the idea that they are neglected; they do not believe that England takes much interest in their well-being. They point, and with good reason, to the very remarkable fact, that for 140 years or more, from the period of the disastrous visit of King James II., no English Sovereign ever set foot on the Irish shore. No doubt his Majesty the Fourth George honoured his loyal subjects in Dublin by spending some six or seven days with them in 1821, and in thirty years after Her Most Gracious Majesty broke through the rule, and we are grateful to her, and wish sincerely that she would do so more frequently. I wish, Sir, I had the privilege of taking the right hon. Gentleman who leads this House through Ireland. I believe I could show him much that would gratify him, very much that would pain him deeply. He should see, Sir, a loyal, warm-hearted people—a country richly gifted by nature with great capabilities, but very little, if any, power to develop them. He should witness the stern and gloomy spots—the melancholy graveyards, with their stone crosses—sad records of those dreaded years, when famine, followed by disease, pestilence, and death, swept over the country. He should see at our inland railway stations the process of emigration going hourly forward, with all its attendant horrors. The aged father severed from his best and bravest sons; the widowed mother thenceforth childless—all the tenderest ties of nature torn rudely asunder; and if, Sir, he could return to his Cabinet with the deep wail of sorrow that follows each train as it brings away the bone and sinew of the land to a self-imposed exile, still ringing in his ears if he could assume the duties of Government, unmoved by the sufferings of the people in whose midst he had been, unimpressed with the firm resolve to do them at least justice, he must be made of sterner stuff than I take him to be. In conclusion, let me appeal to the right hon. Gentleman, let me appeal to his Cabinet, to this House, and from my place in this House to that good and great people who are so largely represented

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within these walls—let me appeal against this system of dealing with the interests of Ireland. We want no coercion—let us have conciliation; let us have sympathy—let our wounds be healed, our aspirations after advancement be fostered—teach us that the Act of Union is no longer a mockery—a galling chain hurriedly forged to bind two nations together, without esteem on the one side, or any real feeling of regard on the other. Let us know that we have an elder sister to take an interest in us. Give us a broad, sound, and statesmanlike policy. If, Sir, the right hon. Gentleman will so direct his Cabinet, he will teach the Empire to know that the words England and Ireland mean no more than the distinctive names of a well and closely united family, and he will have achieved a result long and anxiously looked for—a result, which will enable him proudly to declare that Ireland, instead of being “England’s weakness” has become one of the main elements in “England’s strength.”

MR. OSBORNE: Although I have not the honour of being a native of Ireland, yet I have been for many years a constant resident in that country. I am a considerable employer of labour there, and I think I know the people well. I have seen a famine in that country, and two attempts at insurrection. Therefore, I hold that I have some claim upon the attention of the House while I for a brief period advert to Irish affairs. I shall endeavour to deal with this question in a moderate and temperate spirit. I, for one, do not attach any reproach to the noble Lord the Secretary for Ireland for having brought in this measure at so late a period of the Session. Probably, from the circumstance in which the present Government acceded to office, this was unavoidable. I think it also fair to state to the House that it is evident from the former Bill, as originally printed and published by the late Advisers of Her Majesty, that the extension of the suspension of the Habeas Corpus Act until the 1st of March, 1867, was contemplated by them. I hold in my hand the original Bill, on which I see the date, “1st of March, 1867.” Consequently, I do not understand that the present Advisers of Her Majesty contemplate extending the operation of the Bill now before the House more than twenty-one days after the meeting of the next Parliament. But while I admit this, I must say that I have seen with extreme regret the state of the House upon this occasion. What do we see?

On the 2nd of August, a worn-out House and a very thin attendance even of the Irish Members. If we look back upon the history of Ireland, and notice how in former times the Government brought forward a Bill for the suspension of the Habeas Corpus Act—a measure which makes the Government absolute—we find that even a Tory Administration deemed the step an important one, and a call of the House was invariably made on such occasions. Now, however, it is treated as an ordinary event—it is brought forward much in the same spirit as an enactment for a turnpike trust. This is a circumstance which I deeply lament. When listening to the speech of the noble Lord the Member for Cocker mouth (Lord Naas) in moving the second reading of this Bill, it appeared to me that the whole of it was a satire on English Government in Ireland. What have we heard from him? He started by saying, “It is my painful duty.” Why, it has always been the “painful duty” of Irish Secretaries when moving the second reading of a Bill for the suspension of the Habeas Corpus Act. Nine times since the Union have successive Chief Secretaries, rising from that Bench, declared it their “painful duty.” In the year 1801 Mr. Pelham, I think it was, told the House it was his “painful duty” to move the suspension of the Habeas Corpus Act; indeed, the form is stereotyped. On that occasion, instead of pointing to America, he directed the attention of the House to France, and pleaded the prevalence of Jacobinism for the steps he was taking. But in 1866 Fenianism takes the part which Jacobinism played in 1801. In 1803, Mr. Yorke, who was the Secretary for the Home Department, said it was “his painful duty” when making a similar Motion, renewing the old cry that Ireland was not safe, because France was extending her intrigues to that country. Again, in 1817, my Lord Castlereagh said it was “his painful duty” to move the suspension of the Act; in 1848, it was my Lord John Russell’s “painful duty;” and, in 1866, it was the “painful duty” of my right hon. Friend the Member for Morpeth (Sir George Grey) to introduce a Bill for the suspension of the Habeas Corpus Act. And now again, in 1866, Ireland is in the same state as when Mr. Yorke in 1803 undertook the “painful duty” of moving the suspension of the Act. I ask, then, what is the reason for this state of affairs? The noble Lord the Secretary for Ireland

has given us a catalogue of the measures which this House has passed for Ireland ; but I want to know what measures of concession have been passed by the English Parliament—for I do not blame the Government — for the benefit of Ireland ? Look at your catalogue of Peace Preservation Bills, Coercion Bills, and Arms Bills. Why, if attention on the part of Parliament is enough to make a country contented, Ireland ought to be the most contented country in the world, for she has received more than enough attention in the shape of Coercion and Peace Preservation Bills to make her not only contented but satisfied with what English legislation has done for her. In the year 1866 we are going through the old mill-horse round of coercion ; and we are asked to suspend the same Act that we were asked to suspend in 1803. What is the meaning of all this ? Are the Irish such an incorrigible nation that they are only to be weighted and kept in order by measures of coercion ? The hon. and learned Member for Dundalk (Sir George Bowyer) quoted something from Fox. Allow me to give the House a notion of what Mr. Fox said in 1803, immediately after the Union ; he was the only person, I think, who ever went to the root of the matter, and the remarks which he made then are just as applicable in 1866. Mr. Fox asked—

“If it be true that treason has tainted the people, if the poison of Jacobinism” (I will call it Fenianism now) “pervade the whole mind of the multitude, if disloyalty be so rooted and universal that military despotism can alone make the country habitable, it would be against the experience of the world that such a wide and deadly disaffection could or ever did exist in any nation for a single day except from the faults of its governors.”

I unhesitatingly say that at the present day it is from the faults of its governors, and of the English Parliament in particular, that this state of things exists in Ireland. Is it not notorious—though we have had centuries of legislation for Ireland—that it has been chiefly repressive ? Is it not the fact that at this minute you are unable to do what you have done in England—give encouragement to the Volunteer system ; and that you dare not call out the Irish militia ? Is that a fact or is it not ? Can any Irishman on the opposite Benches deny it ? Well, then, if the facts are so, where does the blame lie ? The Irish in Canada have been mentioned to-night. You see that men who were what

are called “rebels” in Ireland directly they take up their abode in Canada become loyal men, and resist the very Fenianism they had done so much to promote in Ireland. Why is this ? Is it not because that in Canada they are properly and justly treated, and that they are not, and never have been, justly treated in Ireland ? Emigration has been spoken of. Since the year 1846 upwards of 2,000,000 of the people have left Ireland, and in spite of the departure of such enormous numbers two attempts at insurrection have been made since then, sympathized with by those who had left the country. And the excuse for this Motion to-night is that, even with this reduced population, Ireland is a thorn in the side of this country. What is this Fenianism of which we have heard so much ? It is a plot, I know, among certain disaffected persons in Ireland, supported by most of the emigrants—I believe there are no exceptions—among those in America ; it is a communistic attempt at rebellion, and its objects are pillage, confiscation, and murder. It is nothing else. Nor do I conceal from myself that the organizers of this plot are not for a moment to be conciliated by remedial measures. But that is not the dangerous side ; we know how to deal with these men in the field. The dangerous side of this conspiracy is that the whole of our masses, the strong farmers, the bone and sinew of the country, although they do not share the objects of these men, yet sympathize with their endeavours. [Major STUART KNOX: No, no !] I am speaking of the South of Ireland—I am not speaking of those trusty men who return the hon. Member for Dunganon. I am speaking of the persons with whom I am acquainted, the farming interests of the South of Ireland ; and do we not know that if there was one success on the part of the Fenians these men would join them in a body to-morrow ? Get rid of all this talk of the Irish being loyal or contented. I know well that one success would set the whole of the South of Ireland on the side of the Fenians, in spite of the zealous and well-intentioned efforts of my hon. Friend the Member for Dunganon. My hon. Friend the Member for Cashel (Mr. O’Beirne), who did himself and the place he represents so much credit by what he said to-night, declared that identity of institutions between the two countries is not what we ought to look to. I perfectly agree with my hon. Friend. I

Mr. Osborne

think that cuckoo cry of calling for the same institutions for Ireland as for England is a great mistake. Englishmen are in the habit of thinking that because the institutions which have grown up and become peculiar to this country are suited to England they ought also to be fitted for a people different altogether in race, in condition, and in religion, and they make a great complaint when they have passed some measure which may be very fitting for this country, yet does not answer for Ireland. I am fortified in my view by an opinion expressed on the subject under discussion by one of the greatest authorities in the House. I beg the attention of hon. Members, and particularly of my hon. Friend the Member for Dungannon (Major Stuart Knox) to the following opinion expressed in debate upon a Coercion Bill for Ireland in the year 1844. An hon. Member said—

“He believed an identity of institutions with England to be the greatest fallacy that could be brought forward; he always thought that the greatest cause of misery in Ireland was the identity of institutions with England. He maintained that, instead of having an identity of institutions, they should get rid of all those English institutions they had forced on Ireland.”—[3 *Hansard*, lxxii. 1011.]

Did I hear the word “name?” Those are the views of the right hon. Gentleman now the Leader of the House, the Member for Buckinghamshire. I do not believe he was Member for Buckinghamshire in 1844—though he has sometimes twitted me for my changes of seat—but, at any rate, it was his opinion that this identity of institutions ought to be got rid of. Here is the opportunity. What are these institutions that, if not got rid of, ought to be reformed with a strong hand in this House? He will immediately know. I mean the Church. Parliament will hardly listen when the subject is brought forward; but the country must find it difficult to believe that the number of followers of the Church, according to the official Returns, is 691,872. And what does the country keep up for these followers of the Establishment? Why, they have an ecclesiastical staff of two Archbishops and ten Bishops, besides a following of Deans and Chapters and Prebendaries which would make a man stare with amazement if he were reading of any other country but Ireland; and further, they have 2,281 clergymen—all for this rich minority of the population. True, an attempt at reform was made some years ago; but how did

they begin? They only knocked off ten Bishops, and no attempt was made to deal with the Irish Church proper as it ought to have been dealt with. All this time Parliament refuses to open its eyes to the true question—the religion of the poor majority; it is utterly ignored and neglected, while that of the rich minority is clothed in purple and fine linen. There is an instance of identity of institutions—an English institution forced on the sister country—and all this time Parliament obstinately refuses to apply any reform to this scandal of the nineteenth century. What wonder, then, when you hear of the blessings of the British Constitution, that Constitution is neither admired nor understood in Ireland? The British Constitution, which here is the great sun of our political system, is only shown to Ireland under an eclipse. How can persons admire or respect an institution which totally ignores their religion and turns a deaf ear to their national grievances? However agreeable and amusing it may be to some who sit on the Treasury Benches, it is the bigotry of Scotch and English Members in this House which hinders any effectual settlement of the Irish Church question—I use the word “bigotry” in a Parliamentary sense, and without meaning to be offensive—but this it is which hinders any but a strong Government from touching, and will hinder any Government from settling, this question. But sooner or later—unless suspensions of the Habeas Corpus Act are to be made perpetual—this question must be tried and settled. If it is settled soon, you may have a reform of the Church Establishment; if a settlement be not soon effected, you will not be able to preserve the Establishment at all, in spite of speeches made on the College hustings, and in spite of the determination of the hon. Member for Dungannon. I am speaking of the bigotry of Scotch and Irish Members, and I have no idea of speaking with bated breath on this question, nor do I envy the feelings of those Gentlemen who see the liberties of their country sacrificed, yet who make a bow to the Prime Minister. I see bigotry in Scotch Members, and in a great many English Members. Is it not notorious that the toleration of Roman Catholic constituencies in Ireland is greater than that of the constituencies of this country? Look at the Protestant Members for Irish constituencies. Dare any Roman Catholic show himself upon the hustings in Scotland? Dare my hon. and gallant Friend

the Member for Aberdeen say a word for the Pope? Why it would cost him his seat if he did. In England, there is only one Roman Catholic Member. [Colonel SYKES: Two!] Yes; there is one lately added to the House. There is also the noble Lord who represents Arundel (Lord Edward Howard), which my right hon. Friend below me, by-the-bye, proposed to abolish. And these two Gentlemen represent upwards of 1,000,000 Roman Catholics; and then talk to me of the toleration of Englishmen in dealing with the Roman Catholic question. Any Government that intends to rule that country on proper principles must deal with the Church as established by law in Ireland. And that is not all; for although it is not possible in the present state of feeling of the Roman Catholic body to pay their priests, yet some provision might be made for them in the way of glebe lands and some other recognition of their just claims. Another grievance is the Ecclesiastical Titles Act. If you wish Ireland to be satisfied you must put her priesthood in a proper position, and repeal the Ecclesiastical Titles Act. I always voted against that measure, and I always felt it was an insult to Ireland, which had never meddled with the affair of Cardinal Wiseman. There is one other thing we are sometimes challenged about. I say you ought to throw open Trinity College, Dublin. It is all very well to bring in compromises, and to propose to affiliate a Catholic University upon the Queen's Colleges. Trinity College is the stronghold of a dominant sect. The flag of Protestant ascendancy waves on the top of Trinity College. If you wish to deal with Ireland on principles of justice you must throw open the fellowships and honours of Trinity College to the whole of the community. The hon. and learned Gentleman the Solicitor General for Ireland (Mr. Morris) is, I think, determined not to give up to party what was meant for Galway. But the Attorney General told us lately that he was going to die in the last ditch for Trinity College and the Established Church. I wish him joy of it. There is another and most material question, and that is the land question. I admit freely the great difficulty of dealing with this question. The views on both sides are so extreme that it is most difficult to deal with it; but I, for one, am ready to sacrifice my extreme rights as a landlord if I can produce confidence and peace in Ireland, and that is the case with all reasoning and re-

flecting landlords who are willing to concede something if peace can be restored to the country. We are told by the Secretary for Ireland that he does not see his way in this question. But I ask him how came he to see his way in 1852? There was a Bill with the names upon it of Whiteside, of Napier—who has lately covered himself with so much honour by pointing out how wrong Lord Derby was—and of Lord Naas. That Bill contemplated a doctrine which the hon. and learned Gentleman the Member for the University (Mr. Walsh) might well call communistic, for it contained the retrospective compensation clause. The noble Lord (Lord Naas) saw his way in 1852; why has he lost it now, and why need it take six months' incubation to hatch a Bill on this question? This is a question which can only be settled by the Government coming forward with a measure. But the Irish Land Bill has been thrown over, and a Bill for the Suspension of the Habeas Corpus Act is the sum total of our legislation for Ireland for the year of grace 1866. A change of Ministry is often productive of good for this country, for it gives us a succession of new minds and new ideas. But it works nothing but mischief for Ireland, and the only people who benefit by it are the lawyers, who are so powerful that they not only make suggestions, but sometimes dictate to the Prime Minister. And this brings me to the mode of governing Ireland. I say to the holders of office that your mode of governing Ireland by a Lord Lieutenant is vicious in principle and mischievous in practice. Whatever the necessity for such a functionary might have been before the days of steam, when it took a long time to communicate with Ireland, that necessity no longer exists. The office is now obsolete. When you reflect that you can communicate with Dublin in an hour it is monstrous that you should have a sham King and a sham Court sitting in Dublin, while the sympathies of the people are as remote from England as they were in the time of the great O'Neil. The Vicéroy, if he is not in the Cabinet, is nothing but a subordinate of the Home Office, and although the present possessor of that office is a most amiable man, and although he would hear of any disturbance there, as he heard of the Hyde Park riots, with considerable emotion, yet I am not satisfied that he should be King of Ireland. The Lord Lieutenant is a man of no power. He can originate nothing. He has no more

voice than the Mikado of Japan, and Ireland looks upon him as a foreign official. He has no possible influence, but keeps a sort of pinchbeck Court. A man well qualified to form an opinion upon the Irish Government, for it was no other than the present Chief Secretary for Ireland, thus delivered himself at a meeting held in Dublin last August upon the subject of the cattle plague. It was fortunate that this speech was made before the Habeas Corpus Act was passed, or otherwise the noble Lord would certainly have been "put up" under it. I have seldom heard stronger language. The noble Lord said—

"The inaction of the Government raises serious considerations in the breast of every Irishman. When the voice of the entire country demands a certain step should be taken, their reasonable request is refused. I think it does raise a very serious consideration as to whether the form of Government we rest under is really the best for the interests of the country. These are strong words, but not stronger than the necessity of the case requires. I say without the slightest hesitation that I believe at this moment the interests and condition of Ireland are not sufficiently represented in the Government of this great country."

Now, it cannot be said that the Irish people are wanting in loyalty and affection to the aristocracy or their principles, for history shows that they have been not only unreasoning but somewhat slavish in their devotion to their Princes and aristocracy. The aristocracy, unfortunately, they see little of, for they are an absentee aristocracy; but history points out how the Irish people shed their blood for the worst member of the House of Stuart, and welcomed with acclamation not the most respectable of the House of Guelph. If, then, you wish the Irish people to be loyal—loyalty with them is not an abstraction, it is personal—it is absolutely necessary that you should substitute for a Viceroy a Royal Prince or a Royal residence in Ireland. Sir, the times demand it. What are the facts? The Sovereign has visited Ireland twice in twenty-eight years. How can any Irishman be supposed to feel an interest in the British Crown when he sees it only in its most disagreeable form—in the form of Judges when they go the assize? I will take it upon myself to say, in spite of all that has been stated of the affection and loyalty of the Irish people, that the Irish people take very little interest in the British Government—and, what is more, I am not surprised at it. How do they feel about "the Castle," which, for the information of the country

gentlemen of England, I may say is the palace of the Viceroy? In Dublin "the Castle" is merely looked upon as a great restaurant—a social and agreeable lounge for barristers and military men—while in the provinces it is universally regarded as a sort of refuge for political destitution. Am I singular in this opinion about the Viceroyalty? I am not. I will cite a very good authority upon the subject—an authority which will be received by the House with acclamation—if they ever do acclaim—and will be hailed by the Treasury Bench with delight, because it is the authority of a man to whom they offered high office, and he refused it—rather an uncommon thing in Ireland. A meeting took place on the 13th of March, 1862, of the College Historical Society, which resembles very much a superior sort of Union at Cambridge; but the chair is taken not by any member selected from among themselves, but by the President of the Society, who is generally a man of very high position, and on that occasion was of the highest. The chairman was the Right Hon. Joseph Napier, ex-Chancellor, and the question for discussion was, "Whether the abolition of the Viceregal office would be a wise measure." There was considerable discussion, in which the President took no part, and the question was decided in the affirmative by thirteen to four. But after the discussion was over Mr. Napier delivered a speech, in which he said that he had formerly doubts on the subject, and had voted against the abolition of the office once, but he had since changed his mind. Mr. Napier stated some most curious facts, and amongst others he said that the late Lord Herbert told him it was his decided opinion that it would be greatly for the benefit of Ireland if the office were abolished, and—a most remarkable thing—all persons who had served in the office of Chief Secretary for Ireland—he was not certain about Sir Robert Peel—that is, the great Sir Robert Peel—were in favour of abolishing it. The late Sir James Graham was at one time in its favour, but he told him that, after reading Lord Cornwallis' Memoirs, he had come to the conclusion that the sooner they got rid of the office the better. "For my own part," said Mr. Napier, "it is my honest opinion"—and we all know how decided the right hon. Gentleman is when he gives an honest opinion—"it would not be a bad day for Ireland when the Viceregal office is abolished," and he concluded by quoting some verses from a rebellious poet,

Mr. Drennan, about "the Green Flag," and all that sort of thing. A new Government has just come into office, and it will be well for them to consider this matter. I will not take upon myself the responsibility of affirming that you could go on through the winter without some measure—I will not say the suspension of the Habeas Corpus Act—for dealing with these men, these Americans that are in the country, and who form the difficult point to deal with—but we have got a new Government in office, and I think we have a right to ask, "Whose are the hands to which we are going to confide this great power?" I have nothing to say against the appointment of Lord Abercorn to the office of Lord Lieutenant. I believe him to be a most estimable gentleman, and I am sure he will do his best; but he is not in the Cabinet, he has no power, he is but a subordinate of the Home Office. As to my noble Friend the Chief Secretary for Ireland, I have the highest opinion of his integrity and abilities, but his associations are such that I have not confidence enough in him to trust him with extreme power. As a private gentleman I respect him as much as any Member of this House—as a public character, I am not disposed to commit too much power into his hands. Well, we have also the Attorney General for Ireland (Mr. Walsh), who has just taken his seat. I know he is in the highest practice at the bar, but then he is Member for Trinity College, Dublin, and I have never heard of any advocate of liberal—I will say even of just—measures for Ireland who came from that constituency. I will say nothing about the Solicitor General, because he told us in his speech at Galway that he looks to the material interests of Galway, and therefore he will have very little interest with the Cabinet. But what is the policy we have heard advocated for Ireland? Lord Derby in another place has given us a sketch of it, and has told us very plainly that it will be his duty in ruling the country to pay more attention to the representations of gentry than the police—I suppose he means to the magistrates? That is all very well, but, unfortunately, the gentry in the South of Ireland are generally placed in direct antagonism to the people. And what is Lord Derby about to do? Why, we have seen placed at the head of the magistracy, a gentleman in regard to whom I will say nothing in derogation of his former great abilities, but at present *stat nominis umbra*; but I object to see the liberties of Ireland and the suspension of the Habeas

Corpus Act confided to a Lord Chancellor of eighty-five. Now, what is the position of the Lord Chancellor? He nominates the magistracy, and in the absence of the Lord Lieutenant he is the head of the Executive. Well, I must say, if any disturbance were to take place, I would much prefer to look to the police than to the magistracy for the security of Ireland. There have been dark hints thrown out about stopping emigration; but so long as wages in America are better than wages in Ireland, you cannot attempt to stop emigration. As to any notion that emigration will be stopped or any material good done to the working class of Ireland by making a loan of £500,000 to the railway companies, it is a mere delusion. It may be a very good sop to the holders of debentures, but I take it upon myself to say it is hardly a policy for a country. Well, then, I cannot see at present any distinct or definite policy shadowed out for Ireland—to use the words of the noble Lord the Secretary for Ireland, "the Government do not exactly see their way." I know it is not a very agreeable thing sometimes to put a question to the right hon. Gentleman the Member for Buckinghamshire. I put one some seven years ago to the right hon. Gentleman and I got an answer such as I dare say I shall get now. I am not surprised, indeed, that the right hon. Gentleman should manifest a kind of captious reserve on such a subject. He tells people they sat for other places, and they have no right to ask such questions. I am not surprised, because if there be a man who has a knowledge of Irish difficulties, who knows their causes and their remedies better than another, it is the right hon. Gentleman the Member for Buckinghamshire. I have that confidence in the right hon. Gentleman's knowledge of the subject, that if he were not oppressed by so great a mass of bucolic respectability which weighs him down and hampers his liberty of action, I would be content to leave the settlement of the Irish question in his hands. And why? Because he has given the most straightforward and statesmanlike opinion on the Irish question that has ever been given in this House; and if I read it, it is not to twit him, but in order that the House may see and understand that there is at least one Minister in this country who is able to grapple with the Irish difficulty, and that if he does not do so, it is because he is trammelled by his supporters. In the

year 1844—yes, you had formed opinions then after great study, and it is not because by some shuffle of the cards you have jumped on to that Bench you can avoid the recognition of them now—I see the right hon. Gentleman remembers. He was then Member for Shrewsbury—not for Marylebone or Wycombe; for the right hon. Gentleman went the round of many places, like myself. I have not changed my principles though I have changed my seat. Well, here is what he said when he sat for Shrewsbury—

“If they wanted permanently to settle Irish affairs with credit to themselves and to the satisfaction of the Irish people, they must reconstruct the social system of that country, and they must commence by organizing a very comprehensive and pervading Executive. . . . He wished to see a public man come forward and say what the Irish question was—Let them consider Ireland as they would any other country similarly situated. They had a starving population, an absentee aristocracy, an alien Church, and, in addition, the weakest Executive in the world. That was the Irish question. What would gentlemen say, on reading of a country in that position? They would say at once, the remedy is revolution” (not the suspension of the Habeas Corpus Act). “But the connection with England prevented that; therefore England was logically in the odious position of being the cause of all the misery in Ireland.”

And in such a state of things the right hon. Gentleman asked—

“What, then, was the duty of an English Minister? To effect by his policy all those changes which a revolution would do by force.”

The right hon. Gentleman is now in power. He has the opportunity of effecting those changes by his policy which he advocated when upon this side of the House. Sir, I would ask him—Is he contented to see statesmanship at its last gasp? Is he contented always to see the suspension of the Habeas Corpus Act proposed first by one Government and then by another? I call upon him to initiate a policy such as he himself described. It may be, Sir, that in doing so he will shock the prejudices of a faction; but he will succeed to a more glorious heritage; he will inscribe his name on the rolls of his country as the regenerator of a people.

MR. DILLON said, he considered that the remarks of the hon. Member for Nottingham (Mr. Osborne) deserved great attention, for he resided in Ireland, had a large experience of the wants and character of the people, and was on such questions without a rival. He (Mr. Dillon) had come over from Ireland actuated by a feeling of curiosity to know what

case the noble Lord the Chief Secretary could make out in support of his application. From inquiries which he had recently made in that country he had come to the conclusion that there was nothing more remarkable about Fenianism than its sudden collapse. The noble Lord had rested his case on three grounds—first, there were 300 odd persons in prison in Ireland, whom he was anxious to let out; but the condition on which he sought to let them out was the power to put the rest of the population into the places which they now occupied. The next ground of the noble Lord was that a conspiracy existed in America. The third was that the “head centre,” or head organizer of the Fenians had made a menacing speech at Boston. So far as regarded the two latter grounds, Ireland was in a hard case if she was to be deprived of her liberty so long as Fenianism prevailed in America and men made silly speeches. So inveterate was the habit of passing these coercive laws for Ireland, that he feared the simple request of the Government for unconstitutional powers would be considered a sufficient reason for granting them. During the sixty-five years which had elapsed since the legislative Union, not one had passed in which some law had not been enacted for the curtailment of the liberties of the Irish people. He opposed the Bill on the grounds so ably stated by the hon. Member for Cork (Mr. Maguire)—that in the present condition of Ireland there was no necessity for it, and that a wise, generous, and thoroughly Liberal policy was that which was alone calculated to promote the material prosperity and contentment of the Irish people. When a Member proposed such a measure as the present he ought to make out a case of urgent necessity; but the necessity relied upon last year no longer existed; the parties suspected were now either in prison or had left the country, and months had elapsed since any arrest had been made under the Act now in force. He asked the Attorney General for Ireland to state what facts he relied on to justify the Government in asking for a measure of this kind? It was true there was a large amount of disaffection; but the history of Ireland showed that the people could not be dragooned into quietude by such measures. The favourite maxim of Lord Derby when Chief Secretary for Ireland was that the peo-

ple should be taught to fear before they could be induced to love—but all such attempts failed miserably. The noble Lord the Chief Secretary, in addressing his constituents, said, that the policy of the Government consisted in this—that Ireland wanted nothing but a vigorous administration of the law; the Attorney General for Ireland said that all kinds of tenant right should be resisted; and Lord Derby himself recently said that his view was simply this—that they should govern Ireland through the country gentlemen. The government of this class was shown by the fact that in Carlow, where there were 50,000 Roman Catholics and only 7,000 Protestants, all the Poor Law officers except a chaplain, who must by law be appointed, were Protestants. He protested against this measure as not being called for by the state of Ireland. He did not believe that the Government themselves would abuse their powers, but the officials employed under them in Ireland were of a very different class; and they were men in whom the people had no confidence. The conduct of the Liberal Government also for the last ten years had been such as to alienate the affection and confidence of the people of Ireland. The Tory Governments also, from the Union downwards, had opposed all concession, and, even in the present Session, they had opposed those measures which had been introduced for the benefit of Ireland. He appealed earnestly to the Liberal Members of that House, because he was anxious to cultivate a friendly feeling between them and the Irish people, not to arm the Government with these extraordinary powers. Irish discontent was not to be cured by such means; but, on the contrary, by such a wise, generous, and liberal policy as that indicated in the speech of the hon. Member for Cork.

THE ATTORNEY GENERAL FOR IRELAND (MR. WALSH) said, he did not mean to follow hon. Gentlemen opposite through the number of topics which had been introduced into the debate, and which included the Established Church, Trinity College, the land question, the abolition of the Lord Lieutenant, Royal visits, and a poorhouse in Cork. These questions would require the attention of the House from the beginning to the end of the Session for their discussion. If he understood the arguments of the hon. Gentleman and of other hon. Members on the Opposition side

of the House, it would appear that unless everything was conceded to them—unless the Church was spoliated, the Charter of Trinity College revoked, the land question decided to their full satisfaction, and Roman Catholics appointed to every minor office in a Carlow workhouse, the people of Ireland were to be exposed to the attacks of Fenians, property and life were to be allowed to remain in danger, and the safety of the country to be in a constant state of peril. He would not go into those details, but he would refer to one observation of the hon. Member for Tipperary, who returned to an attack made by the hon. Member for Cork (Mr. Maguire) in reference to the relations of landlord and tenant. Now, he (the Attorney General) had lived all his life in Ireland, and he knew something of the relations between landlord and tenant there, and he fearlessly asserted that the picture of Irish landlordism drawn by the hon. Member for Cork was a gross exaggeration. The hon. Gentleman quoted no authority for his statement, which appeared to him (Mr. Walsh) to be very like the writing of some violent country newspaper, who, regardless of strict truth, wished only to produce a certain effect. Every opportunity had been given to the hon. Gentleman, or to any other person who thought like him on the subject, to prove the truth of this oft-repeated story before the Landlord and Tenant Commission, but no such evidence was ever tendered, and, with the exception of one or two futile attempts, which had utterly broken down, nothing of the kind had been endeavoured to be proved. The hon. Member for Nottingham (Mr. Osborne), in his very amusing speech, had done him the honour of quoting a portion of his speech he had made elsewhere. Now, he could not agree with the hon. Gentleman in either his statistics or history. When the hon. Member accused the University to which he (Mr. Walsh) belonged of illiberality, he would tell him that he could not know its constitution, or he would agree with him that it was one of the most liberal Universities in the United Kingdom. [*Laughter.*] Yes—for years the University of Dublin had educated Dissenters and Roman Catholics, and, with the exception of admitting them to the Governing Body, it had thrown open to them all its honours and advantages. During the years he had passed in that University he must say he had never heard such intolerant observations as

those which had been uttered by certain hon. Members opposite. The hon. Gentleman, when he charged that University with never having sent a Liberal Member to that House, must have forgotten the great name of Plunkett, who represented the University in Parliament for many years. He now came to the real question which the House had to discuss, and he agreed with the hon. Member for Tipperary, that it lay upon the Government who introduced such a measure as the present to satisfy the House of its necessity. He regretted that it should fall to his lot, on the first occasion of addressing that Assembly, to advocate a measure of such a character as the present; but his regret was counterbalanced by the knowledge of the strong sense of duty which had compelled the Government to introduce it, and he certainly should not be its advocate if he did not think it a measure of absolute necessity. To those who alleged that on the proposal for a prolongation of this Act a case of the same nature should be made out as when it was originally introduced, he thought that the right hon. Member for South Lancashire had in a great measure given an answer. The treatment which a doctor should adopt when he first attended a patient might require long and serious consideration; but when once a certain course had been adopted, and the patient was prospering under it, it would require very long and very serious consideration before it should be given up. And what had been the result of the operation of the Bill in Ireland? At the moment when the present Government came into office they found the gaols filled with 320 prisoners charged with Fenianism of the worst kind. He denied that they were, properly speaking, his industrious fellow-countrymen, deserving of pity for the condition to which they had been brought. The great mass of them were adventurers and strangers, who had come from America, and who had acquired in the armies of the North and South habits that rendered life and property insecure. There were also many persons among them who, being unable to find employment in Manchester and Birmingham and other large towns of this country, had returned home and joined in the conspiracy, tempted, no doubt, by the very delusive representations of American agents. The House had heard that 700 were arrested, and it must not be forgotten that the 320 who remained in prison were the very worst of

the 700. He must do his predecessor in office the justice of saying that he had anxiously investigated the cases, and kept no man in prison except for the object of public safety; and all persons applying for release, when their applications were satisfactorily borne out by testimonials from persons who knew the prisoners, and when they were willing to give a guarantee to public safety by returning to America, were let out of gaol. Those who remained in prison were either such as could give no satisfactory guarantee, or such as, having come from America for the purposes he had referred to, refused to go back. He asked hon. Gentlemen who refused to trust the Government with powers to deal with these prisoners, what would become of the peace of Ireland if these 300 or 320 prisoners were, within the short space of three or four weeks, turned out upon the country to create bloodshed and commit murder, with no power existing to arrest them. He did not fear the spread of insurrection among large masses of the people—he believed the great mass of the Irish people were opposed to the Fenian Conspiracy; but he would give instances of what things were to be dreaded if some 300 desperadoes, now under imprisonment, should be suddenly turned loose upon the country. The examples he would give were not taken from what had occurred in out of the way places; they had occurred in the heart of the capital—the city of Dublin itself. The first case was investigated at the last criminal tribunal in Dublin. It was proved that on the 21st of April, at seven o'clock in the evening, this occurred in the city of Dublin:—A man named Maher was suspected by some Fenian agents of having given information to the police. He was met by a man named Dowling, who was supposed to be a friend of his, and induced to go into a porter-house in one of the most thickly populated districts of Dublin to drink, and this occurred—he had not long been there when another man entered, and suddenly turning round, fired a revolver at him. By accident he was not killed, only his ear was shot off. He rushed out into the street. Four shots were fired at him. Two women and three men were there. On reaching the street half-a-dozen more shots were fired at him. If he could advance no further than to show that some ten or twelve persons could be collected together and witness such a deliberate attempt at assassination he should go far to

make out his case; but he did not stop there. The case was prosecuted, and it was impossible to get evidence sufficient for a conviction. There was another instance which took place in an equally populous place in the city of Dublin, on the quay at Charles Street, where, on the 29th April, a policeman was shot dead at the corner of a street. The only person who came to assist him was a soldier, who saw the assassin and pursued him. He was stopped by three or four persons, and the assassin escaped. He could not be detected. ["That is Kearney's case."] No, the case of William Kearney, who had given himself up for the murder of Joseph Clarke on the banks of the canal, was a different case. He was obliged to his hon. Friend for reminding him of that case. He had received from the Crown Solicitor that very day in reference to that very man the following statement:—Kearney stated that he was told off by the Vigilance Committee to commit the murder; that he did not know he was to do it till he received the orders, about half-an-hour before committing the crime. The reason why he gave himself up was, that he found out afterwards that Clarke, the man who was shot, had not given the information he was suspected of having done. He was supposed to have informed on John Carey O'Sullivan the "head-centre" of Mallow. This prisoner, however, would not give the names of any of those from whom he received his orders, who were supposed to be still in the country. That afforded another illustration of the necessity for the continuance of the Habeas Corpus Suspension Act. In the course of to-day it had been his duty to read through a large portion of the papers from Ireland referring to the discharge of the prisoners. There were twenty-four cases. The course generally pursued was, when an application was made to refer it to the resident magistrate, the parish priest, or some other person who could give information as to the probable safety of discharging the prisoners. Of these twenty-four cases, there were five in Mayo, Wicklow, Dublin, and Clare who were recommended to be discharged. In eight cases no recommendation was given either way, and in the remaining eleven the persons referred to stated that, in their opinion, it would not be consistent with public safety that the prisoners should be discharged. Would they, in these circumstances, refuse to intrust the officers of the Government with

the continuance of those powers which had been originally conferred upon them by Act of Parliament for the purpose of dealing with the very same difficulty they were now called upon to cope with. He held in his hand a Return of the arrests made by the late Government shortly before they left office—in May, June, and July. There were forty-three warrants issued in May, eleven in June, and seven up to the 9th of July (the termination of Lord Kimberley's Lord Lieutenancy)—manifestly showing that, in the opinions of Lord Kimberley and the then Law Officers of the Crown, the necessity still existed of retaining this Act in force. It had been said that it was "old womanly" to entertain such an opinion; and if the late Attorney General and Lord Kimberley, and, as he understood, the late Chancellor of the Exchequer, were to be described as "old women" let it be so, at any rate they had stated their opinion that if they had continued in power they would have asked the House to repose in them the same confidence which the present Government now sought. Let it not be forgotten that the present state of things in Ireland was not the growth of yesterday. Among the evils to which Ireland had been exposed—and it was one of the greatest of all evils—was that of a perennial agitation. The most irritating topics which could be addressed to men were perpetually addressed to them year after year, and the result was little to be wondered at. If Irishmen heard from those whom they admired and respected, and placed confidence in, that they were the most miserable, distressed, and ill-used people in the world, it was no wonder that they should believe it to be true, and that the evils they had to deplore should be the result; neither was it to be wondered at that so many had left the country. Great irritation had thereby been kept up for the purpose of hustings popularity, and it was to that they had to attribute the state of feeling which existed up to 1863. It was in November of that year that the great Chicago Congress of Fenians—the first meeting in America—took place, which was followed by the establishment of *The People* newspaper in Dublin in the December following. What the teachings of that paper were no one could well imagine who had not read it. It had been his painful duty to go through many of its pages, and he fearlessly said that in the annals of sedition it was impossible to find—he would not use a harsher term—any-

thing more utterly abominable. The doctrine was advocated in theory which he had illustrated by example. The remedy for the evils of Ireland were described to be the rifle, the sword, and the gun in the hands of men who should rid the land of robbers—meaning the landlords; and that every cultivator of the soil should be his own landlord, the proprietor in fee simple of the houses and lands of his father. When these doctrines were disseminated among an excited people already in a state of chronic discontent they might well suppose what a fertile field the country presented to American agitators. The continuance of the powers which were intrusted to the late Government was now asked by the present Government to enable them to complete the remedy which had been commenced. He would not go into the collateral topics which had been introduced into this debate, many of which were wholly foreign to the subject. He must say he looked with pain upon the fact, that in a discussion on a narrow subject such as this, turning really and simply on the state of the country, and whether it was necessary for the public safety that the Executive should be armed with the powers intrusted to the former Government, irritating topics should have been introduced, and matters put forward to palliate and excuse the present state of things. ["No, no!"] He was glad that intention was disavowed. But the necessary consequence of what had been said on the other side was that, for the persons now in confinement, and for those who had gone to Ireland in order to cut the throats and appropriate the property of others, some excuse was to be made. ["No!"] Well, he could draw no other logical conclusion from what had been said, and therefore he viewed it with infinite pain. As to what he was supposed to have stated elsewhere, he had never meant to support any doctrine which he was not prepared to advocate in this House. He wholly repudiated the notion that any of the Gentlemen opposite were entitled to the exclusive epithet of Irish Members. He claimed to be an Irish Member, and was proud of the title, which belonged exclusively to no representatives of particular views in politics or religion; but he did not think that the concession to Members of a particular party or sect could be deemed a concession to the Irish nation. The only salvation for Ireland lay in comprehensive measures, which would encourage industry and direct the energies

of the people to that which they lacked—a patient, persevering, peaceful use of the great blessings which Providence had conferred upon them. Any measures of that kind, honestly directed to their good, were the only means of withdrawing them from the delusions which they were now taught to cherish—a taste for agitation and for schemes which never could be realized.

SIR JOHN GRAY: Sir, in the speech just delivered by Her Majesty's Attorney General I think we have a very fair specimen of the mild policy of Trinity College, Dublin, and of the exceedingly good logic of its hon. and learned representative in this House. The right hon. Gentleman says there have been no arrests for many weeks, and thence he argues that there is an urgent necessity for increased powers. His memory is not less at fault than his logic when he accuses us of defending Fenianism. I appeal to the recollection of every Gentleman in this House whether it is consistent with the fact to say that a single word was uttered on this side of the House by any hon. Gentleman who spoke against the continuance of the Act for the suspension of the Habeas Corpus Act in Ireland, either in palliation or in defence of any of the Fenian proceedings or of any of the Fenian principles. Yet Her Majesty's Attorney General does not hesitate to come down to this House, and with all the energy and all the force which belong to his office, seek to brand the men on this side of the House as palliators and abettors of the nefarious schemes, as he truly described the project of Fenianism. Sir, we have not come here to defend Fenianism; we have not come here to palliate Fenianism; we have not come here to offer the slightest excuse for anything that he has condemned, and which he does not condemn more than we condemn. But we have come here to condemn his Government for the course which they have taken, which is calculated to create and to extend discontent by giving the Irish people grounds for ceasing to have hope or confidence in the legislation of this House, or in the sense of justice of the Government of the country. After the change of Government took place some of us went to another House to hear what policy was to be promulgated by the head of Her Majesty's present Government, and we gathered that substantially that policy amounted to this, that the Cabinet was to dispense with Larcom and the police, and trust to the local gentry for the Government of the country. A little recess then

occurred, after which we came back here, and now we hear the leaders in this House describe that all the new Government are going to do for Ireland is to continue the suspension of the Habeas Corpus Act. The leaders of the Government in another place, and in this House, having explained their remedies, the Attorney General, the officer who is to direct all law proceedings in Ireland, no doubt acting on authority, declared on the hustings of Trinity College his view of what is to be done in Ireland; and he tells us that the policy of his Government is the maintenance of the Church Establishment there in all its integrity, and the denunciation of the Bill introduced by Her Majesty's late Government respecting the land question as a communistic scheme, which should be opposed by every man who possesses property in the country. The right hon. Gentleman has taken special pains to correct what he thought to be misapprehensions as to his speech, but he has not attempted to controvert either of those two portions of the report of his speech. And by not having done so he virtually admits that that is the policy of his Government—the maintenance of the Established Church in Ireland, and the denunciation and suppression of every effort to give compensation to the tenantry, which he condemns as a communistic project. [*Cries of "No!"*] No! does the right hon. Gentleman say "no?" [The ATTORNEY GENERAL FOR IRELAND: Yes; I say No, no!] Then I will read his speech. He said—"It will be difficult to imagine any measures more revolutionary in their character"—and this is met with "Hear, hear!"—"I mean the concession of tenant right and the abolition of the Established Church." At a later period he said that tenant right and fixity of tenure or any colourable projects for affecting them were proposals put forward to delude the public, and that they were measures of a communistic character. I refer him to the report of his speech in the Ministerial Journals of the day. Thus, then, we have the statement which was made in another place. We have the suspension of the Habeas Corpus Act proposed here, and we have the distinct declaration of the Attorney General in favour of the maintenance of the Established Church, in all its integrity, and the crushing of the communistic project introduced by the late Government. But he tells us that hon. Gentlemen on this side of the House dealt most unjustly with the landlord class in

Sir John Gray

Ireland, with whom he is in intimate relations, and whose champion he is to-night. He tells us that my hon. Friend the Member for Cork (Mr. Maguire) has drawn upon his imagination for the pictures which he has placed before us in the course of this debate with regard to the number of evictions and the sufferings thereby inflicted upon the people. The right hon. Gentleman says that the hon. Member for Cork must have obtained them from the vague notions and wild assertions of country newspapers. Sir, I happen to hold in my hand a Return which was ordered, not by this House, but by the other House of Parliament, where landlords sit—a Return which was ordered on the Motion of the Earl of Belmore—of the number of evictions in Ireland during the years 1860, 1861, 1862, 1863, 1864, and 1865, which affords a practical illustration of what the Irish people are to expect when the Government of the country is placed more exclusively in the hands of the landed gentry, the unpaid and uncontrolled magistracy of that kingdom. This Return shows the following numbers:—In the inferior courts in that period there were no less than 34,035 separate processes of ejectment, and in the superior courts 3,129, making altogether 37,164 processes of ejectment. And this, be it observed, notwithstanding the enormous diminution of population by the thousands, who were evicted, and referred to by the hon. Member for Cork, and the immense extent of emigration stated by the hon. Member for Cashel. Now, what do those figures represent? Every man who is acquainted with the process of ejectment in Ireland knows that as a general rule an ejectment process is not a proceeding against an individual occupier only. It means a proceeding by one plaintiff against the mass of holders of one particular denomination of land; one ejectment may therefore mean as many as ten families. All you have to do is to multiply the number of processes by the number of families, but the number of families is not given us. It may be assumed, however, that each process represents three or four families. [An hon. MEMBER: Five or six.] Well, I may be below the mark, and an hon. Gentleman says it will be five or six. Take it at five families then. At all events, an ejectment process means several families. But assuming that each ejectment process represents one family only, what does that come to? I ask the landlords who are so maligned, who are the gentry

of the country, who are represented in another place as the persons who should be the rulers of Ireland, who should be taken to their counsels by the Government to control all the affairs of the country, what do these figures represent as to the social sufferings under the present landlord code? Taking the lowest estimate of those who have been driven houseless and homeless on the world to beg, to starve, and to die, I find, assuming that each ejection represents one family only, that the total number of the evicted amounts to 216,800 souls in six years. ["Oh, oh!" "Hear, hear!" and a laugh.] I am sorry to hear that callous, that heartless laugh. It may be a laughing matter for some of those exterminators whom the hon. Member who has raised it have sympathies with; but it is no laughing matter to the heads of these families to have the roof-tree pulled down upon their heads, the fire on their hearths extinguished, and the door torn off its hinges, whilst the people so turned out are not permitted to remain one hour in the house of any tenant on that estate. That is the process and the rule in Ireland; and although Gentlemen on the other side may laugh at such statements being made, and think it a matter that ought not to come before this House, although the House may be told that to remedy that state of things and put an end to the power which enables a few men to throw 200,000 human beings on the roadside to seek subsistence and shelter as best they may and can in that hopeless and helpless condition—that, as we have been told by the Attorney General, to adopt measures for effectually putting a stop to this is rank communism, and should meet with the denunciation of the Government, I say it is time that this House should be made fully acquainted with the facts of the case. When it is asked to continue the suspension of the Habeas Corpus Act in Ireland, to confer increased powers upon the Government, and enable them still further to coerce the people of Ireland, and when the people are told that to ask protection for the enjoyment of the fruits of their industry is communism, it is time to appeal from a class Ministry to the great English public. On a former occasion, when coercive powers were asked for, a right hon. Member (Mr. Disraeli) said, in reference to it, that for his part he should, under any circumstances, be loth to join in passing a Coercion Bill for Ireland, and that the time had arrived when it was impos-

sible to consider a Coercion Bill for Ireland apart from the general circumstances that distracted society in that country. Reference has been made to-night by an hon. Gentleman who preceded me (Mr. Osborne) to a remarkable speech which was delivered by that same right hon. Gentleman, who, I am sorry to see, has left his place on the Bench opposite; but, if he were here, I would venture to ask him this question—I would ask him why, after making such a declaration as that—why, after saying that he would be unwilling to consider any measure of coercion for Ireland apart from remedial measures to meet the circumstances which distract that country—he now comes down to the House, after a month's incubation, and tells us that the only thing he has to propose as a remedy for that state of Ireland is a suspension of the Constitution, and a renewal of the Act passed at the commencement of this Session. Sir, at this hour of the night I feel that I ought no longer to intrude upon the attention of the House than to say that I give my cordial support to the Amendment.

MR. M'LAREN felt bound to notice a remark made by the hon. Member for Nottingham (Mr. Osborne) that the existence of the Irish Church was mainly owing to the bigotry of the Scotch Members and the Scotch constituencies. Now he (Mr. M'Laren) would venture to say that unless the Irish Church had some better support than the Scotch constituencies it would soon topple over. He believed that out of the fifty-three Scotch representatives, not three would endanger their seats by supporting the abolition of the Irish Church, and the second largest constituency in that country returned at the head of the poll at the last election the candidate who strenuously advocated that measure. At the same time, the Scotch Members would be as much opposed to the endowment of the Roman Catholic Church as they were indifferent to the maintenance of the present Establishment. He thought that if the Irish Members were polled more bigotry would be found among them. He intended to vote for the Amendment.

MR. PIM, while supporting a measure like this when introduced by the present and approved by the late Administration, thought it a humiliating circumstance that such an Act was necessary. He hoped that exceptional legislation would not be solely of a coercive character, and that remedial measures would not be

objected to merely because they too were exceptional.

MR. WATKIN said, that the speech of the Attorney General for Ireland had determined him to vote against this proposal. Because 700 prisoners had dwindled down to 300, it was considered a sufficient cause by the hon. and learned Gentleman to hold in suspension the rights of 6,000,000 of their fellow-subjects. If it had been urged that Fenianism was on the increase, or that an insurrection was imminent, some show of reason might be advanced, but this was not alleged; and no arrest even had been made since the 9th of July. He had recently drawn down upon himself a strong rebuke from the right hon. Member for South Lancashire (Mr. Gladstone) for having said that the United States Government ought to have put down the Fenian movement months ago. He still adhered to that opinion. He believed that the source of the evil lay in America, and that that source could only be stopped by representations to the Government of America.

Question put.

The House divided:—Ayes 105; Noes 31: Majority 74.

Main Question put, and agreed to.

Bill read a second time, and committed for *To-morrow*, at Twelve of the Clock.

House adjourned at a quarter before Two o'clock.

HOUSE OF LORDS,

Friday, August 3, 1866.

MINUTES.]—PUBLIC BILLS—*First Reading*—Common Law Courts (Fees and Salaries)* (271); Expiring Laws Continuance* (272).

Second Reading—Inclosure (No. 2)* (236); Public Libraries Act Amendment (249); Turnpike Acts Continuance* (253); Local Government Supplemental (No. 4)* (254); Railways (Ireland) Temporary Advances (255); Bills of Sale Act (1854) Amendment* (256); Oysters Cultivation (Ireland)* (257); Naval Discipline* (258); Dockyard Extensions* (259); Consolidated Fund (Appropriation)*; Landed Estates Court, &c. (Ireland) (260); New Zealand* (261); Cattle Diseases Prevention Act Amendment* (No. 2)* (262); Prisons* (263); Industrial Schools* (268); Reformatory Schools* (269).

Report—Straits Settlements (273).

Mr. Pim

Third Reading—Local Government Supplemental (No. 2)* (201); Local Government Supplemental (No. 3)* (202); Land Drainage Supplemental (No. 2)* (224); Railway Companies' Securities* (240), and passed.

ABYSSINIA—IMPRISONMENT OF BRITISH SUBJECTS.—QUESTION.

LORD HOUGHTON said, he desired to ask a Question respecting those unhappy persons who were detained in captivity by the Emperor of Abyssinia. He had heard that a change had taken place in the disposition of the Abyssinian Monarch since the receipt of Mr. Rassam's despatch, and he begged to ask how the matter now stood, and whether there were any hopes of the liberation of Mr. Cameron and his fellow-captives?

THE EARL OF MALMESBURY: In answer to the Question of my noble Friend, I am glad to be able to state that there is every hope of obtaining the release of those unfortunate men, but not so speedily as was at first expected. The fact is, Mr. Rassam has obtained their liberation from captivity, but the King has insisted on their attending him in his war with his rebellious chiefs, and they are now in the camp of the King. He has, however, sent one of their number, Mr. Flad, over to this country with a letter to the Queen, in which he has made requests for different articles. Her Majesty's Government are now doing their best to obtain the things required by King Theodore, and although Mr. Flad cannot return on account of the rainy season until September, we hope when he does that His Majesty, having obtained what he requires, will then release the prisoners, who are said to be detained without any further restriction than is implied in keeping them in the country, and they are well treated.

PROTECTION OF HYDE PARK.

QUESTION.

EARL RUSSELL: My Lords, I rise for the purpose of putting to the noble Earl the First Lord of the Treasury a Question of which I gave notice the day before yesterday. Before, however, I do so, it will be necessary that I should make some statement to your Lordships as to the motives which induce me to put it. In making this statement I do not propose at all to enter into the question as to the right of the public to hold meetings in Hyde Park, or to express any opinion, if there be

no such right by law, whether it is expedient to prevent such meetings, or whether the course taken by the Government in prohibiting them was the most advisable under all the circumstances. I shall only say that upon that subject the feeling of irritation has now been very much abated, and will speedily disappear. But there is a question with respect to the state of the Parks and the security of persons traversing them, which I think of considerable public importance. I see from the newspapers that two days after the 23rd—namely, on the 25th of last month—a deputation waited upon the Home Secretary at the head of which was Mr. Beales, who made certain proposals to the Secretary of State, in which he appears to a great extent to have succeeded. According to the statement of *The Times* newspaper, which I hold in my hand, but to which it is not necessary more particularly to refer, Mr. Beales appears to have represented that, provided the police and soldiers were withdrawn from the Park, he would be able to control the persons who went there; and it is stated that the Home Secretary consented that if Mr. Beales would undertake to do what he had promised neither police nor military would appear. Now that does appear to me a very extraordinary proceeding on the part of the Home Secretary. There is no doubt that Mr. Beales and Mr. Walpole were both anxious to restore quiet in Hyde Park; but there is this to be said—that, besides the persons who went to the Park for the purpose of attending the public meeting, there was another class of person—"roughs" as they are called—who went there for the purpose of attacking person and property, and that many of them committed outrages. It seems to me from what has taken place that the Home Secretary has overlooked the fact that a great many persons were there who cared nothing about Reform, and as little for the manhood suffrage and vote by ballot of Mr. Beales as for the £8 or £10 franchise of Mr. Walpole. Well, then, giving Mr. Walpole every credit for forbearance and humanity, it appears to me there was a failure of duty on the part of the Home Secretary in not keeping police in the Park against persons who were committing depredations, which, as is now stated, have been very considerable. I have since seen that frequently after dusk persons have been attacked and robberies committed by people who notoriously belong to what used to be called the "swell mob,"

and who evidently cared nothing for Reform. In short, there is no security for persons or for any property they may have about them after dusk in Hyde Park just now. But my purpose at present is, as I have stated to the noble Earl, with regard to the future; I will not recur to what has taken place already. Of course, it would be impossible that there should be in the Parks during the whole night such a body of police or any other force as should enable persons to traverse the Parks in all directions. But there are now no police in any part of the Parks during the night. It is quite true that before these occurrences a good deal of disorder prevailed in the Parks at night, after the gates were shut, and that the persons who commenced these disorders were not liable to any regular supervision. Now, it seems to me that in order to exercise some control over the class of persons who are stated to have commenced these outrages, not only ought the police to be introduced, but some force should be employed like that which used to patrol the neighbourhood of London when highway robberies were frequent, and this force ought, at certain hours, when the night has set in, to clear the Parks of disorderly characters. As to the persons who are nothing but thieves and pick-pockets, I imagine that it would not be difficult for the Home Secretary and Sir Richard Mayne to frame a plan which would free the Parks of them; and if such a plan were carried into effect, we should hear no more of the outrages and disorders which have lately prevailed in Hyde Park. In the meantime, it is clear that at present, after night-fall, there is a danger to person and to property, which ought not to be permitted in so public a place. I have only one word further to say respecting the police. I have seen in the public newspapers statements made reflecting upon the conduct of the police. For my own part, although very possibly among the 1,600 policemen who were in the Park on the 23rd of July, there may have been some who exceeded their duty, and who did not act with the forbearance which was requisite, I must say that, so far as I have known it, the general character of the metropolitan police force has been one of extreme forbearance, their conduct has been extremely good, and, certainly, I should believe the accounts of those persons who state that the police, when they saw them, acted with great moderation and suffered great injuries without making any

return, rather than the accounts which represent the police as committing undue violence. I will now ask the noble Earl the question of which I have given him private notice, Whether any provision has been made by the Government for the future protection of persons and property in Hyde Park?

THE EARL OF DERBY: My Lords, when the noble Earl gave me notice of the Question which he intended to ask on this subject, it was in these words—

“I propose to ask you whether some provision will be made for the security of persons traversing the Park after sunset in future. I shall say as little as possible about the past.”

Receiving that Notice I was certainly not prepared this evening to hear the noble Earl make what I cannot help thinking an uncalled-for attack upon the course of proceeding adopted by my right hon. Friend the Home Secretary, of which, by the way, the noble Earl will allow me to say that he has given a very incorrect representation. The noble Earl has said that my right hon. Friend, after an interview with Mr. Beales, undertook that if Mr. Beales would use his influence, according to the proposal which he had himself made, to clear the Park of these persons, the remnant of the great assemblage which had by force entered the Park under the pretext of belonging to the Reform Association, Mr. Walpole, on the other hand, would undertake that there should be no police or military in the Park. [Earl RUSSELL: That is, if there was no riot.] Exactly—that there should be no police or military in the Park. Now, that is just the opposite of what my right hon. Friend really said. What he said was that if Mr. Beales would use his influence to remove these persons, and there was no riot or disturbance, he would take care that there should be no such demonstration, either of police or of military, as should be likely to excite an adverse feeling or irritation; but he expressly said that it would be his duty to have an amply sufficient force in reserve to meet any emergency which might arise. With regard to what has since taken place in Hyde Park, it is no new fact, as the noble Earl must be perfectly aware, that persons cannot traverse the Park after dark without being exposed to some amount of risk. I can carry my recollection back for a considerable period—so can the noble Earl—but I doubt whether he can remember the time when it was entirely safe for persons to traverse any of the Parks after

dark either in summer or winter. It is perfectly well known that persons so traversing the Parks were always liable to interruption. But I have no doubt, also, that a stimulus has been given to those disorderly persons who assemble in the Park by the apparent success of the mob of ruffians who accompanied the Reform demonstration, and who, after forcing their way into the Park in spite of the police, are now complaining of the brutal conduct of the police in resisting this attempt. As to the conduct of the police, the best proof of the way in which they behaved is that, while the injuries inflicted by them upon their assailants are few and insignificant in number, one-sixth of the whole police force engaged in the maintenance of order were injured, and some were permanently disabled, by the mob. No fewer than 265 of the police, including the greater number of the officers and superintendents, are still suffering from the injuries they received on the 23rd of July, and forty or fifty will suffer all their lives from the violence of those who accompanied, though I do not say they belonged to, the Reform procession. I do not doubt that this collision between the police and the mob occasioned some increase of that inconvenience and danger to persons traversing the Parks of which the noble Earl complains. But considering that the noble Earl has, for the last quarter of a century at least, held important offices in the Government, it does somewhat surprise me that up to the present moment he should never have thought of complaining of or remedying the state of things which he now points out. What is the cause of the insecurity of the Parks? How far that insecurity may be prevented I do not say, but the Government are anxious to consider the best means of applying some remedy. The cause, however, is this—in the first place, there is a divided authority. The Parks are under the control of the Crown, which, through the Ranger, appoints the gate-keepers. They are also to a certain extent under the control of the Board of Works, who appoint, for all the Parks, rather more than 100 park-keepers, these being not expressly selected for their ability to provide against disorder and riot. The police have no power to take any part in preserving order within the Parks unless called upon to support the park-keepers and the ordinary park authorities. The consequence is a division of authority, which is always dangerous to the maintenance of

proper order. Again, unless it is well lighted, the police cannot possibly maintain order in a Park which is open to all the world, and in which therefore, owing to the absence of lights, disorderly people collect and scatter themselves over the whole area. For the convenience of the public, Hyde Park—and I am speaking of that only—is kept open until ten at night. At that hour the gates are closed—which appears to be a pretty strong indication of the right to exclude the public at certain periods, and to lay down laws at variance with the absolute right of entrance by the public. No doubt it would facilitate the maintenance of order if the gates were closed at a much earlier hour than ten o'clock; but, on the other hand, that would create so much inconvenience that it has been thought undesirable to deprive the public of the great advantage of passing through the Park in various directions up to that hour. Of late years, also, the means of admission to the Park have been increased by the new road from the Bayswater Gate to Kensington Gate, which is open to the public, though I believe not at all times. The two great securities, then, which can be devised for the maintenance of order in the Park are—first, the establishment of one controlling authority, instead of two or three; and next, the better lighting of the main thoroughfares across the Park. It would be impossible to light the whole of the Park, nor where so large a portion must be kept in darkness, and where so free an admission of the public is necessary and inevitable, would it be possible to prevent some disorderly characters from being constantly in the Park. Though the public are excluded at ten o'clock, I believe there is no power on the part of the police to turn out people whom they find there after that hour. At all events, it is practically impossible to exclude a number of loose and disorderly characters from the Park, and the principal protection we can give is the better lighting of the main thoroughfares and footpaths. That point has been under consideration, and various questions have arisen which have hitherto prevented anything being done. I know that the point was submitted to the late Commissioner of Works, who raised two objections to those measures of precaution which the noble Earl says are so absolutely necessary—first, the expense; and secondly, the disfigurement of the Park by rows of lamps placed along the principal footpaths. I cannot pretend

to say that Her Majesty's present Government have come to any definite conclusion; but I have been in communication with the First Commissioner of Works and the Home Secretary on the subject. The Chief Commissioner (Lord John Manners) has agreed to waive his right to nominate any of the park-keepers, and that the police to be employed in their stead shall be paid out of the revenue of the Woods and Forests. Whether that measure will be adopted or not I am unable to say, but it is now under consideration. A further point which is now being considered is to what extent we may be able to introduce a better system of lighting along the chief thoroughfares and footpaths. That will give a considerable protection to the public; but it is impossible to give any protection to those persons who do not, in passing through the Parks, confine themselves to these main thoroughfares and footpaths. If they will range over the Park to its full extent, the risk is absolutely their own, and for the consequences that may happen to them they can blame no one but themselves. I have stated what are the questions now under the consideration of the present Government with a view to remedying an evil of very long standing, that ought to have been dealt with long ago. If any advantage can be derived from the unfortunate occurrences of the past few days, it will be that public attention has been called to the necessity of making provision for the protection of the public against evils which have now existed for as long as I can remember—now unfortunately a good many years.

LORD LYVEDEN: I think the noble Earl opposite has no cause for complaint as to the manner in which the question was brought forward. My noble Friend on this side (Earl Russell) made a calm and temperate statement. In putting a question respecting the future, it is quite customary to speak of the past. My noble Friend did not enter into the question whether Mr. Beales was right or wrong in not acceding to the desire of the Home Secretary that the proposed meeting in Hyde Park should be abandoned, nor did he enter into the question whether the Home Secretary acted wisely in subsequently closing the gates; but he objected to leaving the Park quite undefended. Those were fair subjects of Parliamentary discussion, but the noble Earl did not go into them. The really curious part of the history is the manner in which the Parks

were left on Tuesday and Wednesday totally without protection; but notwithstanding this, to their infinite credit no mischief was done by the shoals of common persons who were walking through and kept to the paths and roads. It was done to the flower-beds and trees by boys and girls, who might have been easily deterred from their misconduct by a few of the ordinary gardeners and park-keepers. I spoke to some of these, but they declined to interfere; and a few children were left to carry on a destruction which might easily have been prevented. As regards the future, might there not be notices put up in Hyde Park, as is done in the Green Park, stating that after certain hours the gates will be closed? I can remember when the Parks were considered unsafe for walking in after certain hours; but numbers of houses have now risen up all around them, and I cannot help thinking that it would be an excellent arrangement to place the Parks in the charge of the police. I believe the conduct of the police to have been perfectly admirable. They have behaved themselves with the utmost coolness and courage on all occasions, and upon a recent occasion, as on former ones, they showed that they were a body eminently fit to be trusted with the preservation of the peace. There is no ground for complaining that the question has been brought forward; it is of immense importance, and if it had been brought forward in a wider sense the subject would still have been one fairly open to Parliamentary discussion.

EARL RUSSELL: I do not think I misrepresented what Mr. Walpole is reported to have said. [The noble Earl was about to refer to a newspaper.]

THE EARL OF DERBY: What report is it?

EARL RUSSELL: It is the report in *The Times* of the interview which the deputation had with the Home Secretary. It is the only information I have; I was not with the deputation. The words of Mr. Walpole were—

“Mr. Beales says, ‘Withdraw the police and the military force, and I will undertake—at least as far as I can—that no disturbance or disorder takes place.’ Well, if you will assure your friends that the Government will give you every opportunity of trying the legal right, and facilitating the determination of that right, and that they ask of you in the interim not to insist on that right until it is determined one way or the other; that in the meantime you will convey to your friends that the Government wish to meet them in the fairest and

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frankest manner as to the opportunities they may have of discussing public questions, in places which are recognized as places where the police would not be ordered to interfere;—if you will only do that, I think I see the solution of the present difficulty. In that case I will undertake to say that, unless any mischief arise to-night, unless any disturbance be created, unless property be attacked—which it is my duty to defend—there will be no demonstrations” —

THE EARL OF DERBY: Demonstrations!

EARL RUSSELL: “Of either military or police. Of course I will keep a reserve” —

THE EARL OF DERBY: Hear, hear!

EARL RUSSELL: “But I will make no demonstration of either one or the other.” I thought I had correctly represented the effect of that which I have now read; Mr. Walpole said there should be no demonstration on the part of the police, and since then a man passing through the Park might be hustled and have his watch or his purse taken from him, and there would be no police at hand to render him any assistance.

THE EARL OF DERBY (who had taken the newspaper into his hand): The undertaking given by Mr. Walpole was not that if there were no disturbance there should be no military or police in the Park. The words he used were—

“In that case I will undertake to say that, unless any mischief arise to-night, unless any disturbance be created, unless property be attacked—which it is my duty to defend—there will be no demonstration of either military or police. Of course, I will keep a reserve, but I will make no demonstration.”

I say that is decidedly and directly the reverse of the statement made by the noble Earl, which was, that there should be no police at all.

EARL RUSSELL: I am afraid we shall not agree as to the past. I am satisfied with the answer the noble Earl has given me respecting the future.

INDIA—RIGHTS OF OCCUPANCY IN OUDH.

MOTION FOR PAPERS.

THE MARQUESS OF CLANRICARDE, in moving for certain Returns relating to the Occupancy of the State of Oudh, said, that the good faith of this country and of the Indian Government were involved in this question. On the restoration of peace after the Indian Mutiny the Talookdars and other proprietors of Oudh were given to understand that they should not be dis-

turbed in the occupation of their land. They received the assurance with thankfulness and joy, and the policy that had been indicated to them was carried out with success up to 1864. Since that time, however, ceasing to discriminate between the Talookdars whose rights were indisputable, and the ryots who did not of themselves claim any rights derived from tenure, the Government had done its best to discover cases in which the right of occupancy was not secured by any title or well expressed and clearly defined bargain, and in such cases to give the cultivator the permanent occupancy of the land. The sending out of a Commission for this purpose had excited great alarm among the real proprietors, and these proceedings had actually been commenced without any notice having been given to the then Chief Secretary of State for India, Sir Charles Wood (now Lord Halifax). An inquiry was however instituted, and in consequence of its result he had been led to make the present Motion. About 1,800 persons were examined, but not a single proprietor asserted that any right such as that which the Commissioner wished to discover existed. In his opinion it was highly desirable that the Report of the Commissioner who was employed to make this inquiry should be laid before Parliament, as well as the despatch of the Chief Commissioner to the Indian Government. He also wished to have the Correspondence between the Home Government and the Indian Government upon the same subject.

Moved, That there be laid before the House Copies of the Report of the Financial Commissioner, Mr. Daives, upon the Inquiry into Rights of Occupancy in Oudh; together with the Reports of the different Settlement Officers and Commissioners in Oudh; and of the evidence of the landowners, cultivators, and others upon the same subject: Also for,

Copy of the despatch of the Chief Commissioner of Oudh, forwarding the above-mentioned Reports to the Government of India in February 1865; And also for,

Copy of the reply of Governor General of India to that despatch, and the further Correspondence of the Chief Commissioner and the Governor General on the subject up to the present time.—(*The Marquess of Clanricarde.*)

THE EARL OF MALMESBURY: I shall not be able to promise the noble Marquess all the Returns which he asks for. The first two are to be had from the office, and Her Majesty's Government have no objection to giving them; but the last—that is, the answer of the Governor and his ob-

servations on the Report made by the Commissioner—has not yet reached this country. The Government has received the Report made by the Commissioner in Oudh and the Correspondence which took place at that time. All that I can tell my noble Friend is that the result, as far as we can judge, is that there is no right, such as had been assumed by some persons, in favour of the occupiers, and that the cultivators themselves almost unanimously gave up all idea of any such right, they being satisfied with the rights of the tenant ryots, and convinced that, inasmuch as those rights had never been abused, they were not likely to be abused hereafter.

THE MARQUESS OF CLANRICARDE said, he would withdraw the Motion as far as regarded the last Return.

Motion, as amended, *agreed to*.

STRAITS SETTLEMENTS BILL—(No. 273.) (*The Earl of Carnarvon.*)

REPORT.

Amendments *reported* (according to Order).

THE EARL OF POWIS said, he desired to call the attention of his noble Friend the Secretary of State for the Colonies to the necessity of securing some adequate barrack accommodation for the European and Indian troops before the cession of these Settlements was completed. In 1863 a commencement was made to erect infantry barracks, the total cost of which it was estimated would be £150,000. Those barracks, however, had never been completed. It would be hard to expect the Settlements to incur a debt for the accommodation of a larger number of troops than was required for the Settlements themselves, if such a number was to be stationed there for Imperial as well as Colonial purposes.

THE EARL OF CARNARVON: My noble Friend has referred to two very important points. It is, of course, essential that the troops stationed in the Settlements should be sufficiently accommodated; and this, after all, is a question of expense. But, as regards the question of revenue, I am not prepared to enter into minute details, because at the present moment the Settlements are in a rather anomalous position. Its affairs neither belong to the India Office nor are they exactly within the pro-

vince of the Colonial Department. From 1858 to 1861 there was some doubt as to whether the revenue of the Settlements was equal to the expenditure; but in the latter year a report was made under the direction of Sir Hercules Robinson, which showed the estimated revenue to be £200,000, and the estimated expenditure £198,000, leaving £2,000 annual surplus. It is to be observed, however, that Sir Hercules Robinson's calculations for military expenditure was £63,000, while a subsequent arrangement with the Treasury fixed it at £59,300, which raises the surplus of revenue to £5,700, and the revenue of the Settlement is a growing one. With respect to the troops, the military force hitherto stationed at Singapore has been about 1,650 men; the force to be permanently stationed there and chargeable to the colony will be—artillery, English, 212 men; Ceylon Rifles, 668; making 880 in all. The wing of the European regiment will be stationed there only to meet the convenience of the military authorities. There is at present accommodation at Singapore for about 1,600 men. About £100,000 has already been spent on barracks by the Indian Government; and a paper laid before Parliament states—

“At both Singapore and Penang there are already good barracks for European troops, while in the first of these places the stone-built, well-raised, and well-ventilated convict barracks, on the removal of their present occupants, will accommodate 2,000 European soldiers should it at any time be necessary to assemble so large a force.”

On the whole I see no reason to apprehend that the revenue of the Settlements, which, as I have already observed, is a growing one, will not be amply sufficient to cover all its expenses, civil as well as military.

A further Amendment made; and Bill to be read 3^a on *Monday* next; and to be *printed* as amended. (No. 273.)

PUBLIC LIBRARIES ACT AMENDMENT BILL—(No. 249.)

(*The Earl of Shaftesbury.*)

SECOND READING.

Order of the Day for the Second Reading read.

Moved, “That the Bill be now read 2^a.”
—(*The Earl of Shaftesbury.*)

THE EARL OF SHAFTESBURY, on moving the second reading of this Bill, said, it related to an Act for which they

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were indebted to the hon. Member for Dumfries (Mr. Ewart), and which had been passed by Parliament eleven years ago—namely, in 1855. The Act had proved very useful; twenty-seven free public libraries had been established under it throughout the country which were quite unrestricted as to their admission, and were resorted to by rich and poor. To every one of these libraries a lending library was attached, which added very much to the public value of these institutions. The operation of the present Bill was to extend the operation of the original Act by one or two trifling provisions, and to assimilate the law in Scotland to that in England and Ireland.

Motion agreed to: Bill read 2^a accordingly, and committed to a Committee of the Whole House on *Monday* next.

RAILWAYS (IRELAND) TEMPORARY ADVANCES BILL—(No. 255.)

(*The Earl of Belmore.*)

SECOND READING.

Order of the Day for the Second Reading read.

Moved, “That the Bill be now read 2^a.”
—(*The Earl of Belmore.*)

THE EARL OF KIMBERLEY said, he did not oppose the Bill, but he wished to remind their Lordships of its object, which was neither more nor less than a power to lend public money to certain railway companies in Ireland that, either through mismanagement or misfortune, had reached such a position that they were unable to borrow money, and consequently the traffic was in danger of being stopped. In this extraordinary and altogether exceptional state of things, considering the circumstances of the time and the extreme inconvenience which would be caused to the country by the stoppage of the railways, this measure was, he thought, justifiable. At the same time, it was necessary to proceed very cautiously, otherwise efforts would be made to extend into England the principle which had been introduced into Ireland; and their Lordships probably would not have occasion to look very far from the House in which they were now sitting to discover a line with regard to which plausible grounds for a similar grant in aid might be put forward, though any such grant from the Consolidated Fund, if made, would certainly be productive of very mischievous consequences. This Bill was identical with that contemplated by the late Govern-

ment. Under the exceptional and very painful circumstances of the time, he had therefore no alternative but to support it.

THE EARL OF BELMORE said, he entirely agreed with the caution given by the noble Earl. In principle nothing could be worse than to advance public money to promote companies, and it was only to be justified by the exceptional state of things in Ireland.

LORD LYVEDEN said, he did not know what there was exceptional in the state of the railways in Ireland, or why the same resort might not be had to the Consolidated Fund by English railways, some of which were in quite as great distress as the railways in Ireland. He could not see any difference between them; and he regarded the principle to which Parliamentary sanction was thus about to be given as one of the most mischievous that could be conceived.

THE MARQUESS OF CLANRICARDE said, noble Lords who had previously spoken failed to indicate the principal of the exceptional circumstances which afforded a reason for this application. The Fenian conspiracy had paralyzed the credit of the country, and until very recently nothing was done by the Government to arrest its spread; so that when it broke out as a developed and organized system the value of all Irish property fell immediately. The noble Lord who had last spoken was well aware that sales in the Landed Estates Court had been of necessity suspended, because there were no buyers, and it would have been utter confiscation of the property to have gone on. Thus, the value of property was depreciated by political reasons, and assistance not alone became necessary, but he believed it was deserved to a greater extent than under this Bill would be afforded. If the same state of things existed in England the same plea for an advance of public money might be sustained. When the people took shares in these railways there was no question of Fenianism, and, therefore, though he should not deny that the state of the railways was also influenced by the state of the money market, as were those of Great Britain, yet in the main it was not a question of money, but a question of the depreciation of Irish property arising out of political causes. As far as the Government was concerned he would say that there was no danger of their losing a shilling of these advances; yet if they lost it all he believed the Government would be more than repaid by the main-

tenance of the duties and revenue of the country at their ordinary rate, instead of suffering the loss which must inevitably follow if the railway communication of the country were interrupted or seriously affected.

LORD LYVEDEN said, he had been induced to make the remarks he had in consequence of the late Lord Lieutenant saying that the circumstances were exceptional, without saying what the exceptions were. Fenianism was certainly an exceptional circumstance of the time. After this Bill had passed he hoped they would hear no more of Fenianism and no more of advances to Irish railways.

EARL FORTESCUE said, it seemed to him that the Government, having afforded great facilities to the Irish railway companies to obtain public money, ought to acquire over that body some right to deal with the fares, rates, and charges of the companies beyond that which they would acquire from those companies that were solvent and did not need their aid. His own conviction was, that those rates and charges were unduly high as regarded the public, and unduly high as regarded the development of their own prosperity. They were enormously higher than on the Continent of Europe. And on this subject he could not but recall the wise words of his noble Friend (Lord Taunton), who said that in the competition with foreign manufacturers it made little difference practically to the manufacturers of this country whether import or export duties were levied by Government on goods, or whether high charges were levied on the means of transport, not for the benefit of the Government, but for the benefit of railway companies. They had lately seen something of the intensity of that competition in the fact that French locomotives had been imported into England; and though he believed that had more to do with strikes than with railway charges, yet he believed that those high charges did act prejudicially to the trade of the country.

Motion agreed to: Bill read 2^a accordingly, and committed to a Committee of the Whole House on *Monday* next.

LANDED ESTATES COURT &c. (IRELAND) BILL—(No. 260.)

(*The Earl of Belmore.*)

SECOND READING.

Order of the Day for the Second Reading read.

THE EARL OF BELMORE moved the second reading of this Bill, which, he said,

was intended to improve the working of the Court.

Moved, "That the Bill be now read 2^a."
—(*The Earl of Belmore.*)

THE EARL OF KIMBERLEY said, he regarded the measure as an exceedingly useful one. Having reference to the present amount of business, it was desirable to reduce the number of Judges; but as additional work would be cast upon the two remaining Judges, it was only fair that their salaries should be increased. No Court in Ireland, he believed, was more deserving of support than this tribunal, which had been of inestimable use in simplifying the sale of landed estates. Irish proprietors, without exception, were of opinion that great benefits had been derived from the operations of the Court; and according to universal testimony the duties of the Court had been most efficiently performed, and gave great satisfaction to suitors.

Motion agreed to: Bill read 2^a accordingly, and committed to a Committee of the Whole House on Monday next.

ARMY—SANITARY REFORM.

QUESTION.

EARL FORTESCUE, on rising to put the Question of which he had given notice to the Under Secretary for War, said, he desired to say a few words upon the subject of sanitary reform in the army, in which he had long taken a deep interest. Impaired health and eyesight, however, now prevented his taking the active part he once did in promoting this important subject; but he had been exceedingly grateful for the success which had attended the labours of others, including the great Minister, the loss of whom the country was still deploring, and successive Secretaries of State for War. He referred more particularly to the late Lord Herbert, Lord de Grey, Dr. Sutherland, Mr. Rawlinson, and last, though not least, Miss Nightingale. That their efforts had not been without result would be shown by a few facts, which he desired to bring under the attention of their Lordships. At the time he first brought forward the subject in the House of Commons the average death-rate in the army was 17 per 1,000, and in the Guards 20 per 1,000; but for some time it had been reduced to 9 per 1,000. In India the death-rate was formerly about 60 per 1,000, but it had been reduced to 20 per

1,000. The Duke of Wellington stated that the average illness in the army might be reckoned at 10 per 1,000; but complaints were now made that some of the new Hospitals—for instance, the Herbert Hospital at Woolwich, which was built to hold 7 per cent—had been constructed on too large a scale, and that, consequently, they were not adequately occupied, and money had been wasted in making too much provision for sickness. But this gratifying result was owing to the great improvement which had taken place in the general health of the army, which had been caused, no doubt, by the labours of those to whom he had alluded, and the working of the Contagious Diseases Act, which was passed within the last year. At the same time, it was proper to say that the unfortunate loss of life in Ashantee—the disastrous march to Mhow, and the frightful mortality recently experienced in Hong Kong—showed that much remained to be learnt, and that additional precautions were necessary for the health of our army. It was worthy of notice, as a proof of this, that even greater success had attended the sanitary reforms in foreign armies, and particularly among the French troops, than had attended our own. He found that the average death-rate in the French army was formerly 19 per 1,000, but it was now as low as 9. In Algeria it was in one part once 140 per 1,000; for some time it was 64; and now the average was 17 per 1,000, which, it would be seen, was lower than the mortality in our Indian army. In some parts of Algeria, indeed, the death-rate had been reduced to 12 per 1,000, and on one occasion, notwithstanding the marches and counter-marches to defeat the rebels in the interior, the mortality was only 14 per 1,000. Lord de Grey had promised, he believed, that a Commission or a Committee should visit Algeria for the purpose of investigating what had been done there and learning the lessons which might be derived from the proceedings of the French in that country. It had been discovered that the improved health in Algeria was partly owing to improved food and clothing, and to a kind of sanitary reconnaissance made previous to the choice of sites for encampment, especially for stations. But he had been informed that the improvement in health of the army of Algeria had chiefly arisen from what Sir Hugh Rose had done so much to encourage in

India — namely, improving the general sanitary condition of the military stations and a certain area around them. In one place, in particular, which had been three times entirely depopulated, such success had attended the efforts there that the birth-rate greatly exceeded the death-rate. This result, he believed, was mainly attributable to the land drainage operations, which had been carried on by the soldiers themselves, greatly redounding to their moral and physical benefit. The works were designed and superintended by French Engineers, and executed by the soldiers, who received extra pay for it. It appeared from cases which had occurred in our colonies, and especially in India, that the only persons to be relied upon for devising and superintending works required for the sanitary benefit of the troops and the surrounding Native population were the Royal Engineers, a distinguished scientific corps, which had been admirably trained for defensive or offensive work against human enemies; but it was deficient owing to there not being an organized system of instruction, not only in practical knowledge of sanitary works, but in book knowledge of such matters. Lord De Grey, he believed, promised that a kind of *Aide Memoire*, or manual of instruction, should be prepared for the benefit of the corps. Some of the works it had constructed in Madras were held to be comparatively satisfactory, because the mortality among the soldiers stationed there was only 20 per 1,000, but when it was found that the mortality among soldiers' wives in India was about 50, and among their children nearly 90 per 1,000, and that the diseases which caused such ravages among them belonged to that class which was more particularly affected by sanitary works, he could not help arriving at the conclusion that better sanitary works conducted on a larger scale would benefit not only the soldiers and their families, but the surrounding population. Reports had been made of the exceeding low rate of mortality among the Prussian soldiers while on the march, but their authenticity had been questioned. There could, however, be no doubt that the great sanitary improvement in the French army had greatly increased its efficiency, adding something like 4,000 a year to its numbers as compared with former times. In a pecuniary point of view, and putting humanity and justice to our brave men aside for the

moment, this was an important consideration, and justified him in calling the attention of the Government to the matter. He was aware that the War Department had made many wise and economical requisitions for barrack improvements which had not been acceded to by the Treasury. Then he held that the case for constructing improved dwellings in the fortifications was as great as that of barracks, and that some advance might reasonably be made for this purpose, to be repaid by instalments. Large sums of money had been expended on the barracks, but he was informed that they still remained in an unwholesome condition. Limerick he especially instanced as an example of this. He would conclude by asking his noble Friend the Under Secretary of War, Whether any Arrangements have been made for carrying on Observations as to the Application of sanitary Science in foreign Armies analogous to those usually made as to the Progress of combative Sciences in foreign Armies in the Field: And also, to inquire whether any and what preparation is being made for the better Instruction of the Royal Engineers in planning and directing the Execution of sanitary Works in India and the Colonies, or in Barracks, Military Hospitals, or Fortifications at Home and elsewhere?

THE EARL OF LONGFORD said, the subject was of great importance, but he thought he could assure the noble Earl who introduced it (Earl Fortescue) that the Army Medical Department was fully competent, and kept pace with medical knowledge at home and abroad. He could not say whether a medical expedition had visited Algeria, but the Department was well acquainted with what had taken place there. In the beginning of 1865 a medical officer of eminence was sent to the United States to study and report upon matters connected with army medical science. His report had not yet been received, but such information as recent events in America could furnish might be depended upon from him. Application had been made to the Foreign Office to send medical officers to Germany to investigate the medical arrangements of the armies in the field, and also to report, as far as he was able, upon the results of the convention which took place two years ago for the amelioration of the condition of sick and wounded soldiers in the field. The departure of these officers had been delayed only by the change in the Government; from their

reports, however, much valuable information might be expected. With regard to the second portion of the noble Earl's Question, he had never heard that the Engineers were defective either in the theory or in the practical application of sanitary principles, either to the construction or alteration of barracks. They had, however, many difficulties to contend with in consequence of very faulty construction and very badly selected sites; and in many cases the difficulties had been very successfully dealt with by the Engineers. He would read a very short memorandum made for the instruction of officers of Engineers in planning and directing sanitary works. The general reports of the Army Sanitary Commission are circulated. One of these reports deals with all barracks at home, and another with those at the Mediterranean stations. Besides containing recommendations in detail on the several barracks, these reports contain general principles for guidance. The Report of the Royal Commission on the Indian Army, and a pamphlet drawn up by the Army Sanitary Commission in connection with it, have also been circulated. Other minor papers, whenever considered of general interest or application, have also been sent. The Engineers have also the advantage of an annual course of lectures by the Professor of Hygiene to the Army Medical School. £30,000 a year has been now authorized for some years for sanitary improvements; the details of the whole of it are examined in the Works Department of the War Office, to see that the expenditure is conducted on sound principles. The observations made here tend, of course, to instruct others. Instruction in these matters is now given to the young officers at the establishment at Chatham. In 1862 a Committee recommended the gradual withdrawal of civilian clerks of the works, to be superseded by officers and Sapper serjeants; and this scheme is now in course of adoption, so as to insure a more close personal supervision by officers of works, sanitary or otherwise. In conclusion, he felt that he could assure the noble Earl that the Army Medical Department fully appreciated the necessity of progressing in a sanitary direction; he thought he could also assure him that the officers of the Royal Engineers were competent to conduct the necessary inquiries.

EARL FORTESCUE expressed great satisfaction at receiving the information afforded him; but he doubted whether

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knowledge to be searched for in many different Reports would be as useful as it would be if condensed into a portable manual with regard to drainage and barrack erection, altered from time to time as fresh information was acquired.

House adjourned at Seven o'clock, till
To-morrow, Twelve o'clock.

HOUSE OF COMMONS,

Friday, August 3, 1866.

MINUTES.]—NEW MEMBER SWORN—Sir Edward Clarence Kerrison, baronet, for Suffolk (Eastern Division).

PUBLIC BILLS — *Second Reading* — Extradition Treaties Act Amendment [247] [*Lords*].

Committee—Habeas Corpus Suspension (Ireland) Act Continuance [256] [*R.F.*]

Considered as amended—Expiring Laws Continuance * [255].

Third Reading—Common Law Courts (Fees and Salaries) * [240].

EXTRADITION TREATIES ACT AMENDMENT BILL [*Lords*].—[BILL 247.]

SECOND READING.

Order for Second Reading read.

LORD STANLEY: Sir, I rise to move the second reading of the Bill for the amendment of the Act of Extradition on which our Treaty with France is founded. In doing so a few words of explanation may be necessary—not so much for the benefit of those who have read the Bill and the papers on which it is founded, as for the information of those—and they seem to be not a few in number—who, having done neither of those things, have, nevertheless, formed a very decided opinion upon the question, and who, as is natural under such circumstances, labour under very considerable misapprehension as to its extent and purport. Now, I do not conceive that it is necessary to defend the general principles upon which the Extradition Treaty Act of 1843 is based. The Bill that gave sanction to that treaty was agreed to after full inquiry by both Houses of Parliament. It has been in existence for twenty-three years, and during that time no attempt has been made to reverse it. The principle upon which it rests has been accepted by civilized nations generally; and that principle appears to be not only expedient in practice, but on

principle defensible and even unanswerable. In old days, when communication between different countries was slow and infrequent, it mattered comparatively little that it was theoretically possible for a man who had violated the law in his own country to escape and find refuge in a neighbouring State; for, although theoretically the possibility existed, his chance of getting there was small, and his chance of living when there probably still smaller. In our day, however, of increased and of daily increasing national intercourse, when communications constantly become more rapid, and facilities for escape proportionately increase, this question assumes a far more serious importance. It would be not merely inconvenient, but absolutely indecent and a scandal to our civilization, if it were possible that a man known to have committed a murder in London, and having by good fortune got six hours' start of the police, should be able to walk about the streets of Boulogne or Calais, and remain there during the rest of his life, absolutely secure from punishment of every kind, admitting his offence, and perhaps glorying in it. Now, I do not think it possible to attack the principle upon which Extradition Treaties are based without laying down this doctrine, which I think the House would shrink from sanctioning—that the judicial arrangements of that country with which a treaty is proposed are so bad and its Government so incapable of doing justice that it could not be trusted to try its own subjects, and that it would be far better that the offenders against the law of that country should escape punishment altogether than that they should undergo punishment according to that law. For my part, I have accepted the general principle of these treaties, as sanctioned by the law of this and other countries, and I wish to confine myself to the alterations now proposed by this Bill to be made in the existing law. But before I say what those alterations are, let me say what they are not. I have heard that there is an impression in some quarters that, however small this measure may be, it is only intended as a means of bringing in a much larger measure, and of considerably extending the catalogue of offences included in the Extradition Treaty with France. I say distinctly that this Bill has no such object or intention. The alteration it proposes is of the slightest kind, and its object is to satisfy a point of honour on the part of the Judges of that

country with which the treaty is made, and with respect to which it is, I think, impossible not to feel that their objection to the present state of the law is reasonable in its character. As this is a matter of legal procedure, I hope the House will allow me to read a brief statement of a case given by Sir Thomas Henry, the well-known magistrate, in his letter of the 20th of April last to Lord Clarendon, and which contains the entire gist of the question. Sir Thomas Henry says—

“The difficulty experienced in giving effect to the Treaty with France arises from some words in the second section of the Extradition Act, 7 *Vict.* c. 75. The object of that section was to obviate the necessity of sending witnesses from one country to the other, and with that view it enacted that copies of the depositions upon which the French warrant of arrest was granted may be received in evidence if ‘certified under the hand of the person issuing such warrant and attested upon the oath of the party producing them to be true copies of the original depositions.’

The words in *italics* have given rise to the difficulty which I will shortly explain; when the French Government applies for the extradition of an accused fugitive the practice has been to transmit a warrant of arrest, and copies of depositions certified under the hand and seal of the *Juge d’Instruction* who issued the warrant, and verified by the signature and seal of the Minister of Justice; requisition is thereupon made by the French Ambassador to one of Her Majesty’s Secretaries of State, who directs that application shall be made to the chief magistrate of this court to issue his warrant for the apprehension of the accused. Before that can be done it is absolutely necessary that the ‘person producing the copies should attest upon oath’ that they are true copies; he cannot so attest unless he has compared them with the original depositions, and to do that it becomes necessary that he should apply to the Judge in France who signed the certificate, and ask permission to see the original depositions, so that he may compare, and be able to attest, that the copies are true copies, or, in other words, that he may be able to swear that the Judge had certified truly.

At the interview which Lord Cowley and I had with the Minister of Justice (M. Baroche), he said that the French Judges considered it an indignity that their certificates should be treated as unworthy of any confidence, and that a person, usually a common policeman, should be sent into their chambers requiring to see the original depositions in order to ascertain whether the Judges had given true certificates. He stated that France had fifty-three Extradition Treaties, and that all other countries were perfectly satisfied with the official certificates which authenticated their warrants and depositions. He remarked that all criminal proceedings in France were conducted by the State, under the supervision of the Attorney General and the Minister of Justice, and that it was not to be supposed that they would send false copies of depositions.”

On this point, also, I have the statement made by the present Lord Chancellor in

another place, and in the presence of other learned Lords, who, if there had been any inaccuracy in his statement, would doubtless have corrected it—

“And it is most extraordinary that this should be required, because, under the law with regard to proving documents from foreign countries in our Courts of Justice, any judicial proceedings, or any documents emanating from a Court of Justice, can be proved by the production of copies of those documents purporting to be sealed with the seal of the Court, or with the signature of the Judge of the Court, accompanied by a statement to the effect that the Court had no seal, without any proof whatever of the authenticity of the signature or of the seal, or of the judicial character of the person who affixed the seal or the signature, or of the truth of the statements contained in the documents. If, therefore, those documents were produced in a Court of Law, verified in the way I have stated, there is no doubt whatever that they would be perfectly good evidence, and there can be no reason why a difference should be made in the mode of proof with regard to the transmission of documents from France under the Treaty of Extradition.”—[3 *Hansard*, clxxxiv. 1056.]

Now, the only change introduced by the present Bill is to make them evidence under the Extradition Treaty. As to the objection that these papers may be used for political purposes, my answer is that we leave the law in this respect precisely as it stood before, and if the House discusses that question it will be raising what would be really a false issue. It may be perfectly right and fair that the House should discuss the general policy of having any Extradition Treaty whatever, and that the House should express its opinion on that question. But if the principle of Extradition Treaties be admitted, it seems to me absurd to admit the principle on the one hand, and on the other to render it nugatory in practice by refusing to amend what is simply a technical flaw. The offences provided for in the Extradition Act are only four—murder, attempt to murder, fraudulent bankruptcy, and forgery. Of these offences there are only two which seem likely to have a political bearing—they are the first two—murder, and attempt to murder. I see a Notice has been given that when the Bill goes into Committee a clause will be proposed, the purport of which is to exclude all offences which are considered to be of a political character. I do not say that on principle I should have any objection to that, provided you define what is to be treated as an offence of a political character. I take it that in a rough and popular way it

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might be possible to do that. For instance, if a man were killed in a riot, or in an attempt to excite a tumult or popular insurrection, that probably would be regarded as a political offence. But a difficulty would arise in cases where you have to deal with attempts at assassination. It does seem to me that while on the one hand we desire to retain inviolate the right of exemption from arrest for political offences it is monstrous to say, on the other hand, that if any private person is assassinated in the streets of Paris, for example, and the murderer escapes to England, he may be punished; but that if the person so assassinated is invested with any political character then the offence becomes a political offence, and the law of England declares that he shall not be given up to justice. This position appears to me to be utterly untenable. There is, I apprehend, a discretionary power given to the Secretary of State as to the application of the Act, and all I can say on this point is that if any hon. Gentleman can succeed in establishing a distinction between the case of a purely political offence and an offence against morality, I shall be willing to consider the proposal to insert a clause to meet such a case. I think it will be difficult to draw such a distinction, but it is a matter which we may consider in Committee. I have now stated to the House the object of this Bill and the circumstances which have led to its proposal. I may add that the present Government has taken up the question, believing the Bill to be thoroughly sound and its principles right and just. Nevertheless, we are not alone responsible for this measure. It came down to us from our predecessors in office, and I confidently rely that we shall have their co-operation in our efforts to give it legislative effect.

Motion made, and Question proposed, “That the Bill be now read a second time.”—(*Lord Stanley*.)

MR. M'CULLAGH TORRENS said, it now became his duty to move the Amendment of which he had given notice—namely, that the Bill be read a second time that day three months. It was not either his fault, or the fault of those who acted with him, that so important a measure should come on for consideration at nearly the last stage of the Session. Negotiations had been pending since the beginning of the year, as the papers disclosed, for which he had moved, and for

whose production they were, he thought, much indebted to the noble Lord (Lord Stanley). No doubt there were good reasons why the Bill was kept back from Parliament until the last days of June, but whenever brought forward it was sure to raise a great and a grave question of principle. He repudiated the pettifoggish interpretation that this was a mere Bill to change the mode of subordinate procedure, believing that it involved a question of national policy and the abrogation of one of their oldest and most cherished traditions. The noble Lord, in the first part of his speech, threw out an imputation that those who were about to oppose this Bill desired to abolish altogether the principle in our law of extradition, pointedly insinuating that they would thereby allow malefactors to find refuge in this country. He did not know any man in that House who entertained that opinion. What he contended was, that they should leave the law of the land where Sir Robert Peel's Administration had left it in 1843. Until that year the principle of extradition lay dormant. It had been embodied, indeed, in one of the Articles of the Treaty of Amiens, but like other provisions of that abortive compact, it had been swept away on the renewal of the war. But in 1843, Lord Aberdeen being Minister for Foreign Affairs, Lord Lyndhurst Chancellor, and Sir Robert Peel chief Adviser of the Crown, thought it was desirable to make a treaty with France, and also one with the United States, giving mutual rights of extradition within certain bounds; those treaties were only sanctioned by Parliament because the Government undertook to provide proper constitutional guards against any infringement of our laws. There were two Acts passed in 1843, under which no man could be delivered up at the requisition of a foreign Government, unless such a case should be made before a magistrate in England as would justify that magistrate in committing the accused if the offence were committed here. That was the principle of their law. They asked now for no more, and they should be content with no less. They charged the Government with overlooking the cardinal distinction set forth in the statutes of this realm, and not objected to by the United States of America, but objected to by France for a reason which he should presently state. In his correspondence with Lord Clarendon, the Prince de la Tour d'Auvergne said that what the French Government

wanted was not a modification of the procedure at Bow Street—not a trumpety difference as to the mode of taking evidence—but that a French warrant should run in Middlesex, and that when a man had been convicted in France, even in his absence we should give him up. In point of fact, that the magistrates should cease to be independent judges, and that they should become agents of the French police. Lord Clarendon, in his reply, very properly stated that no Government in this country would venture to come to Parliament and ask for such concessions; but in his (Mr. Torrens') opinion, and in the judgment of wiser men, the Bill they were asked to sanction was framed in a manner which practically yielded the first and worst of these concessions. Nothing was further from the wish and intention of those who opposed this Bill than to throw out insinuations calculated to create distrust and enmity between the Governments of France and England. They on the Opposition side of the House had always consistently pleaded for amity with France, and had always endeavoured to convince the people of this country that their best interest was to keep well with the French people. It would be to him a matter of great regret that they could not make the changes which would put the two Governments at one with each other; but he could not acquiesce in an Act by which it was sought to get rid of all *viva voce* testimony, and to hand over foreign offenders upon nothing but documentary evidence. In the Extradition Treaty debate, which took place in the House of Lords in 1852, Lord Aberdeen charged the French Government distinctly with having abdicated the duty the Convention laid upon them, and that the reason why it had failed was that the French Government did not choose to send over to this country the witnesses which by the treaty they undertook to send. But now they were told, as a supplementary reason why they did not send, that it was beneath their dignity. Were they to be told that what was not unworthy of the dignity of the Queen of England was to be regarded as unworthy the dignity of the Emperor of the French? Now let the House observe what Napoleon III. bade his envoy demand in 1852, he instructed his Ambassador to demand now. His aim and his policy had undergone no change. The first Administration of Lord Derby had offered to obtain for him the con-

cession he then and still required, and the noble Earl who signed the Convention for that purpose in 1852 sat in the present Cabinet as Lord Privy Seal. Was it surprising, then, that those who with him (Mr. Torrens) viewed such changes in the integrity and independence of our law as fraught with danger and dishonour, should look with something more than jealousy on a Bill which they were told would satisfy the Ruler of France? Lord Clarendon had stated, in a letter to Lord Cowley, of the 18th January, that the demands of the French Government were specifically, first, that persons should be given up without inquiry against whom the sentence of a French court should be produced; and secondly, that accused persons should be given up simply on the production of a *mandat d'arret*, without any further evidence of criminality whatever. It was clear that if we made these concessions no Frenchman in England would be safe from the possibility of arrest. It had been said by the French Government that they had obtained prisoners from the United States on a *mandat d'arret* without proof. When he heard that statement he was startled. He said that if France could prove that she made out a strong case against England, and he wrote to the American Minister in Paris for information upon that point. Mr. Bigelow replied with a crushing negative to the question. He said—

“To procure a warrant of extradition under any of our treaties it is necessary to produce to the officer before whom the accused is arraigned not only the *mandat d'arret*, but certified copies of the depositions upon which the warrant has been granted. These copies must be attested by the oath (*parole*) of the person presenting them to be true copies of such originals.”

He said no magistrate in the United States would deliver up a prisoner without a certified copy of a warrant, the depositions on which it was founded, and the production of witnesses, those witnesses being subject to cross-examination. American law was substantially our law; American common law was our common law; American statutes were, *mutatis mutandis*, our statutes. Mr. Bigelow further said that an American magistrate must have that kind of evidence which satisfied his mind that the offence had been committed which would justify him in committing his own countrymen for trial, or he would not give up the prisoner. Well he (Mr. Torrens) said, stick to that and he would be content. But that principle was entirely at right angles

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with the principle of this Bill. The principle of this Bill was to get rid of *viva voce* evidence, and to substitute a certificate of a minister of justice. It proposed to give to France, a country governed by institutions unlike our own, a right to seize the accused on the production of a warrant and depositions. The difference was not a difference of degree; it was a difference of principle. The only question to be asked of the French witness was as to the seal and signature of the French functionary and the identity of the accused. They would never persuade the people of England that when they made themselves the jackals of a foreign despotism they were dealing with the helpless foreigners they gave up in the same way as they would deal with Englishmen. He would ask every hon. Gentleman who listened to him to fancy himself in the magisterial chair, and that some agent from the French embassy asked him to give up a man they wanted, the only evidence produced being a paper professing to bear a certain seal or signature. Would that hon. Gentleman, on such evidence, consent to give up a person so accused? But this was not all. Depositions in English law was a plural term. In France it was a noun of multitude. A *mandat d'arret* might be sent over for complicity in an attempt at murder. But who could say what there was behind? The *acte d'accusation* was something like an indictment. But it was more. The depositions embodied in it contained a history of the man's life as to what he had said and done, and as to what his associates and confidants had said and done with his full or partial cognizance. It was the brief, out of which, under the penal code of France, the Judge was to break down the accused by a system of interrogation amounting to mental torture; that was the ordeal to which exiles who found an asylum in England would be consigned by this Bill. The principle of English law was that innocence was to be assumed until the accused was proved to be guilty, but the avowed principle of the French penal code was that an accused person was deemed guilty until he proved his innocence. The French refused to prove or verify either the deposition or the *acte d'accusation* before the delivery of the alleged criminal, and this Bill was to sanction that procedure. It was intended as a peace-offering, and it was hoped that the French Government would be satisfied

with this change in our jurisprudence, it not being convenient for us at present to go further. But national subserviency was a fathomless pit; look over its brink and you lost the cool sense of vision; go three or four steps down, and you know not how far you may fall. He scorned the imputation of wishing to breed feelings of jealousy or enmity between the two countries, but as he did not wish that we should earn the reproach of being accomplices in crime after the fact, so neither did he wish that we should bear the blame of becoming accomplices in oppression before the fact. When Lord Malmesbury's Bill for a like object came before the House of Lords in 1852, Lord Campbell vetoed it in the outset, and said he never would consent to it. It had been, from the earliest times, the boast of our jurisprudence that a man could only be committed for trial in open court, and after being confronted with his accuser. We waived the full strictness of that maxim in 1843 in our anxiety to please the French Government, but now it was proposed to give up the rest, and not even to allow the deposition to be confirmed by the production of a witness. It was proposed to give up much and to get nothing—a second step in the downward path of concession, though in all probability before many years had passed further and greater concessions would be demanded. He did not believe the noble Lord could give them any assurance that they would be asked to concede nothing further, and even if he could, that would not silence his (Mr. Torrens') opposition to this measure. Why were we to assent now to a concession too like that which the House of Lords had rejected as unconstitutional in 1852? What was the practical difference between this Bill and that which was rejected by the Lords as unconstitutional? The hon. Member pointed out the distinction, which was too often overlooked between authentication, as specified in the Bill, and verification; the former only referring to the seal or the signature, whereas the latter included a comparison of the original document and copy and perhaps the examination of a witness. The French Government had said that their practice had been to give up English fugitives without the production of the witnesses which the English authorities required; but Lord Cowley met this by saying that if so it was not because the English did not send out the witnesses, but because the French autho-

rities did not choose to examine them. Then it should not be forgotten that the French did send witnesses to America, although they refused to send them to England; and what did the House suppose was the explanation of this difference given by the French Minister? That America was not part of the European system, and that the distance was very great, which made all the difference. In fact, that the Ocean was wider than the Channel. This recalled to his recollection what occurred in a Select Committee upstairs, when Lord Palmerston was asked some questions by Mr. Cobden as to the difference in the salaries and expenses of the Paris and the Washington Embassies. "Well," replied his Lordship, in his own inimitable way, "the fact is, France is an old country, and America is a new country; France is a monarchy, and the United States a republic. Besides, the Atlantic Ocean rolls between." Mr. Cobden asked what difference the Atlantic Ocean made? "Well," said his Lordship, "probably none." The Committee laughed, and here the matter ended. No more questions were asked. It was said if the Convention was abolished altogether, we should be deprived of the means of following fraudulent bankrupts and others; but the objection might be met in a better way than by this Bill. The catalogue of crimes under the Extradition Treaty between France and America was larger than in the case of our treaty; they demanded more prisoners and got back more—he believed chiefly those who committed offences against property. If their object really were to get back such offenders from us, he had no idea that we should be at all anxious to keep them, and could not imagine what conceivable motive we should have for objecting to get rid of them. But if the French Government engaged to be bound by that procedure to which they were bound by the Treaty of 1843, and to send over a witness to verify the depositions, in the case of offenders against property, they would be bound also, to the like procedure in another and different class of cases, which stood on the frontier line between public and private crime, which no jurist could define accurately, and which it was better not to attempt to define accurately. They failed in 1852 to get this concession, because the House of Lords did their duty and refused it; but now he regretted to say the House of Lords had agreed to it. As the guardians of the defenceless, he

hoped that House would not consent to imitate their example; and if they did so, in what light would their subserviency be regarded by the other nations of the world? Before concluding he wished to quote the testimony of a distinguished foreigner, who had been the guest of this country since 1848, as to the character of this Bill. M. Louis Blanc had written to him (Mr. Torrens) a letter, in which he said—

“I could give you many illustrations of the way in which the meaning of the depositions made before our *Juges d’Instruction* is sometimes distorted by them under the influence of party spirit. To form a correct idea of the dangerous and mischievous character of the present Bill it is necessary to bear in mind that in France justice has always been much more or less subservient to the purposes of the ruling power; that the liberty of the press has been entirely suppressed, and that there is not a shadow of what is called public control. To pass the present Bill would be, to a certain extent, to make the right of asylum a snare; to forge a weapon not unlikely to be used against innocent persons, and to incur the accusation of having surrendered to a foreign despotic power the dignity of a free nation.”

For his own part he looked upon the maintenance of the present law as part of the national religion, and any abandonment of it as a violation of the most sacred of our national traditions. The danger was, that if they assented to this pettifogging measure, which by a side-wind sought to accomplish a portion of the objects of a foreign Government, a further demand would be made in future Sessions. The noble Lord the Secretary for Foreign Affairs said that no such demands were intended or likely to be made, but he (Mr. Torrens) heard with his own ears the Colleague of the noble Lord who was at the head of the law in this country state from the Woolsack that he hoped the time would shortly come when the category of offences enumerated in this Bill would be extended. Upon such a subject he thought the authority of the Lord Chancellor might be taken to be at least equal to that of the Foreign Secretary. He could have no security, if this Bill passed, that in a few years more we should not be asked to make similar treaties with Russia; with Prussia, that meek, loyal, and forbearing State, of whose regard for the rights, territories, and traditions of our allies, if they still existed, we had had such overpowering proofs in the last few weeks; and with Austria, whose cruelty to political prisoners used to excite our disgust and abhorrence. He called upon

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the House to have more regard for our own ancient rights and customs than to tamper with our jurisprudence in the desire, which would soon be proved vain and nugatory, of conciliating a foreign Power. He begged to move, as an Amendment, that the Bill be read a second time that day three months.

Amendment proposed, to leave out the word “now,” and at the end of the Question to add the words “upon this day three months.”—(*Mr. M'Cullagh Torrens.*)

SIR ROBERT COLLIER said, that as he and his late Colleague the Attorney General might be considered as in some degree responsible for this measure, he desired to say a few words upon the question, which, if completely considered, resolved itself into a very narrow compass. If he believed with his hon. Friend (Mr. M'Cullagh Torrens) that its effect would be to do away with the right of asylum in England, no man would be more earnest in his opposition to it than he. But he must observe, in the first place, that the Bill did not alter the law with respect to the category of offences contained in the Extradition Treaty. His hon. Friend had referred to some expressions made use of by the Lord Chancellor in the other House; but he (Sir Robert Collier) thought it would be time enough to discuss the question of the propriety of increasing the category of offences when there was any Bill before the House for the purpose of enlarging it. His hon. Friend was also under a great misapprehension as to the object of the Bill with reference to the evidence upon which a magistrate would act under the treaty. Under the present law before an accused person could be given up there must be, on the part of France, a warrant of arrest, setting forth the crimes of which the criminal is accused; nor could he be surrendered unless, further, the justice before whom he was brought was satisfied, by evidence, that the case laid before him would justify the committal of the accused for trial if the offence had been committed in this country. This law remained unaltered by the present Bill, and in this respect the measure was wholly distinguished from the one which was brought before the House of Lords in 1852, which provided that a criminal might be surrendered on the warrant of arrest alone without evidence. Then he understood his hon. Friend to argue that this Bill

would, for the first time, permit a deposition to be accepted as evidence. But he (Sir Robert Collier) must remind the House that it was not under this Bill, but under the existing treaty, confirmed by Act of Parliament, that a deposition was, under certain circumstances, accepted as evidence against a criminal. The Bill introduced no alteration in this respect. The only change effected by the Bill was this—that whereas the Act giving effect to the Extradition Treaty provided that before a copy of a deposition could be accepted as evidence it must be verified on oath by a witness, a deposition shall for the future be accepted as a true copy upon the certificate of the Judge before whom it was taken, counter-signed by the Minister of Justice. His hon. Friend had said that Sir Robert Peel, who introduced the Act in 1843, would never have consented to such an alteration as this. But what was the fact? That since 1843, the Act known as Lord Brougham's Act had introduced a most beneficial change in the law of this country, whereby affidavits, pleadings, and other legal documents, deposed to in any foreign Court, may be proved by copy, if the seal of the Court or the signature of the Judge be attached; whereas previously this could not be done; and all that the present Bill did was to make the law as it affected the Extradition Treaty the same as the law in all other cases. This was the sole effect of the measure, and he could not conceive anything more innocuous or that less interfered with the right of asylum. His hon. Friend (Mr. McCullagh Torrens) seemed to suppose that the French Government had some deep-laid plan to obtain the surrender of criminals charged with political offences, and that they might send over forged documents and suppositious depositions for that purpose. He thought these suspicions of the French Government somewhat unworthy. If they did not give the French Government and Courts credit for acting with us fairly let us have no treaty with them at all—the sooner it was put an end to altogether the better. But if we entertained other feelings it was not too much to suppose that they would not certify a copy to be true unless it was true. His hon. Friend had contrasted the French *acte d'accusation* and the French mode of criminal procedure with our own. He (Sir Robert Collier) was too much attached to our own laws to prefer those of France;

but the hon. Gentleman seemed to forget that if his contrast went for anything we ought not to enter into Extradition Treaties with any foreign Government. From that conclusion the hon. Gentleman naturally shrunk, and he felt certain that his hon. Friend would not desire anything so disastrous as that this treaty should be terminated. Having stated the scope and object of the Bill, and agreeing in the principle as to the sacredness of the right of asylum, he ventured to think that he had shown beyond all doubt that this Bill did not trench on that right, and that it was not open to any of the objections which the hon. Gentleman had stated. He hoped the House would not be deterred from giving its sanction to the measure by imagining that the treaty would be used for the purpose of obtaining possession of political offenders. That was an imaginary thing. None ever had been given up under the treaty, and what was more, they had never been demanded. It was perfectly well understood between the two countries that the treaty did not refer to political offenders, and he did not think it would be possible to make that understanding more clear by any language they could introduce into the Bill. It was, therefore, to be hoped that the House would not be deterred by imaginary evils from reaping the substantial benefits that must arise from the continuance of the treaty. Those benefits were not to be measured merely by the number of criminals that had been brought to justice under it, but by the fact that the knowledge that escape was not possible tended to prevent the commission of crime in many instances; and it was impossible to conceal from themselves that if this treaty were put an end to, the knowledge on the part of a criminal that in a few hours he could place himself in a place of safety would be a great incentive to crime. It was possible that the crime and the means of escape might be part of the same plan, and that the first would not be committed unless the latter were possible. Considering the present state of our intercourse with France, and the facility of communication which existed between the two countries, a treaty of this kind was not one merely of convenience, but of almost actual necessity. It would be a great national misfortune to both countries if by refusing to grant the proposed innocuous concession, which would be satisfactory to France, the Bill should be rejected and the treaty abrogated.

SIR FRANCIS GOLDSMID said, that while it was impossible to deny that it was most desirable that murderers should be apprehended in both countries, at the same time the advantages derived from the treaty might be purchased very dearly if the proposed change seriously impaired, and still more if it practically destroyed, that right of asylum on which we had hitherto so greatly prided ourselves. He believed there was considerable force in the objections that had been urged against the Bill. Although it might not be the fact that French magistrates would send over here false depositions for real ones, it was by no means clear that they would not send a part only of the depositions; and therefore he should wish to retain for the accused the right of asking the witness whether he had brought over copies of the whole of the depositions that had been taken. The impartiality of French Judges could not be relied on in cases of political offences. A distinguished member of the provisional Government of 1848 had been not long since found guilty, *par contumace*, of conspiring to murder, on evidence of the flimsiest description. The House should only pass the Bill on the distinct knowledge that political offenders were not included—it must not be a matter of talk between diplomatic agents or be left to a mere understanding; but there should be an express declaration that the treaty did not apply to offences of a political character. If it was not possible to draw the line between crimes and political offences, that was a strong argument against passing the Bill; but if it could be drawn, it ought to be drawn in this Bill.

THE ATTORNEY GENERAL said, he must remind the hon. and learned Gentleman who had just addressed the House (Sir Francis Goldsmid), that the view he had taken that there should be an express provision inserted in the Bill, that no offender, or alleged offender, should be given up where the crime charged was of a political character, was one which applied not to that Bill merely, but to the law of the country as it at present stood, and as it had been for a great many years, and which had not been attempted to be amended by the hon. and learned Gentleman or any other Member. And the reason was that no attempt had ever been made, and it would be contrary to the proper understanding of these treaties that they should be made the means of demand-

ing the surrender of persons charged with what are called political offences. To define, or attempt to define in an Act of Parliament offences with ingredients of a political character, would involve great difficulties. The hon. and learned Gentleman the Member for Reading had a notice of an Amendment in Committee having for its purpose that object; and he (the Attorney General) had no doubt the House would give to it its best and fairest consideration. He (the Attorney General) would first consider what was the distinct change proposed to be made by this Bill in the present state of the law, and then advert to the position of America and other countries with which we had Extradition Treaties. The change proposed was simple and clear. It did not propose to alter in any way the law as to the materials upon which any accused person was to be delivered up under the present Extradition Treaty. If a magistrate was satisfied that the depositions made in the foreign country and produced before him made out a sufficient case to show that the person charged ought to be committed for trial in this country if he had committed a similar offence here, then he might issue his warrant; and the only change it was proposed to make was, that instead of oral evidence being required that the depositions produced were true copies of the originals, the certificate of persons who had examined them, countersigned by a responsible Minister of Justice of the foreign country, was to be sufficient in future. The House would see that this was a difference merely of evidence and not of substance. The objection with regard to withholding depositions did not apply as an objection to the Bill, because whether it was to be proved by certificate or by oral evidence, the same deception could be practised if foreign Governments were disposed to have recourse to such a practice. If they adopted the hon. Gentleman the Member for Finsbury's hypothesis they might rest assured that if a witness was required to be sent over they would select one who knew nothing about any other depositions than those he came over to verify, and therefore the question resolved itself into this, that by the objection which had been raised they imputed to the Minister of the foreign Government, who certified and pledged his Government to the accuracy of the copy, that he had wilfully and knowingly certified to the Government of this country that the copy

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was a true copy when it was not. The course now proposed was adopted in the Foreign Evidence Act, both in criminal and civil cases, and there the sealed certificate of the officer of the Court was conclusive evidence of the accuracy of the copy of the proceedings abroad. He was surprised at hearing the hon. Member for Finsbury say that it was now proposed to do with reference to France and other countries what the United States did not do and had not been required to do. Now, that was an entire misapprehension. The Act of the Congress of the United States did exactly what the House was now asked to sanction. Mr. Dickinson, the District Attorney of the State of New York, in replying to questions put by Mr. Seward, as to the American practice on this subject, said—

“The proceedings which must be taken here to enable the French authorities to obtain the extradition of such a person are—1. A complaint made under oath or affirmation before an officer vested with the requisite authority, charging such person with having committed within the jurisdiction of the French Government a crime enumerated in the treaty. On this complaint a warrant is issued for the apprehension of the accused. 2. On the accused being brought before the magistrate, such evidence must be presented as would be deemed sufficient by that officer to commit him for trial if the crime had been committed here. This evidence may consist of parole testimony, or copies of the depositions and other papers upon which an original warrant may have been granted in France, legally authenticated, so as to entitle them to be received for similar purposes in that country.”

And what would entitle these papers to be received in evidence in France? The legal authentication was the seal or signature of the Court before which the proceedings took place. The Act of Congress of 1860, passed to give sanction to the treaty stipulations, provided that in all cases where any deposition, warrant, or other papers, or copies thereof, should be offered in evidence, such deposition, &c., should be admitted and received in evidence for the purposes of the treaty; if they were legally and properly authenticated, so as to entitle them to be received for similar purposes by the tribunals of the foreign country from which the accused party should have escaped: and the certificate of the principal diplomatic or consular officer of the United States, resident in such foreign country, was to be proof that any document was authenticated in the manner required by this Act. He trusted that the

hon. Member for Finsbury (Mr. M'Cullagh Torrens) would re-consider his view of the matter. If the Government of France had suggested to us a mode of proceeding which the United States had refused to adopt, the hon. Member would have had a strong case for contending that we ought not to be put in a different position from the United States: but the present Bill would simply put us on the same footing with regard to France which the United States had already adopted with respect to that country. Reference had been made to the remarks of Lord Brougham and Lord Campbell, condemnatory of the working of Extradition Treaties which were said to be the same as that now proposed. Now what was really the case? The treaty entered into in 1852 between this country and France provided that the mode of extradition should be this—that the Ambassador, or other diplomatic agent of France in London, should produce to the British Government the sentence of conviction or warrant of apprehension, clearly setting forth the nature of the crime and a description of the offender, and that this should be accepted as proof positive that the individual had been convicted or was lawfully accused of having committed the crime. Lord Campbell said he felt some surprise at the novelty introduced in regard to the making the mere warrant or word of the complaining party conclusive with regard to the obligation to surrender the individual accused, the invariable rule had been that reasonable evidence should be given in all cases to the Government called upon to surrender, whereas it was now proposed to make the mere assertion of the Government conclusive of his guilt. The opinion expressed on that occasion amounted to this—that the committing magistrate must be satisfied as to the foundation for the commitment, and that the depositions made in foreign countries should show a *prima facie* case of crime. The sole question raised by the present Bill was, upon what evidence was a magistrate to be satisfied that the depositions had been taken by a foreign Court? It was proposed to pay respect to the authentication of the foreign Court by its seal and signature, vouched to be its seal and signature by its Minister of Justice. That was the whole of the Bill. If a general discussion was considered desirable on Extradition Treaties it ought to be raised on some broad question, and not on a matter of detail like that now before the House.

MR. J. STUART MILL: Sir, I do not mean to say anything against the French Government, but I think it is neither in any way improper nor at all impertinent to the question to say something about the French law, and particularly those parts of it which are thought most defective by the best Judges in France itself. There are many things in that law which are worthy of great praise, and many from which we in this country have a great deal to learn; but I never met with any enlightened Frenchman who did not think that the worst part of the French law is the law of criminal procedure, and that the mode in which the preliminary evidence is taken is the worst part even of that. The depositions which are taken preparatory to a criminal trial in France by the *juge d'instruction* are taken in secret. They are not taken in the presence of the accused; he is not confronted with the witnesses, much less has he any opportunity of cross-examination. It is, therefore, the easiest thing in the world to get up a false charge against a person, if on the part of any other person there is the slightest disposition to do so. I have, indeed, much confidence in the love of justice and the integrity and dignity of the French Judges, who, very often, when the trial comes on, are able to prevent these great defects in the preliminary proceedings from issuing in final injustice. But we are now called upon to surrender the accused persons upon the original depositions only. Now, we are told—and it is true—that the committing magistrate has the power, and is bound, to consider whether the evidence is such as would in his own opinion establish a *prima facie* case against the accused, sufficient to warrant a committal for trial. But there is great danger lest the magistrate, not being fully aware of the differences between French and English criminal procedure, might be led, unless something is put in this Bill to guard against it, to attach the same weight, or nearly the same weight, to those depositions as if they had been taken in his presence. It would be very desirable if the magistrate is to have the power of ordering the extradition of an accused person, that something should be done in the way of directing him how to exercise it. When even so experienced a magistrate as the Chief Magistrate at Bow Street, appears to have laboured under some misapprehension in this respect, it appears to me

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important that magistrates should receive warning from their superiors not to attach more than the due weight to those depositions. If, however, they attach no more than the due weight to those depositions, the effect desired will not be produced. Consequently, either the French Government will have to waive the point of honour which they are said to entertain, or the new Act will be as much a dead letter as was the old one. We are told by high authorities, in a place not far from this, that the old Act was an entirely dead letter; and it has been said by every one who has spoken in favour of the Bill that the objection to it is equally an objection to the law as it stands, under which we are subject to the same obligations as are now sought to be imposed on us. I admit that nothing can be more harmless in appearance than this Bill. No substantial alteration, it is argued, is proposed in the law, and therefore nobody can possibly object to the Bill. But it unfortunately happens that although nominally there is no alteration, practically there is the greatest alteration in the world. The old Act, we are told, has not been acted upon at all—nobody has been surrendered under that Act—and it is precisely in order to call the Extradition Treaty out of the condition of a dead letter into that of a practical fact, that this Bill is brought in. If it does not do this, it answers no purpose. Therefore, if the Bill passes, one of two things must ensue: either our magistrates will give up offenders, on evidence which would be in great danger of being insufficient, or it will be necessary to come to us again on some other occasion to reinforce this Bill and make it still more easy to effect the extradition of accused persons. I can conceive that in the case of ordinary offences it may not be necessary to insist upon these considerations. But as soon as an application is made for the extradition of a political offender, we shall find the strongest reasons for hesitating on the question. If the laws of any country afford facilities for getting up a false case, that false case is very much more likely to be got up where political offences are concerned. Political offences *eo nomine* are not, it is true, included in the Extradition Treaty, but acts really political often come within the definition of offences which are so included. Apply this observation to the case of the French Emperor at Boulogne, and you will per-

ceive—as doubtless the Emperor himself would perceive—the force of what I am advancing. The noble Lord who has introduced this Bill (Lord Stanley) has expressed his willingness, if it be possible, to exempt offences really political from being made the grounds for extradition, under the name of murder, or attempt to murder. This declaration is worthy of the noble Lord, and is such as might be expected from his character. I perfectly sympathize in the difficulties he feels. His difficulty is the case of political assassination. I do not pretend, if the only question were with reference to persons who had really done these things, that I should have much to say against it. People who do such things ought to make up their minds to sacrifice their lives; and if they have any honest feeling in the matter they generally do. When there has been an actual attempt at political assassination, it is not perhaps difficult, in most cases, to distinguish between a false charge and a true one. But it is often uncommonly so in the case of complicity in such an attempt; and these are precisely the cases in which there is most danger of a false charge. It is a thing which may happen any day, our being called upon to deliver up some person charged with complicity in such an offence; and this charge may be the most false imaginable, and yet such as is extremely likely to be entertained. If I may offer, merely by way of illustration, a case fresh in the memory of every Member of this House, I will say that Governor Eyre felt convinced that Mr. Gordon was an instigator of the insurrection in Jamaica, and on that ground Mr. Gordon was put to death, although the evidence has been pronounced by those who have examined it judicially—one of them expressed himself very strongly on the point in this House—was utterly insufficient to establish this charge. Well, we have heard no end of testimony from both sides of the House as to what a good man, a clever man, and a blameless man Mr. Eyre was. Well, then, let Mr. Eyre be all this: it follows, that let a man be as good, and wise, and blameless as it is possible for a man to be, he may yet make this mistake; and, if a Governor may make it, a King or an Emperor may make it. We cannot doubt that in such cases depositions will always be forthcoming, and that, if undue weight were attached to these depositions, it would be extremely difficult to resist the extradition of anyone

charged with complicity in an attempt on the life of any foreign Sovereign or statesman. The great majority of people, especially people in power, are ready to believe almost anything against their political enemies, especially those who have said or published things tending to excite disapprobation of their conduct; as witness the case of Mr. Gordon. I am not contending for the impunity of these persons. Even those who look with the least horror on political assassination do not doubt that it ought to be punished as murder; but if the case be genuine, the foreign Power should take the trouble to send over the evidence, and the accused should be tried here.

SIR ROUNDELL PALMER said, that the hon. Member for Westminster (Mr. Stuart Mill) had urged his views on this question with that calm consideration and ability which uniformly distinguished him in that House. But he must remind the opponents of this measure, that its object, so far as the French Government was concerned, was simply to remove a technical impediment which stood in the way of the Extradition Treaty being carried out. If the case of the opponents to this Bill were made out the treaty itself was not only a mistake, but one of an injurious character. Now what was the fact? We obtained from the French Government under this treaty precisely the same conditions as those which they were now demanding from us. We had never sent over a demand for extradition in any other way than with *ex parte* depositions which had been verified at home. The law of France never required the verification of the true copies. There was a difference between the law of France and that of this country as to the mode of committing persons for trial: in the former a man might be committed for trial in his absence; in England he would be confronted with the witnesses, and have the opportunity of cross-examination; but in England, as well as in France, depositions taken in order to found upon them a demand for extradition must be in their nature *ex parte* depositions, because the accused having escaped into a foreign country, the preliminary depositions could not be taken in his presence. The question resolved itself into two points—should the House take advantage of the defects in the Act to throw it over, because they wanted to get rid of it?—or, if that was not their view, should they amend those defects, retaining all ne-

cessary safeguards against abuse? Was it seriously contended that a French policeman or agent of the French Government who had been taken into a public office and shown an original document, of which he said he produced a true copy, was to be believed, but that the signature and seal of the Judge of the Court and the countersign of the Minister of Justice were not to be believed? Would they believe the policeman in preference to the certificate of the Judge? It was an idle distinction which they drew in this matter, and some of the objections urged were as chimerical as the last expiring efforts of an Old Bailey counsel. Out of the four offences comprehended in the existing French Extradition Act, and therefore in this Bill, murder and attempt at murder were alone capable of any misinterpretation. It was supposed by some hon. Gentlemen that political offences might be improperly comprehended under these terms. The definition of murder in the French Penal Code, was assassination, parricide, infanticide, and poisoning. The meaning given to the word "assassination" by the French Penal Code was the killing of a person by another with premeditated malice, or by lying in wait for the purpose. Now, according to that meaning, if any person had lost his life in a civil conflict during the affair of Boulogne, consequent upon its invasion by Louis Napoleon, it could not be considered assassination, either according to the French or English Penal Code. Not according to the French, for there would be no taking of life with premeditation; nor according to the English, because resistance to the authority of the existing French Government, which would be an essential element in determining the innocence or guilt of that act, was not criminal by the law of England. Nothing could be deemed murder under the treaty except an act the criminal character of which, as constituting that offence, might be fully established on grounds common to the laws of both countries. For similar reasons the loss of life in 1819, in what was called the Massacre of Peterloo, would have been considered murder in no other country but our own. But the Extradition Act provided other securities against any improper use of the powers under it. The warrant of arrest must clearly set forth the nature of the offence of which the person was accused, and if there were any obscurity in this respect the magistrate would

not act upon it. The magistrate must consider the evidence, and he must consider whether, if the offence had been committed in this country, the evidence would be sufficient to justify him in committing the man to prison to take his trial for the offence. There was nothing in the Act to prevent the accused (if he thought fit) from adducing evidence in his own exculpation in the same way as if he were brought up on a warrant with a view to his commitment upon any charge made against him in this country; and the practice, both in this country and in our colonies, had been for the magistrate to receive such evidence, and, if necessary, to allow time for its production. It must also be remembered that the identification of the person accused would always be necessary, and would in every case involve the introduction of oral testimony. Lastly, these offences must always be committed within the jurisdiction of the party who required the extradition. It was stated that a considerable number of refugees in this country had taken alarm, apprehending that a demand would be made for their extradition, and the hon. Member for Finsbury read a letter from M. Louis Blanc, who seemed to share in that alarm.

MR. MC'CULLAGH TORRENS said, that M. Louis Blanc expressed no alarm whatsoever as regarded himself.

SIR ROUNDELL PALMER: There was no ground whatever for any such apprehension, inasmuch as those gentlemen must first go back to France and commit some one of those offences comprehended in the Bill before they could be brought within the powers of the extradition law. The offence must be clearly described; it must be supported by the same evidence as would be necessary for a man's commitment in this country, and any Government in a doubtful case would run so great a risk of failure that it was not at all likely that charges would be made lightly, or upon unsupported evidence. In Müller's case, the English Government were not content with sending over the depositions. Witnesses, also, were sent, and in important cases a foreign Government would, probably, take the same precautions against a failure of justice. No doubt, however, in common cases of undeniable crime depositions might frequently be so clear that when properly authenticated they would be sufficient. If the magistrate held the warrant to be insufficient, the case would

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not be brought within the scope of the treaty; and in extreme cases, where there was reason for believing the prisoner was unlawfully detained, the Court of Queen's Bench would issue a writ of *habeas corpus*, when the question could be argued and determined. Under these circumstances, he could not but regard as chimerical the alarm expressed in regard to the operation of this measure. In the course taken by the French Government in the past there was reason for trusting them in the future. They had shown no disposition to abuse this treaty, and they would agree with the Government of this country that it was no part of the objects of the treaty to provide for the extradition of political offenders. He trusted that the Bill would receive the assent of the House.

MR. HENLEY said, he had watched with as much jealousy as most men all the laws intended to send foreigners out of this country. He did not intend to enter into the general subject of extradition, or whether such treaties were intended for the purpose of shipping our moral sewage abroad for the advantage of other countries, or after a time to bring it back, when it might be usefully applied to our own purposes—that was a large question in itself, into which he declined to enter at that time—but as to this Bill, he had a strong opinion that it was decidedly calculated to prevent, instead of to favour, what was called foul play. They must look at those things in two ways. If the country asking for extradition meant honestly, it was not of much consequence what the machinery was by which that matter was to be accomplished. If it meant dishonestly, and sought the arrest of a person upon a warrant charging him with one offence when he really meant another, that would undoubtedly be an act of bad faith. Nothing was easier than to get a person with a good Puritanical face who would swear anything; indeed, a Government might keep a man for that purpose. Such a person might come over here and swear anything against anybody that his Government desired to arrest, and his victim might be sent back with him. Now, he (Mr. Henley) asked whether, supposing that a certain individual intended to act wrong, it was not much easier to take the course suggested than to act in the way the opponents of this measure apprehended the French Government might act under the powers of this Bill? He thought that the proposed

change in the law would be a protection against malpractices, and he should, therefore, support the Bill.

SIR GEORGE BOWYER said, it appeared to him that the gist of the arguments of those who supported the Amendment was not so much against the Bill as against all Treaties of Extradition, and if their arguments were worth anything they would be good against the existence of any Extradition Treaty, because there was no country which might not possibly demand the surrender of political offenders. He did not understand this excessive jealousy. If ever there was a time when Extradition Treaties were necessary, it was the present, when such facilities for locomotion existed, and a man could at once pass from one country to another, and this Bill only gave effect to a compact such as ought to exist between all civilized nations.

MR. P. A. TAYLOR said, that this treaty would be acceptable to many on the score of its commercial advantages, but he was one of those who would be disposed to give up these commercial advantages for the sake of preserving the right of national asylum. Now, the only difficulty involved in this matter was that which arose in the case of political offences, and he would therefore ask the noble Lord the Secretary for Foreign Affairs, whether he was prepared to propose or to support in Committee a clause which would obviate the objection which many persons entertained to the Bill upon that score?

LORD STANLEY said, he should desire favourably to consider any clause that might be proposed in Committee, if it appeared to be workable. He would not, however, pledge himself to accept such a clause, because he saw very great difficulty in the way of such a definition of political and non-political offences as seemed to be desired.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 77; Noes 14: Majority 63.

Main Question put, and *agreed to*.

Bill read a second time, and *committed for To-morrow*.

HABEAS CORPUS SUSPENSION (IRELAND ACT CONTINUANCE BILL.

(Lord Naas, Mr. Secretary Walpole, Mr. Attorney General for Ireland.)

[BILL 256.] COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Continuation of 29 *Vict.* c. 1.)

Amendment proposed,

In page 2, line 10, at the end of the Clause, to add the words "Provided, That the operation of this Act shall extend only to the persons who are now in prison in Ireland under the provisions of the Act hereby continued, and to such other persons as may come into Ireland after the passing of this Act."—(Mr. Dillon.)

Question put, "That those words be there added."

The Committee *divided*:—Ayes 13; Noes 53: Majority 40.

House *resumed*.

Committee report Progress; to sit again *this day*.

LANDED ESTATES COURT (IRELAND) —RECORDER OF TITLE.

EXPLANATION.

MR. MONSELL begged the kind attention of the House for a few moments. It had been represented to him that a statement he made in the Committee on the Landed Estates Court (Ireland) had given pain to Mr. Umlin. He (Mr. Monsell) had made no statement with regard to that gentleman on his own authority; he had simply quoted from the memorandum of the Judges of the Court the following passage, which would be found in the Papers on the Record of Title Office moved for by the hon. Member for the city of Dublin. These were the words. The memorandum was dated June 11, 1866—

"The Judges object to Mr. Umlin's name appearing in the Bill, as they do not admit that he is the fittest of their officers to fill the post of Recorder of Title either to their satisfaction or that of the public, and they decline to be responsible for the working of the measure if they are refused the power of naming the one of their officers whom they think best fitted to fill the post."

It appeared now that on the 2nd of May those same Judges directed that the Record of Title should be under the management of Mr. Umlin.

NAVY—OFFICERS OF HER MAJESTY'S DOCKYARDS.—NOTICE.

SIR JOHN PAKINGTON said, that as the usual Motion for the adjournment of the House till Monday would not be made that evening, because it was probable they would have to meet on the following day, he begged to give notice that he should in the course of that evening request the indulgence of the House in order to enable him, in justice to the officers of Her Majesty's Dockyards, to make a statement—and it would be a very brief one—in explanation of allegations which had been made against them.

MR. DARBY GRIFFITH complained of the announcement just made by the right hon. Baronet, as interfering with one of the privileges of the House.

IRELAND—LORD CHANCELLOR BLACKBURNE.—QUESTION.

MR. MAGUIRE said, he rose to ask the Chief Secretary for Ireland, Whether, before appointing Mr. Blackburne Chancellor of Ireland, the Government consulted lawyers of eminence practising at the Irish Bar as to the present capability of that Judge, by reason of his advanced age, to deal successfully with cases either of great magnitude or of a complicated and intricate nature; and whether the Government, after full inquiry, intend to retain that gentleman as Chief Judge in Equity?

LORD NAAS: In answer, Sir, to the hon. Gentleman's Question, I have to say that the noble Lord the First Minister, in making the appointment to which the hon. Member refers, did not think it necessary to consult lawyers of eminence practising at the Irish Bar as to the capability of Lord Chancellor Blackburne. No one who knows the high character of that gentleman can imagine for a moment that he would have accepted an office the duties of which he felt himself in any way incapable of performing, or to perform, not in the ordinary manner, but in that manner in which he has for many years discharged the many, various, and highest duties connected with the administration of the law. Sir, I believe that Lord Chancellor Blackburne does possess a professional character hardly ever attained by any man—and certainly, in his own branch of the law, not attained by any other man—at the Irish Bar; and I think

that I state what will give the hon. Member considerable satisfaction when I say that since his appointment as Lord Chancellor I have received communications from gentlemen who practise, and who have been in the habit for years past of practising before him, informing me that from their own observation and experience in pleading before him they can testify that the Lord Chancellor of Ireland has not shown in any way any failing whatever, but that he has, in the decisions which he has given since he was appointed, displayed all that attention, acumen, and learning for which he has for so many years been so highly distinguished.

IRELAND—DOCKS AT HAWLBOLINE.

QUESTION.

MR. MAGUIRE said, he would beg to ask the First Lord of the Admiralty, Whether the plans have been finally decided upon for the new Docks at Hawlboline, for which £5,000 was voted in 1865, and £15,000 in the present year; if he will say what works have been actually commenced, and how much has been really done in furtherance of the general plan as stated to Parliament; whether the Works are executed by contract, or to be executed by contract; and, if to be executed by contract, when is a contract to be entered into for their execution; and when it is expected the works will be completed and rendered available for the public service?

SIR JOHN PAKINGTON: In answer, Sir, to the first Question of the hon. Member, I have to state that the plans for the new Docks at Hawlboline were decided upon as long ago as the month of May in last year, and that directions were given that the works should be proceeded with in the month of August. The work which has been actually commenced is the quarrying of the necessary stone and the shutting out of the tidal waters, with a view to obtaining sufficient ground for the purposes of the docks. The works are not to be executed by contract, but by convict labour. At present I am sorry to say we are unable to procure a supply of only 150 convicts. [*Laughter.*] I should rather say that I am very glad there are not so many convicts as we require, but the estimated time for the completion of the works is six years, provided we can get a sufficient supply of convict labour, and they cannot be

executed within that period unless we can obtain the services of 500 men.

THE CHOLERA—ADVANCES TO BOARDS OF GUARDIANS.—QUESTION.

MR. NEATE said, he wished to ask the President of the Poor Law Board, Whether he has considered the expediency of obtaining before the prorogation of Parliament an Act to enable the Treasury to make advances on the security of the parochial or district rates to Boards of Guardians or Local Boards of Health, to provide against the outbreak of the cholera?

MR. GATHORNE HARDY: Sir, I have not deemed it expedient to introduce this Session a Bill such as that to which the hon. Gentleman refers, nor have I received any application from any quarter tending to show that there is any necessity for making a provision from the public funds as he suggests.

EXCHANGES IN JAPAN.—QUESTION.

COLONEL NORTH said, he would beg to ask Mr. Chancellor of the Exchequer, When the Copy of the Report made by Mr. Arbutnot, of the Treasury, on the question of the Exchanges in Japan, promised by the late Chancellor of the Exchequer on the 27th of February last, will be laid upon the table; and to state if the arrangement, also promised, has been carried out for the crediting of all profits arising out of such Exchanges to the public account?

THE CHANCELLOR OF THE EXCHEQUER: It is very true, Sir, that my predecessor in office did promise to lay on the table a copy of the Report made by Mr. Arbutnot—that is to say, he intimated that there would be no objection to produce it if my hon. and gallant Friend moved for it. I may add that if my hon. and gallant Friend should now think fit to do so, I shall take care that a copy of the Report is placed on the table. In answer to the second part of his inquiry, I may state, in the first place, that he is under an erroneous impression in supposing that the right hon. Gentleman opposite made the promise which it indicates. Independent of his own assurance to the contrary, it would be clearly impossible to enter into any such arrangement, because, under the system which at present pre-

vails there certainly is a loss on the Exchanges, so that there are no profits to credit to the public account.

COLONEL NORTH said, it was the noble Lord the Member for King's Lynn (Lord Stanley), and not himself, who had asked the question on the subject on a former occasion.

BISHOPRIC OF NATAL—DR. COLENZO. QUESTION.

MR. HUBBARD said, he wished to ask the Under Secretary of State for the Colonies, Whether there be in the Colonial Office the Copy of any Despatch transmitted to Natal which could justify the report "That a Despatch had been received from Mr. Cardwell, ordering all Government Officers to recognize, aid, and support Dr. Colenso as Bishop of Natal?"

MR. ADDERLEY: I do not believe, Sir, there is any confirmation of the report to which the hon. Gentleman alludes. The late Secretary for the Colonies has requested me to say that he has no recollection whatever of having sent out such a despatch as the hon. Gentleman mentions, and, after the most careful search at the Colonial Office, I can find no trace of any such document.

TURNPIKE TRUSTS.—QUESTION.

MR. DARBY GRIFFITH said, he would beg to ask the Secretary of State for the Home Department, Whether it is not a case of great hardship and injustice that the expense of the repair of those Turnpike Roads whose Trusts are placed in the Schedule of the Continuance Bill of this Session should be thrown on the parishes through which those roads may happen to pass, without relief or compensation; and, whether the Government will not take it into consideration during the recess whether they may not be able to propose some measure to Parliament next Session which may have the object of remedying some of the evils so loudly complained of on this subject?

MR. WALPOLE: Sir, in some of the cases to which my hon. Friend refers no doubt hardship arises, while in others there is, I believe, none at all. The matter, however, is one of considerable importance, and I shall take care in the course of the autumn to look into the matter.

METROPOLIS—MARYLEBONE WORK- HOUSE.—QUESTION.

MR. O'BEIRNE said, he wished to ask the President of the Poor Law Board, If it be true that the sick ward allotted to the Irish poor in the Marylebone Workhouse allows only 206 cubic feet for each patient; if that space is the measurement approved by the Poor Law Board; and, if not, whether he proposes to take any and what measures to remedy this abuse?

MR. GATHORNE HARDY: Sir, I am happy to inform the hon. Member that a mistake has been made in the measurement of the ward in question. There are four female Irish wards in the workhouse, three of which afford ample cubical space. The fourth is stated by the gentleman who measured it to be forty-six feet in length instead of ninety-six, and it appears that in measuring with a fifty-foot tape the first fifty feet were not noted. Instead of 206 cubical feet, therefore, the amount would be 440.

NAVY—NON-ARMOUR PLATED SHIPS. QUESTION.

MR. GRAVES said, he would beg to ask the First Lord of the Admiralty, What steps, if any, the Board intend taking with reference to the six wooden Vessels set forth in Return No. 366 of Session 1865 (Vessels not armour-plated), as building on the same lines and dimensions as the *Amazon*—namely, the *Niobe*, *Vestal*, *Blanche*, *Nymph*, *Daphne*, and *Dryad*, to improve their strength, speed, and general efficiency for the purposes for which this class of Vessel was originally intended; and whether it will not be desirable to test the speed and qualities of one of these Vessels at sea, under canvas as well as under steam, before proceeding further with the completion of the others?

SIR JOHN PAKINGTON: I beg, Sir, in the first place, to say that there are seven of these vessels remaining to be built and not six, as given in the list contained in my hon. Friend's Question. He has omitted the *Sappho*. The Admiralty are now very anxiously engaged in considering whether the peculiar bow of the *Amazon* is or is not of a shape which it is desirable to retain. Our present impression is that the bow is not successful, and that it would be well to effect a change. The *Niobe*, the *Vestal*, the *Nymph*, and the *Daphne*, are so far advanced that it would require

a considerable outlay to have to alter their bows. The Admiralty are now making inquiries as to cost and time, which may decide whether they will deem it desirable to make the change or not. This answer does not apply to the remaining vessels, which are in a less advanced state, and it is the intention of the Admiralty to make considerable changes in the bows of those three vessels.

LOSS OF THE “LONDON.”—QUESTION.

MR. JASPER MORE said, he wished to ask the President of the Board of Trade, Whether he has yet been able to direct his attention to the circumstances of the loss of the *London* in the Bay of Biscay last winter, and the investigation which subsequently took place; and, whether he proposes to carry out the intention announced by the late President of the Board of Trade to introduce a measure in the course of next Session for the better protection of passengers by sea?

SIR STAFFORD NORTHCOTE: Sir, there is no question now depending at the Board of Trade with regard to the loss of the *London*, and my attention was not directed to the case until I saw the notice of the hon. Gentleman's Question. I this morning hastily looked over some of the papers connected with it. I read the report of the inquiry and also referred to the debate which took place in the early part of the Session on the Motion of my right hon. Friend the First Lord of the Admiralty. I had not, however, time to read carefully the evidence which was taken in the course of the inquiry, and I have nothing to say on that part of the subject at present. In reply to the question whether I propose to carry out the intention announced by the late President of the Board of Trade to introduce a measure in the course of next Session for the better protection of passengers at sea, I can only say that I am not aware what the character of the measure is which the right hon. Gentleman may have had in contemplation. No record showing that any such measure was in course of preparation has been left at the Board of Trade. The subject is one, however, to which I shall pay very early and careful attention. It is one which involves a good many questions of considerable difficulty, and I am bound to admit that, as far as I have been able to form an opinion from a hasty examination of the paper, I have no doubt that the

present system of investigation, at all events, requires remodelling and improvement. I hope it may be found possible to introduce into it some improvement, but I cannot undertake, without further consideration, to indicate even the nature of any proposals which I may deem it to be my duty to make with that object.

NAVY—THE “BELLEROPHON.”

QUESTION.

MR. LAIRD said, he would beg to ask the First Lord of the Admiralty, Whether, in order to test more fully the new principle of shipbuilding introduced by the late Board of Admiralty (and adopted in Her Majesty's ship *Bellerophon*), and to compare the results with those obtained on the trials at deep-load draught of Her Majesty's ships *Warrior*, *Achilles*, and other vessels constructed on the principles usually adopted in Her Majesty's Service, it is the intention of the present Board, before proceeding further with the construction of vessels on such new principle, to test the speed of Her Majesty's ship *Bellerophon* at the measured mile, and at sea, at deep-load draught, with all her weights on board, including armament and full complement of coals and stores, and if the armament is not ready, with an equivalent weight put on board to represent such armament, as has been done in the trials of other ships in Her Majesty's Service?

SIR JOHN PAKINGTON: Sir, it is intended in a very few days, as soon as ever the *Bellerophon* is ready, to give her a fair trial over the measured mile, when every one of the conditions mentioned by my hon. Friend will be carried out. I will only add, in reference to the new principle of building to which he refers, that the Admiralty will not fail to avail themselves of any suggestions which the trial may present.

MR. GRAVES said, he wished to ask why the *Bellerophon*, commissioned 22nd of March last, has not been sent to cruise with the Channel squadron now at sea; and, if in consequence of her not being ready, what is the cause of delay?

SIR JOHN PAKINGTON: The *Bellerophon* has been at sea twice for several days. She went out first with the view of trying her powers under canvas, and a second time for the purpose of trying the experimental guns. The real cause of the delay in her not joining the Channel squa-

dron, which it is intended she should join, is that her armament was not completed. But should the armament not be ready sufficiently soon she can put to sea with her present guns, and such additional weight as may place her in the same trim as if her proper guns were on board.

AGRICULTURAL STATISTICS.

QUESTION.

MR. READ said, he wished to ask the President of the Board of Trade, If he can inform the House how the collection of Agricultural Statistics is progressing, and when he expects the Returns to be published; and if he believes that anything like accuracy will be obtained from the present or any other voluntary Returns which are collected through a Department of the Government?

SIR STAFFORD NORTHCOTE said, in reply, that he understood the returns were in the course of progress, and in about a month they would be made up in as complete a state as could be expected, but they would take some time to be tabulated and printed. In the course of two months, probably, they would be available for distribution. In many cases it would be necessary to complete them by estimate, which of course would be more or less accurate. He regretted to say that an impression seemed to prevail among some farmers that the returns were connected with some system of taxation, and though they were entirely misled on that point, the impression naturally prevented them from making returns. He knew no reason why, in the course of a year or two, when the system was persevered with, and the farmers saw the objects and value of the returns, they should not be ready to give the experiment a fair trial, and he hoped that those who had influence with the farmers would induce them to send in the information, which would be used certainly not for their detriment but for their benefit.

INDIAN BUDGET—COLONEL STRACHEY.

PERSONAL EXPLANATION.

MR. SMOLLETT: I rise to make a personal explanation to the House—in doing which, however, I shall not occupy much time. The explanation relates to Colonel Strachey, a distinguished officer in the Royal Engineers. On the 19th ult—

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mo, I made some remarks on the Indian Budget. I referred particularly to the Department of the Public Works; and I stated that the Government of India had spent some millions on works of irrigation, and that though a similar sum had been spent by private companies for a like object, the works were entirely unremunerative; but that, nevertheless, a Memorandum had been addressed to the Governor General, in 1865, bearing the signature of Colonel Strachey, who then held the important situation of Secretary to the Government of India in the Department of Public Works, advising the Government to borrow £20,000,000, with a view to carry out works of this nature upon a great scale throughout India. I objected to this being proceeded with, and I observed that the works would take an immense time to execute, and that as the engineer only promised that they would repay the cost of the construction ten years hence, that few of us would live to see the result, and that the engineer would have been able by that time to return to England with plenty of money in his pockets. That is the phrase to which objection has been taken to. I did not intend to convey the smallest imputation on the honour or integrity of Colonel Strachey. Knowing, as I have done, the Indian service for many years, it would be absurd to suppose that any person in the position of a Secretary to the Government of India advocating the borrowing of money for public purposes could have any advantage in carrying the works into effect. I know nothing personally of Colonel Strachey; and, independently of that, I hear that he has retired from the service.

ACTING GOVERNOR OF HONG KONG.

OBSERVATIONS.

COLONEL SYKES said, he rose to call the attention of the House to the rendition, by the acting Governor of Hong Kong, Mr. Mercer, in May, 1865, of a Chinese inhabitant of Hong Kong to the Mandarin authorities at Canton on an accusation of piracy, and to his subsequent barbarous execution; also to call attention to Parliamentary Paper No. 262, which he held in his hand, relating to the surrender to the Mandarin authorities by Her Majesty's naval officers in the China seas of alleged pirates, and to ask the Secretary to the Admiralty by what Act or Acts of

Parliament, or Orders in Council, or other instructions, naval officers serving on the coasts of China hold direct communication with the Chinese authorities, and surrendered to them the crews of junks whom they deemed to be pirates, without the intervention of the British Consuls, the duly constituted channels of communication with the Imperial Government. The first case to which his notice referred was the crucifixion of a prisoner who had been given up by Mr. Mercer in Hong Kong to the Chinese authorities at Canton. The case was a very painful one, and had excited a great deal of popular indignation. His attention was first called to the atrocious circumstances by the following statement in the *Hong Kong Overland Trade Report*:—

“Hong Kong, Tuesday, 30 May, 1865.

“The case of extradition referred to in last report as having been made by the Hong Kong authorities to the Canton Mandarins of a Taeping chief who had taken refuge here, has excited a good deal of popular indignation. It would appear that the local authorities have not only read the treaty erroneously, but that they have no power whatever to meddle in the matter, no Ordinance ever having been passed to enable them to take cognizance of offences under the Tien-tsin Treaty. The sad part of the story is the mode of the death of the unfortunate man surrendered. He was demanded on a charge of piracy; the punishment for which is decapitation. The surrender was made through the British Consul at Canton, who, in giving the man up to the Mandarins, notified that the accused ought to have a fair trial, and that he wished to know when the same would take place, as he would make it a duty to watch the proceedings. Whether a reply was or was not received is not known; but the prisoner was taken to the execution ground, tied to a cross, and was cut to pieces in a manner too horrible to bear recital. When at length death released the victim, his heart was cut out, and the soldiers mustered around and ate it! After which the head was cut off; the idea, in the commission of the two last barbarous acts, being that the deceased should appear in ‘Hades’ without head or heart. The horrible spectacle was witnessed by an officer in Her Majesty’s service.”

Consequent upon the perusal of the above statement he (Colonel Sykes) addressed a letter, dated the 25th July, 1865, to Earl Russell, asking his Lordship to cause inquiry to be made into the conduct of Consul Robertson at Canton, and that of Mr. Mercer, the acting Governor of Hong Kong. Copy of this letter was sent to the Secretary of State for the Colonies (Mr. Cardwell), who promptly demanded the necessary explanations; and the result is the Parliamentary Paper No. 120, ordered to be printed on the 20th March,

1866, and which is now in the hands of Members. It had been stated that the case of the individual given up had not been judicially investigated. The Return to the House gives the details of the seizure and judicial investigation before the police magistrate, Mr. Whyte. The forms certainly had been gone through, but the essence of justice was wanting, as appears on the face of the investigation, and of which Members can form their own judgment. The case was simply this:—In August, 1861, a Chinese, by name, How-Hoi-Low, but the acting Viceroy of Canton called him How-yook-tin, and Mr. Mercer tried him as Ho-yu-teen, arrived in Hong Kong and set up a shop there. He must have been of some respectability, for he had four or five assistants. Very shortly after his arrival, a stranger paid him a visit, and demanded money from him, saying, if he did not give it he should denounce him to the Chinese authorities as a pirate for having robbed his boat of sugar and opium. Having refused the money demanded, some little time afterwards he was arrested by order of Mr. Mercer, and sent before Mr. J. C. Whyte, the police magistrate at Hong Kong, on a charge of robbery; the acting Viceroy of Canton had demanded his surrender on a charge of piracy, and Mr. Consul Robertson, in his letter to Mr. Mercer, dated the 21st April, 1865, forwarding the Viceroy’s letter also, called it piracy, but as piracy must be tried by the Supreme Court at Hong Kong, Mr. Mercer chose to call the act of How-Hoi-Low “robbery,” which placed him at the disposal of Mr. Mercer for rendition, and this Mr. Mercer states in his letter in the Parliamentary Return No. 120; and so strong a personal feeling did Mr. Mercer show in the matter, that he actually ordered the acting Attorney General of Hong Kong to attend Mr. Whyte’s police court to watch the proceedings, that the accused might not escape by any quirk of law. How-Hoi-Low, when first threatened by a Chinese who called himself Chan-Tsun-Kit, consulted Mr. Pollard, a barrister at Hong Kong, who assured him that he was perfectly safe, and that he could not be given up. On the 24th April, 1865, however, he was seized by order of Mr. Mercer, and examined by the police magistrate, Mr. Whyte, Mr. Pollard defending the accused. The Viceroy demanded his rendition on the ground of his having piratically taken 3,000 taels in silver from a boat

belonging to Chan-Tsun-Kit in the River Fook-Shan. His accuser is the only witness to the act of piracy, and in the following evidence involves himself in gross contradictions :—

Police Court, Monday, 24th April, 1865.

"Chan-Tsun-Kit, declared, deposeth: I am a trader, and live in the Toong-Kune district. In the first year of Toong-chee, the 17th day of the 5th Moon (13th June, 1862), I left Shanghai in a Ningpo junk for Chun-Kong. I had about 3,000 taels' worth of goods, oil, sugar, and opium, on board. The next day we were in the Fook-Shan River; at about three or four in the afternoon, I was asleep, and was roused up by some people on board. I saw two boats near us, one of them fired small cannons at us; the crew in my junk, which I had hired, all jumped overboard; I do not know if they were drowned, but the river is very wide: I had a crew of seven. I remained in the junk alone; the two boats came alongside; there were about thirty men on board of them. The prisoner was one of them; he was the head man. They took my boat to Fook-Shan; when there I was taken to a shed, and had a chain put on my feet. The prisoner told me I must write home to my friends for 1,000 dollars to be ransomed. I told him I had no more property; I was kept there about a month in chains, and was made to work for the prisoner, in cutting wood and carrying as a coolie. I was taken about by the prisoner by land from place to place, until the 1st day of the 7th Moon, of the 3rd year of Toong-chee (2nd August, 1864), two years and one and a half month, when the prisoner's party was beaten by the Mandarins. I do not know the name of the place. The prisoner and his party all ran away, and I hid myself in the hills until nightfall. Next morning, seeing nobody, I made for a place called Chan-gong; there I saw some soldiers I knew, and told them about my case. I remained about ten days at Chan-gong; and then sailed for Hong Kong, which I reached on the 15th of last October; I stayed here one day, and then went on to Canton. On the 15th of last month I came here from Canton to buy some goods; I was walking on the Praya, when I saw the prisoner enter a shop, the Kom-shing-tai, in the Praya West. I went back to Canton the next day, and wrote to a friend, Chan-Fai-Ting, who had been a prisoner with me when I was in the power of the prisoner. I told him I had seen the prisoner; I went to the Chinese authorities and stated what I had suffered, and that I had seen the prisoner in Hong Kong. I was sent here with a Mandarin by the Acting Viceroy.—To the Prisoner, I never saw you until the day on which I seized you; I am not a gambler; I never asked you to lend me money; I did not go to your shop in the 2nd Moon this year to ask you to lend me money.

[Signed, in Chinese.]

Chan-Fai-Ting says he saw the prisoner in the Fook-Shan river at the head of a body of men, and his own boat had been plundered of salt fish by him, but he did not see the piratical plunder of Chan-Tsun-Kit's boat. The accused utterly denied the charge—said that he knew the accused as a gambler, and that he had never seen

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the second witness before. Mr. Pollard raised objections to the legality of the proceedings, which were disallowed, and he then asked for a remand and a copy of the evidence. The prisoner was remanded to the 1st May, and admitted to bail in two sureties of 250 dollars each, which he readily found, testifying to his respectable status in Hong Kong. On the 1st May the accuser was cross-questioned and contradicted his former evidence that he was plundered in the Fook-Shan river, but says it took place "at Keang-han, which is situated on a river a long way from the sea," and further deposed that the prisoner was at the head of several hundred men, and went from place to place; the names of which he did not know; but he accompanied the party for more than two years before they were defeated by the Mandarins; and he then made his escape. The prisoner's counsel raised legal objections, and demanded that the papers should be detained in the hands of the police magistrate, with a view to an application to the Supreme Court. The objections and demand were disallowed, and the prisoner was committed to gaol pending reference to his Excellency the Acting Governor. On the 2nd May the Acting Attorney General, Mr. Henry John Ball, who had attended the police court, reported to the Secretary, Mr. Alexander, for the information of Mr. Mercer, that the evidence was sufficient against the accused, and that delay ought not to be granted to him, to appeal from one court to another; and on the 3rd day of May, Mr. Mercer, under his hand, ordered the gaoler to give the accused, How-yu-teen, in charge to the captain superintendent of police to be given up to the Chinese authorities, and Mr. Consul Robertson is informed accordingly; and the unhappy man was given up and executed in the barbarous manner described—of the truth of which there could not be a doubt, for he (Colonel Sykes) held in his hand an autograph letter of an officer of H. M. 2nd Battalion, 9th Foot, who witnessed the dreadful scene. Half a dozen words of comment on the proceedings will suffice to prove that had there been any disposition in Mr. Mercer to save the prisoner from the more or less cruel punishment which the Chinese authorities invariably inflict on criminals, and of which, from his long residence in China, he was well aware, he did not need legal technicalities to justify him, as the contradictory evidence of the

accuser spoke for itself. He told the Viceroy he had been plundered of 3,000 taels in silver. He deposed before the magistrate that it was 3,000 taels' worth of oil, sugar, and opium; he deposed that it took place in the Fook-Shan river, and in his cross-examination, in a river a long way from the sea. He swore absolutely that he had never been to the shop of the accused, and had never endeavoured to extort money from the accused, while three witnesses swore that he did go to the shop of the accused, that he did demand money, and that he was thrust out of the shop. This proof of falsehood should at once have quashed all belief in the other parts of his story—which was sufficiently improbable—that he had been kept a prisoner by the accused for more than two years, and taken about the country with him, and only made his escape when the Mandarins beat the party, at the head of which was the accused. But admitting the truth of the accusations, that his boat had been plundered, he equally proved that How-Hoi-Low was an officer at the head of several hundred men, and moved in the districts spoken of by the accuser uncontrolled; and Mr. Mercer ought to have known that those districts for those two years were in the undisputed possession of the troops of the Taeping Emperor, and that he must have been an officer of the Taeping Government, and the act he had committed was in conformity with the rules of war between belligerents, and that when he sought safety in Hong Kong he was a political refugee. Moreover, Mr. Mercer should have known that the districts spoken of by the accuser were the field of Major Gordon's successful operations against the Taepings, that Major Gordon got a map made at the office of the Trigonometrical Survey at Southampton of the districts in which he had carried on his operations, and in that map there is not any such river as that described by the accuser Chang-Tsun-Kit! Mr. Mercer, in his letter to the Colonial Minister (Mr. Cardwell), dated 20th September, 1865, was pleased to say that he (Colonel Sykes) "had been shamefully imposed upon;" but after a deliberate consideration of the documents transmitted by Mr. Mercer, and comprized in the Parliamentary paper which he held in his hand, he (Colonel Sykes) had no hesitation in repeating the opinion he had expressed in his letter to Earl Russell, that the giving up of the then supposed Mo-Wang

to the Chinese authorities was a "culpable rendition," and it has been called by a much harsher name by the Editor of a Shanghai Journal, who, until he saw the Parliamentary paper, had not taken an unfavourable view of Mr. Mercer's conduct. He was glad to find that an order had been sent by the Secretary for the Colonies that no further rendition should take place at Hong Kong without reference home. The second part of his notice of Motion related to Her Majesty's naval officers in the China seas, placing in the hands of the Mandarins the crews of captured piratical junks, or, at least, believed to be so. From a Return granted to him by the House, and dated Admiralty, 9th May, 1866, it appeared that during Admiral King's command seventy-one junks had been captured and burnt, or given up to the Mandarins, and 215 of their crews were taken prisoners, and 200 of them given up to the Chinese authorities without the intervention of the British Consular authorities, the remaining fifteen were given up to British authorities. The crews of these junks could not have averaged less than thirty men each, so that nearly 2,000 must have escaped on shore. Some of the prisoners were given up to the Mandarin authorities at Amoy, and the horrible barbarities perpetrated upon prisoners, whether rebels, robbers, or pirates, will be judged of from copies of letters which he (Colonel Sykes) held in his hand, one from on board Her Majesty's Gunboat *Grasshopper* from the son of one of his (Colonel Sykes') constituents in Aberdeen. He (Colonel Sykes) stated that his object in bringing these revolting scenes to the notice of the House was to elicit an opinion whether some means could not be devised by which Her Majesty's naval officers might be spared from the painful reflections that their present duties involved, as being the means of handing over human beings to such tortures as the letters describe. The Chinese authorities had not the power, and it may be doubted whether they had the will, to repress piracy in the China seas, and the maritime police of 1,500 to 2,000 miles of coast had to be exercised by British ships of war and gunboats. But to the naval service this was a painful and indeed hopeless task, for there was a general impression that very many of the towns and villages on the coast were the refuge, indeed, domiciles, of pirates, and that the Mandarin authorities shared in their plun-

der, those only being punished and tortured who had nothing to give. Testimony is borne to this corruption in the following letter addressed to the Editor of the *Daily Press*, Hong Kong, dated Amoy, 31st December, 1865:—

"As this letter will be the last you will receive from me this year, I shall wind up with an account of some horrible scenes I have witnessed, Her Majesty's Representative here having actually allowed the Chinese Government officials to offer one of the greatest insults possible to foreign residents here, by permitting them to cut a Chinese prisoner in pieces whilst living, in front, and within ten yards, of European private and public residences at Amoy. I witnessed the execution of two criminals; one, Yun-tao, a native of Tong-wa, was found guilty of conspiracy and rebellion, the other, a Sampan man, had committed murder—both were first beaten with a bamboo. The rebel, having received his 300 blows, and borne them without a murmur, was taken to a cross that had been erected for the purpose, and being securely lashed to it in an upright posture, with his arms extended, the executioner commenced his horrible butchery by first cutting off the flesh above the eyes, next the ears, and then the breasts; then he cut through the muscles of each arm, laying the silvery white bone bare, the flesh not being cut off, but left hanging; the blood spirting out, and actually bespattering the executioner at each pulsation of the heart. Then the muscles of the thighs were cut out in the same manner. After the executioner had performed these dreadful tortures upon the poor wretch he laid his small knife aside and took another about ten inches long and about an inch broad, and cut gashes on each side of the man's chest, laying the ribs bare. Then he made several flourishes with the knife, and then ran it into the poor victim's body, entering just below the sternum in the middle of the chest, to the full extent of the blade. This I thought and hoped would prove the *coup de grace*. But no, for the man still breathed, and the executioner still continued his bloody task, cutting downwards with the knife, and letting out the entrails. He then slashed, and cut open the stomach. Then, giving a yell, ran his hand in, and seized the man's liver, and cut it out, passing the bleeding, quivering mass to his assistant as coolly and in as business-like a manner as though he were opening and butchering a pig. This finished the torture, and the executioner left the victim in this mutilated state, not yet dead, for I saw him give several gasps for breath afterwards. He then cut the Sampan man's head off, at the foot of the cross, with a single blow, and then returned, and letting loose the rebel's head, which fell forward, he decapitated him, certainly the most merciful stroke he had given that day. The bodies were exposed on the same wharf, with their legs tied to posts, for five days afterwards, to the great annoyance of the Europeans who occupied the houses adjacent."

The writer then narrates the fate of nineteen pirates captured by the *Grasshopper*, and delivered up to the Tautai. These men were tried and condemned to death.

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Three of them had friends who paid money for their release; the others were brought out for execution, when a respectably dressed Chinaman came forward and offered the Tautai a handkerchief full of dollars for the release of two others. The bribe was accepted, the two pirates were selected from the others, their shackles were knocked off, and they were allowed to depart with their kind friend and benefactor. The writer then states—

"Why it is quite a godsend to them, for our gunboats to capture pirates, and give them over to them for trial, and punishment; and this is what makes the Chinese authorities so anxious always for the gunboats to capture the men, and hand them over to them; so that they may reap the golden harvest, whilst our vessels of war and their brave crews are working hard, and risking their very lives, nominally to suppress piracy, but really to catch pirates, to hand over to a lot of thieving, lying, and squeezing Mandarins, to enrich themselves upon."

The author then states his belief that of the fifty pirates surrendered by the gunboats in November and December fourteen only were put to death. The Parliamentary Return, No. 262, mentions only twenty-seven pirates given up on the 1st of November from the *Grasshopper*, and none in December; but the author witnessed the executions of fourteen pirates at Amoy on the 8th of December, given up by the *Grasshopper*, and the chief pirate was crucified and cut to pieces in the same manner as the rebel had been. The truth of this is attested by a letter from the son of one of his (Colonel Sykes') constituents in Aberdeen, on board the *Grasshopper*, and which was published in the *Aberdeen Free Press*, on the 19th of June, 1866—

"I shall just mention some of the Chinese punishments which I have witnessed since I have been in Amoy. I went on shore the other day. It was the end of the Chinese Moon when all these things occur. The first I saw were four men who were crucified with the nails driven through the wrists, and the upper part of the foot, and who were let remain there till they died, with the skin of their forehead over their eyes. The next was three more pirates; they were put in a cage until they were starved to death. That is a common punishment. I have seen them where they had been in six days, and they turn regularly blue. It certainly does want something out of the way to try and suppress these pirates, for beheading is too good for them. I have seen eighteen beheaded at once. They are not allowed any block; they go on their knees, and off it comes as clean as a whistle. I think that will do for once. I could mention some more punishments cruel and more severe than any of these, but I forbear; these are bad enough."

After such statements and such occurrences, he (Colonel Sykes) maintained that it would be a disgrace to the British name for us not to interfere to prevent the continuance of such atrocities inflicted upon prisoners whom our officers had captured. Of course, pirates should be punished even with death, but knowingly to deliver them up to torture, is too revolting to suppose for one moment that the continuance of the practice can be sanctioned. The Chinese Government has thrown upon us the maritime police of its coasts, and we have a right to prescribe the conditions on which we will perform the hateful work. Captured pirates might be sent as convicts to Bermuda or Western Australia, to our African settlements, or elsewhere, to be employed on Public Works. Indeed, the foreign Municipalities at Shanghai had adopted an analogous plan for Chinese offenders within their settlements. Under date of the 15th of January, 1866, it was stated, in a Shanghai Journal—

“That at Shanghai the Municipality, not wishing to hand over Chinese who had committed misdemeanors within the precincts of the foreign settlement, to be tortured by the Mandarins, had established a chain-gang. The Mandarins objected to this, but the Municipality was described as determined to carry out the plan.”

If therefore the Chinese Government consented to surrender its national rights to a local municipality, the British Government surely could impose any condition it pleased in respect to the disposal of pirates taken by our naval officers, and he (Colonel Sykes), in the name of humanity, trusted Her Majesty's Government would speedily operate in the matter. He moved the adjournment of the House *pro forma*.

Motion made, and Question proposed, “That this House do now adjourn.”—(Colonel Sykes.)

MR. NEATE thought the hon. and gallant Member deserved the thanks of the House for bringing under their notice these painful circumstances. He contended that as the Chinese authorities had given up the guardianship of their own waters, they had virtually surrendered their claim at International Law to the rendition of these offenders, who might therefore be dealt with, when captured *flagrante delicto*, by the British authorities.

MR. WATKIN rose to order, and inquired whether it was competent for the hon. and gallant Gentleman (Colonel Sykes) to move that the House do now adjourn,

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and whether the Motion that the House do adjourn until Monday, which was on the paper, did not take precedence.

MR. SPEAKER said, that Supply not being on the paper, there was nothing to prevent the hon. and gallant Gentleman from making the Motion that the House do now adjourn.

LORD HENRY LENNOX was most willing to do justice to the motives of the hon. and gallant Member for Aberdeen in bringing this subject before the House. Although it appeared that doubts had been entertained elsewhere as to the accuracy of the facts mentioned by the hon. and gallant Member, the Government were unfortunately well aware of their perfect truth. But while deploring the perpetration of the horrors that had been detailed by the hon. and gallant Member, the Government found that there were great difficulties in the way of putting an end to them. The whole of the first part of the hon. and gallant Member's Question related to the conduct of Mr. Mercer, the Governor of Hong Kong; this was a question for the Colonial Office, and therefore the Secretary of the Admiralty could not be expected to answer it. In answer to the second part of the hon. and gallant Gentleman's Question, he might say that the officers of Her Majesty's navy in the Chinese seas acted under distinct orders, which were based upon the opinion given by the Queen's Advocate and the Law Officers of the Crown as long ago as 1855, as to the construction to be put upon the 13th Article of the Treaty of Tien-tsin of 1843. These orders directed that pirates taken in actual crime on the high seas were not to be punished except by the sentence of a Court of Law, and were to be delivered over to the British authorities; but, if the pirates were taken in seas within the Chinese jurisdiction, they must be handed over to the Chinese authorities, with the proviso that they were to have a fair trial, and were not to be subjected to torture or to any punishment contrary to the usages of civilized countries. Now, it unhappily turned out that, notwithstanding promises given in accordance with that proviso, the Chinese had frequently tortured the prisoners handed over to them. But what remedy had the British Government for such a breach of faith? The hon. and gallant Member suggested that the Government of this country should take the matter into their own hands; should try the prisoners, and, if guilty, send

them to Bermuda or elsewhere. Such a course, without entering into fresh arrangements with the Chinese Government, might lead to very serious complications, and could not be adopted by the Government. The late Secretary for the Colonies had issued the strictest orders that the prisoners were not to be given up, unless the officers in whose custody they were placed were well assured that they would have a fair trial, and would not be tortured. He was sorry to say that, beyond issuing such instructions, Her Majesty's Government did not see their way to do anything at present. He trusted, however, that in time the civilizing influence of the Western Powers would put a stop to the revolting practices which had been referred to by the hon. and gallant Member, whom he could assure that any reasonable suggestion he might offer, by which these horrors might be put a stop to, would be gratefully received and acknowledged by Her Majesty's Government.

THE AMERICAN MAILS. OBSERVATIONS.

MR. PIM said, he rose to call the attention of the Government to the Return of the Voyages of the Mail Steamers between Queenstown and America, and to the delay which takes place in the transit to and from London, especially at Queenstown, with respect both to the outward and inward mails; and to ask, Whether the Post Office authorities intend to take any measures to obviate these delays, and expedite, as much as possible, the transmission of letters between America and Great Britain and Ireland; and also to inquire when they intend to reduce the rate of postage from 1s. to 6d.? In so important a matter all the expedition possible ought to be employed, and that the delays which at present were constantly occurring might be prevented by the running of express trains in connection with the mails.

MR. HUNT said, he would reply to the hon. Gentleman's last question first—namely, as to the rate of postage. It was expected that when the present contracts had determined it would be in the power of the Post Office to reduce the rate from 1s. to 6d. With regard to the complaint that the mails were unduly detained, he must say that it was impossible to avoid delay on some occasions. With respect

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to the outward bound mails, he was informed by the Post Office authorities that the packet from Liverpool was timed to arrive at Queenstown not later than four in the afternoon. In fair weather the packet reached Queenstown before the arrival of the mails, and that would account for some of the delays in the hon. Member's Return. The trains were calculated to reach the port at the time when the packet was due on the average. There was no regular mail train on the Sunday, but there was a special train which arrived at thirty-eight minutes past two, and the mails reached the packet at half past three. With regard to the Inman line, that line was under contract with the United States.

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at Eight o'clock.

HOUSE OF LORDS,

Saturday, August 4, 1866.

MINUTES.]—PUBLIC BILLS—*First Reading*—Habeas Corpus Suspension (Ireland) Act Continuance* (276); Patriotic Fund* (277); Constabulary Force (Ireland)* (278).

Second Reading—Common Law Courts (Fees and Salaries)* (271); Expiring Laws Continuance* (272).

Committee—Cattle Diseases Prevention Act Amendment (No. 2)* (274).

Their Lordships met; and having gone through the Business on the Paper, without debate—

House adjourned at One o'clock,
to Monday next, a quarter
before Four o'clock.

HOUSE OF COMMONS,

Saturday, August 4, 1866.

MINUTES.]—NEW MEMBER SWORN—Michael Morris, esquire, for Galway Town.

SELECT COMMITTEE—*Report*—Public Accounts [No. 476].

PUBLIC BILLS—*Ordered*—Indemnity.*

First Reading—Indemnity* [259].

Committee—Foreign Jurisdiction Act Amendment* [258] [Lords]; Habeas Corpus Suspension (Ireland) Act Continuance [256].

Report—Foreign Jurisdiction Act Amendment* [258] [*Lords*]; Habeas Corpus Suspension (Ireland) Act Continuance [256].

Considered as amended—Ecclesiastical Commission [252] [*Lords*]; Constabulary Force (Ireland)* [224].

Third Reading—Ecclesiastical Commission [252] [*Lords*], and *passed*.

ROMAN CATHOLIC PRISONERS IN WESTMINSTER PRISON.

EXPLANATION.

MR. T. J. MILLER said, that he wished to make an explanation in reference to a statement made by the hon. Member for Roscommon (The O'Connor Don) in reference to the attendance of the Roman Catholic priest upon the prisoners of his faith in the Westminster Prison. The hon. Member stated that the priest was only allowed to visit the prisoners for two hours a day; but he (Mr. Miller) had received the following memorandum from the visiting Justices:—

“House of Correction at Westminster.—On the 19th of May, 1866, the Rev. John Wynne was approved by the visiting justices for visiting the Roman Catholic prisoners in this prison, and he was requested to arrange with the matron the times when it would be proper for him to attend the prisoners, having reference to his convenience and the general discipline of the prison. He accordingly made his own arrangement with the matron, and he has since attended at the prison whenever he wished, on an average four hours daily, Sundays excepted. With reference to the O'Connor Don's statement in the House of Commons on the 25th instant, as reported on the 26th, and to his letter of the 27th, that ‘in the prison at Westminster the Protestant Scripture Reader not only circulated his books among members of his own religious persuasion, but among the Roman Catholic prisoners as well,’ it is only necessary to observe that there has never been a Scripture Reader at that prison.—July 30, 1866.”

He trusted that this explanation would be satisfactory to the hon. Member for Roscommon.

NAVY—NAVAL RESERVE.—QUESTION.

MR. GRAVES said, he would beg to ask the First Lord of the Admiralty, The names of the ships at present available in the reserves for immediate service?

SIR JOHN PAKINGTON: My hon. Friend will, I trust, excuse me if I do not give him the names of these ships, but I am sorry to say that if I did so the list would be a very short one. I regret to state I find the reserves by no means in a satisfactory condition, or, indeed, in such a state as I had a right to find them—so much so that the Admiralty have great difficulty in finding relief for the ships that return from foreign service.

NAVY—ARMOUR-CLAD SHIPS FOR THE PACIFIC.—QUESTION.

MR. GRAVES said, he would now beg to ask the First Lord of the Admiralty, The names of the two armour-clad vessels which the late Secretary to the Admiralty stated, on the 15th March, were about to be despatched to the Pacific Ocean, with the dates of their departure?

SIR JOHN PAKINGTON, in reply, said, he was unable to give the names of the two armour-clad ships intended for the Pacific. What ships the late Secretary to the Admiralty might have alluded to in his speech of the 15th of March he was unable to say, but the *Zealous* was one of the armour-clads now fitting for the Pacific, and he supposed she was one of the ships to which Lord Clarence Paget might have alluded. No armour-clad that he was aware of had left England for the Pacific station, and none were engaged to go except the *Zealous*.

ARMY—THE MUTINY ACT.

QUESTION.

MR. DARBY GRIFFITH said, he would beg to ask the Secretary of State for War, Whether, in future, the Bill of the Mutiny Act will, in the usual way, be printed for a proper and reasonable time before it is read a second time; and whether, in the 18th section of the Articles of War, under head of Duties and Liabilities, the time for which an officer can be detained under arrest, without being brought before a Court Martial, has been altered from “eight days” in former Articles of War to “within a reasonable time” in those of this year, without any notice of this change having been previously made to this House or to the Army?

GENERAL PEEL said, in reply, that the usual course had been pursued in regard to the Mutiny Act. It was not printed by order of the House. Some forty or fifty copies were sent from the War Office to the Vote Office for the use of any Members who might wish to have them, but there was no use in going to the expense of printing the Act when no alteration was made in it. The best course would, he thought, be, when the Mutiny Bill was laid before the House, to prepare a paper pointing out any alterations that might have been made in the Bill, and this paper might be printed and distributed with the Votes. It was true that

an alteration had been made in the 18th section of the Articles of War, the words "eight days" having been left out. It formerly stated that an officer should be brought before a court martial "within eight days, or a reasonable time." It was sometimes found impossible, however, to decide within eight days whether an officer should be brought to a court martial, and the words now were "within a reasonable time." The 74th Article of War, which also referred to this subject, stated that any person who unnecessarily detained any prisoner in confinement without bringing him to trial should himself be subject to a court martial and to be punished. The alteration in the 18th section was introduced by the late Judge Advocate a very short time before the Mutiny Bill was brought in. With respect to no notice of the change having been given, he had to state that the Articles of War were not communicated either to that House or to the army. Her Majesty had authority to frame Articles of War, which were submitted by the Secretary of State for War to the Judges, and they then became the law of the land. Due notice should be given of any alteration in the manner he had suggested.

MR. DARBY GRIFFITH gave notice that next Session, upon the introduction of the Mutiny Bill, he would move that, in order to prevent in future alterations of the Articles of War in important points without the knowledge of that House or of the army, it was expedient that the Articles should be added as a schedule to the Mutiny Bill, and should go through the same legislative proceedings.

ECCELESIASTICAL COMMISSION BILL.

[*Lords.*] [BILL 252.]

CONSIDERATION. THIRD READING.

Order for consideration read.

Bill, as amended, *considered*.

MR. MONK moved the addition of the following proviso at the end of Mr. Henley's clause, after Clause 16 :—

"Provided always that from and after the 29th of September next all the seats in the said churches of Christ Church, St. Andrew, St. Matthew, St. Stephen, St. Mary, St. James-the-Less, and Holy Trinity, not held by faculty or prescription, nor appropriated under the authority of any Act of Parliament or of the deeds of consecration of the said churches, shall be for ever free and unappropriated."

The object of the proviso was to preserve
General Peel

the seats free for the poor in the large district of Westminster.

Amendment made.

Bill read the third time, and *passed*, with Amendments.

HABEAS CORPUS SUSPENSION (IRELAND) ACT CONTINUANCE BILL.

(*Lord Naas, Mr. Secretary Walpole, Mr. Attorney General for Ireland.*)

[BILL 256.] COMMITTEE. THIRD READING.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Continuation of 29 *Vict.* c. 1.)

MR. REARDEN moved an Amendment in the shape of the following addition to the clause:—

"But during the continuance of the said Act it shall be lawful to admit to bail such person or persons as may now be detained in prison, or such person or persons as may be arrested after the passing of this Act."

THE ATTORNEY GENERAL FOR IRELAND (MR. WALSH) said, the law at present authorized the acceptance of bail under certain circumstances. As the proposed addition, however, would have the effect of giving the magistrates the power of accepting bail for the prisoners, he should oppose it on the ground that it would neutralize the intentions of the Act.

MR. REARDEN (having previously signified his intention to divide) said, upon further consideration he thought it better to withdraw his Amendment, hoping that the Government would not press the law severely upon the people, and believing that there were no kinder-hearted gentlemen throughout broad England than some of Her Majesty's Ministers.

Amendment, by leave, *withdrawn*.

Clause *agreed to*.

House *resumed*.

Bill *reported*, without Amendment; read the third time, and *passed*.

EXTRADITION TREATIES ACT AMENDMENT BILL [*Lords*].—BILL 247.]

COMMITTEE.

Order for Committee read.

MR. J. STUART MILL appealed to the Government to postpone the further

consideration of this Bill, on the ground of the absence of his hon. Friend the Member for Reading (Sir Francis Goldsmid), who had an Amendment on the paper, to which he attached great importance. His hon. Friend was obliged to leave the House yesterday before the division, and was probably unaware of the intention of the Government to have a sitting of the House that day, in order to pass that as well as other measures on the paper through their remaining stages.

MR. WALPOLE asked, whether the hon. Member for Westminster was not prepared to move the Amendment?

MR. J. STUART MILL doubted whether he should be able to do justice to the subject, as he had come to the House totally unprepared to undertake the task.

Committee deferred till Monday.

NAVY—THE ROYAL DOCKYARDS.

OBSERVATIONS.

SIR JOHN PAKINGTON: I rise for the purpose of moving that the House do now adjourn in order to have the opportunity of appealing to the indulgence of the House while I refer to certain statements made on a previous day by the hon. Member for Lincoln (Mr. Seely). I am quite aware that I am somewhat trespassing on the rules of the House, but justice to the officers of a public Department impels me to this course, and the House is always indulgent where personal matters are concerned. The statements do not affect myself personally, but men of high character in one of the public Departments are of opinion that they are erroneous and injurious to them. I believe no part of the very interesting statement—for it certainly was interesting—of the hon. Gentleman has so much struck the public mind as the extravagance which he imputed to the dockyards in the repairs of boats; and it is most desirable—and I am sure nobody will more rejoice, if it can be done, than the hon. Member himself—to show that he was misled in the statements he made on the occasion to which I allude. I shall not detain the House, I am happy to say, more than a very brief period in making the explanation. One of the most startling statements was that a thirteen-foot cutter had been repaired at a cost of £110, while such a cutter newly built and fitted would only have cost £42. The only inference to be drawn from this

statement was that it set forth a case showing habitual extravagance, as the sum named appeared very excessive. Now, the explanation of the statement was that the boat in question was a barge prepared for the accommodation of his Royal Highness Prince Alfred, and was attached to the *Raccoon* frigate, and used by his Royal Highness when in the Mediterranean. I am not prepared to say that the hon. Gentleman's figures were correct, but assuming they were, it was an exceptional case; when a barge is prepared for a member of the Royal Family, of course more than the ordinary expense is incurred. I am sorry that the hon. Gentleman did not ascertain this fact, or that, if he had done so, he did not at once state it to the House, seeing that the case in question could not be held to be an illustration of the usual expense of repairing boats. The next statement the hon. Member made was that three twenty-foot gigs cost £90 repairing, while new boats could have been obtained at a cost of only £58. I believe these figures were correct. One of these boats I have not been able to trace; but all of them were boats fitted for a purpose similar to that for which the former boat was required. Two of them are attached to the yacht *Enchantress*, which is sometimes used by the Board of Admiralty and sometimes by members of the Royal Family. These boats were fitted in a manner different from that in which ordinary men-of-war's boats were fitted; and, therefore, again I say this is not a fair illustration of the cost of repairing boats in the dockyards. Another statement of the hon. Member was that in 1864-5 new work with respect to boats cost only £1,033, while the repairs cost £5,685, or more than five-fold. The inference which I suppose the hon. Gentleman intended to be drawn from this statement, and which the public would naturally draw, was, that a most wasteful expenditure was incurred in repairing Her Majesty's boats; but the explanation of the matter is very simple. Excepting barges and launches, all boats for Her Majesty's ships are built by contract, and therefore in the building accounts of the yards no large item of the cost of building boats appears. These boats, however, are repaired in Her Majesty's dockyards, and the cost of repairs would naturally very much exceed any charges for original construction. I have now to refer to a statement of the hon. Gentleman that one

cutter had been repaired at a cost of £66, which if newly built and fitted would have cost only £30. If I remember right not one of the statements of the hon. Gentleman caused more astonishment in the House than this did, and I felt at the time convinced that there must be some mistake in regard to it. Believing that it was most desirable that this matter should be clearly understood, I have brought down to the House a portion of manuscript from the dockyard account for any hon. Member to look at who pleases to do so, and he will there see that instead of one cutter having been repaired at a cost of £66, three cutters were repaired for that sum. The hon. Gentleman spoke of having sent his secretary to the office of the Accountant General, and it appeared that either the hon. Member or his secretary, though correct as to the size of the boat, had failed to observe the figure 3, which showed that the amount of £66 was to be distributed over three boats. Another statement struck me with still greater surprise. He said—

"It appeared that the eighty-three boats repaired at a cost of £5,685 had better have been burnt, for the dockyard people might have bought newly-built eighty-three boats of the same size for about the cost incurred in repairing them."

Now, I hold in my hands the published Return laid before Parliament of the Navy dockyards, and if hon. Members will examine it they will see that one line runs—"By boats, building and fitting—83—£764," and underneath, "By boats, repairing, altering, and refitting—282—£5,685." The error, therefore, which the hon. Member has made consists in taking the eighty-three boats from the upper line, and connecting them with £5,685, which appears in the lower line. I cannot in any other way understand the statement of the hon. Gentleman. He has thus fallen into a very serious mistake. But this is not all. The hon. Member represented the repairs of eighty-three boats as costing £5,685; but it is necessary to state that the 282 boats even, which stand opposite the figures £5,685, did not cost the whole of that sum for their repairs. The hon. Gentleman does not appear to have looked at this entry with all the care and accuracy which might have been expected from him before charging a public Department with extravagance; but he had not even looked at it with the eyes of a man of business. The

sum of £5,685, as I have before stated, does not represent the cost of repairs of the 282 boats, but denotes their value after having been repaired, and in order to ascertain the real cost of repairs the value of these before they were repaired should be deducted from the total amount. I cannot state exactly the sum to be deducted, but there can be no doubt that it is considerable. The House will, therefore, see that the case which the hon. Gentleman put before it was one of extreme exaggeration, and without imputing anything but right intentions to the hon. Gentleman, I may observe very respectfully that hon. Members, while discharging the most important duty of keeping a check upon the public Departments, are bound to be very cautious, and to secure the utmost accuracy in their statements, or there is great danger of doing serious injury. As the hon. Gentleman said a good deal about iron pavement in the dockyards, I will just touch upon that question. He will, no doubt, be very glad to hear that experiments are in course of progress with regard to the real value of that iron. They have not proceeded very far, but as far as they have proceeded the result is to show that the iron varies very greatly in quality. Some of it is of very little value, and some, I am informed, comes up to the highest value stated by the hon. Gentleman. I have only to add that while I have thought it my duty to explain these items, in which the hon. Gentleman has incautiously fallen into extreme exaggeration, I have, of course, not been able as yet to investigate all the numerous statements and comprehensive figures contained in the hon. Gentleman's speech, and although the hon. Member had been incautious in his statements, I am by no means prepared to say that there was not sufficient remaining in his speech to make it desirable that the whole system of our dockyard establishments should be carefully and jealously watched.

MR. SEELY said, he hoped the House would extend to him its indulgence while he made a few observations with regard to the statement of the right hon. Baronet opposite. He had stated that he (Mr. Seely) had extremely exaggerated the state of the case in the dockyards. If he had fallen into any errors, he must charge those errors, in a great degree, upon the right hon. Baronet himself, for he offered, before he made any statement

Sir John Pakington

in that House, to place before the right hon. Baronet the statement he was about to make, accompanied with the proposal that the facts which he was about to submit to the House should be investigated before they were brought forward; but the right hon. Baronet declined the offer. He could not help expressing a very humble but decided opinion, that if the rule were observed, not only with regard to Admiralty matters, but Government matters generally, of ascertaining the facts of the case before any statement was made in the House respecting them, the time of the heads of Government Departments, and much of the valuable time of that House, would be saved, many errors would be avoided, and the public would be enabled to come to a correct conclusion as to what the facts of the case were, and they would draw such deductions as common sense would suggest. But the position in which he stood at the present moment was that he had made a statement as to facts; and the right hon. Gentleman, on a subsequent occasion, had come down to the House, and said that he had extremely exaggerated the case. He thought he should be able to show that he had not exaggerated the case, and that he was correct in stating that the Admiralty had done work at a cost nearly double what it was worth. Moreover, the right hon. Baronet refused only the other night to allow the errors which he charged him with having fallen into to be investigated before any statement was made in that House, and it appeared to him (Mr. Seely) to be a rule—perhaps to some extent a good one—that, while the subordinates in public Departments made out as good a case as possible, the various Departments joined together to defend each other; past and expectant as well as present officials joining but too often in putting down, if they could, an independent Member. The first statement which the right hon. Baronet objected to was that which he made to the effect that a 13-foot cutter cost £110 to repair, when a new one would only cost £42, his explanation being that it was a boat required for Prince Alfred. He (Mr. Seely) was utterly ignorant of that fact; he had no means of knowing it, and he could only say that he would not have commented on the fact had he been aware that the boat was intended for any member of the Royal Family. Then the right hon. Baronet stated that he (Mr. Seely) by inference wished the public to believe that because there

was only £1,038 expended in the building of new boats, and £5,685 in repairs, the cost of repairs was excessive, whereas the fact was that the greater number of the boats were bought, and that, therefore, the repairs bore no relation to the cost of the boats when built. But he wished to call the attention of the right hon. Baronet to the fact that the repairs had been swelled up from year to year. In the year 1862-3 the cost of repairs in all Her Majesty's dockyards was only £8,713, while in 1863-4 the amount swelled to £13,026. Therefore the argument with regard to boats being bought did not at all meet his objection that the repairs in one year had risen from £8,713 to £13,026. That was a matter which required investigation on the part of the officials of the Admiralty. The right hon. Baronet had commented next on his statement that a cutter cost £66 to repair, when it could have been bought new for £30. The right hon. Baronet had said that that was the charge for three cutters. With regard to that point, he (Mr. Seely) found, upon looking at the papers which his secretary brought from the Admiralty, that the account stood thus. There was not any error in copying. [Sir JOHN PAKINGTON: He left out the figure "3."] No, that was not it. The three cutters to which the right hon. Baronet referred were not what he alluded to. There was a 25-foot cutter, No. 2,999, which stood in the accounts of the Admiralty at a cost of £58 for repairs. This was rather a complicated question, and he was not certain whether he could make it clear to the House; but all this difficulty would have been avoided if the right hon. Baronet had accepted his offer of letting the facts be ascertained. It appeared that in 1864-5 the Admiralty made a change in the system of keeping their accounts. On the debit side it was stated that the boats issued for repairs were of a certain value, and on the creditor side it was stated that the repairs (which included in this year the value of the boats issued) amounted to £5,685. He admitted, as a matter of course, that the value of the boats before they went to have repairs done to them, ought to be deducted. It should be on the other side of the account. But that was not the mode in which the accounts were presented to the House in 1863-4. In the accounts for that year there was nothing charged for the value of the boats when they were sent for re-

pairs, so that in 1863-4 whatever sum was charged for repairs, was for repairs done on those particular boats. The repairs of the one 25-foot cutter in question, which the First Lord erroneously supposes to be three 25-foot cutters, are put down in the dockyard printed accounts at £58, and he would now deduct £10 as being in all probability the value of that boat, leaving £48 for the repairs. He added to that £48, however, 35 per cent, which the Admiralty now admitted ought to be added to get the correct cost of ships (though the amount really added in the Return of cost of ships for 1864-5 was $42\frac{1}{2}$ per cent), and, of course, must be added to the cost of boats, and the total was £65 as the cost of repairing that boat. The right hon. Baronet had then referred to the eighty-three boats which he (Mr. Seely) stated had been repaired at a cost of £5,685. Here there was an error, for instead of eighty-three boats being repaired, only seventy-nine were repaired. This was no great error after all, inasmuch as what he wished to point out to the House was that the boats repaired in that year were repaired at a cost at which new ones could be bought, and he thought he should be able to show that he was not far out. If the right hon. Baronet referred to his written and unpublished account he would find that the 282 boats repaired and refitted at Portsmouth at the given cost of £5,685, were seventy-nine boats repaired in that year at a cost of £4,475; and 203 refitted at a cost of £1,210, making 282 boats repaired and refitted at a cost of £5,685. Those seventy-nine boats included two steam launches, the cost of which when new he could not ascertain, and he therefore deducted the cost of their repairs, £452, leaving seventy-seven boats repaired at a cost of £4,023. The value of the boats being given as £1,965 17s. 8d., he would deduct the proportion of the seventy-nine repaired—namely, £553, and there was then left £3,470 as the cost of repairs for these seventy-seven boats. Adding to that, 35 per cent (omitted in dockyard accounts), which came to £1,214, the total was £4,684. But if the repairs of the two steam launches were included, and if $42\frac{1}{2}$ per cent (the amount actually added by the Admiralty to get the correct cost of ships) were added, the repairs of these seventy-nine boats would be found to cost about the sum he had originally named,

Mr. Seely

that is, £5,685. Of course, he could not pledge himself to the complete accuracy of the figures, but he believed that these seventy-seven boats might have been built for £4,596. He supposed, from what the right hon. Baronet had said, that he might take for granted that his other statements were correct. He (Mr. Seely) had stated that £110 had been paid for repairing a 30-foot cutter which could have been newly built and fitted for £42. In the same way £21 would have built a new 22-foot gig upon which £58 had been expended for repairs, and three 20-foot gigs could have been constructed and fitted for £58, whereas £90 had been expended upon them for repairs. But by adding 35 per cent Admiralty data to the amount of the repairs as had been added in 1864-5, the cost of the repairs to the 30-foot cutter would be increased to £148, of the 22-foot gig to £78, and of the three 20-foot gigs to £121. He was in error in this respect to some extent, inasmuch as he had not made out the strongest case against the Admiralty. He had not added to these amounts of £58 and £90 the 35 per cent that ought to have been added. If any professional Accountant, appointed by the right hon. Baronet himself, would go carefully into the figures, he could vouch for it that he would find that the cost of the 22-foot gig, instead of being £58 was £78. He made some statements with regard to the cost of ships, and as the right hon. Baronet had disputed some of his figures, perhaps the House would allow him to mention one or two more instances of excessive cost in the construction of ships. The *Irresistible* was built at a cost including the proper percentages of £183,970, whereas she ought only to have cost £109,186, being an excess of cost of £74,784. The *Victoria* cost £329,858, and she ought only to have cost £191,199, being an excess of cost of £138,659. He also mentioned that the *Achilles* cost more than the *Warrior* by £244,910, and more than the *Black Prince* by £242,093. There was no explanation, or any attempt at explanation, of these and various other matters to which he alluded, and he presumed that he might take for granted that they were correct. He had called the attention of the House to extravagance which, in his opinion, was represented by upwards of a million sterling; and he had only to say, in conclusion, that he trusted the House would do him the

justice to believe that if he had fallen into any error it was unintentional.

MR. CHILDERS said, that on a former occasion he did not hear the figures quoted by the hon. Gentleman, and therefore it was impossible for him to give the required information. He confined his statement to what had been done since 1864 to put the accounts on a satisfactory commercial basis, and he did not in the slightest degree attempt to answer the hon. Gentleman. He quite agreed with the hon. Gentleman that much of what he had complained required to be probed to the bottom; and no doubt it would be. In many cases it appeared the hon. Gentleman had misquoted the figures, and in other cases the figures did not justify the inferences he had drawn, and to-day he had in his defence taken fresh ground and drawn new inferences from the corrected figures; and as the Admiralty had promised a full investigation into the hon. Gentleman's complaint, he (Mr. Childers) hoped he would pause before he proceeded further. With regard, however, to the iron ballast laid upon the roads to which the hon. Member referred as an instance of extravagant management, he might state that the iron was bought as ballast during the French war at the beginning of the century, and was purchased by weight and quantity without the slightest reference to quality. The Government paid the price demanded for the worst kind of iron—iron worthless for purposes of manufacture. And if a large quantity of good iron was delivered by those who professed to sell to the Government at a time when the Government desired to purchase a large quantity of bad iron as ballast for their ships, it was a very fortunate circumstance for the Government, who had better dispose of the iron at the best price they could obtain. It was within his own personal knowledge that the Admiralty had on several occasions endeavoured to do two things—one was to get rid of their iron at the best price, and the other to see whether it could be used in any way. There were in the three principal dockyards, three of the best mechanical engineers in this country, and any one who would state that they were not acquainted with the quality of iron would be contradicted by the whole of the profession, and their opinion was that the iron was utterly worthless for manufacturing purposes. They were directed to institute an inquiry whether that iron could be used,

and their report was that it could not be used in any of the establishments of Her Majesty's Government.

MR. AYRTON said, the hon. Gentleman (Mr. Childers) seemed to believe that nothing ever went wrong in the management of the Admiralty; but somehow or other the public had got possessed of an idea that it was about the worst administered Department of the public service. Instead, therefore, of speaking in the manner he had done, it would have been much better to have lent the hon. Gentleman (Mr. Seely) all the assistance in his power, in order to expose the wasteful expenditure of the Department with which he had been so lately connected. The hon. Gentleman (Mr. Seely) was a person admirably versed in such matters as these; and in endeavouring to ascertain the real facts of dockyard management, he had been utterly foiled in consequence of the mystification which surrounded the accounts. Was not this fact most condemnatory of the Admiralty? It must be evident to everyone that if the accounts had been kept in a proper manner, and as it was right they should be kept, it would have been impossible for a Gentleman like the hon. Member (Mr. Seely) to have made the mistakes and miscalculations which he was to-day represented to have done. It would be much better if, instead of becoming the apologist of Admiralty administration, the hon. Member for Pontefract would indicate new fields of research to his hon. Friend (Mr. Seely), for he believed that if he remained in the House of Commons for the rest of his life he would never exhaust the abuses of the Admiralty.

MR. CORRY thought there was a very substantial reason why Gentlemen who were great departmental reformers before coming into office, should cease to be so after they had held office—namely, that official experience and information taught them that things were not so bad as they had imagined, and even that a great deal was right and proper which they had thought to be the reverse before. As an instance of this, he might refer to a noble Lord (Lord Clarence Paget), who afterwards succeeded to the Secretaryship of the Admiralty, who asserted in this House that £5,000,000 had been spent on building and refitting ships, which could not be accounted for; but, nevertheless, after the noble Lord's long tenure of office, he was not aware that he had left things

much better than he found them, or that he had been able to substantiate his charge. He (Mr. Corry) did not deny that there was room for amendment in the management of the dockyards; but he did deny that there was any foundation for the charge of gross extravagance which had been brought against them, and it was his belief that if dockyard charges were higher than those in private yards, the public had their money's worth in the superiority of the work. He could show, by instance after instance, that contract-built ships were in the end dearer than those built in the dockyards, which lasted much longer, and did not require such frequent repairs. That observation, however, applied only to wooden ships, and there was no doubt that iron ships could be built as advantageously by contractors as in the dockyards; but it was necessary that a certain number of iron ships should be built in the dockyards in order to give the workmen the necessary knowledge and experience for effecting extensive repairs.

MR. J. STUART MILL thought the conclusion to be drawn from this discussion was, that a great improvement had been attempted in the mode of conducting public business, but that, as is often the case with first attempts, it had not proved very successful. Every one must feel the great advantage it would be to this House and the public if the facts in any matter relating to public expenditure could be authenticated and agreed upon on both sides before the question founded on those facts was brought before the House. His hon. Friend the Member for Lincoln (Mr. Seely), with great credit to himself, applied to be allowed to ascertain his facts in the best possible way, and with the assistance of those best qualified to help him: and the Admiralty consented to that arrangement, though they did not appear to have persevered in that laudable intention to the end. The misunderstanding which appeared to have arisen was to be regretted, as they all knew how much more information could be obtained on a complicated matter across a table than across this House, and how much more complete and intelligible that information was likely to be when asked for in a friendly than in a hostile manner.

ADMIRAL ERSKINE inquired if the cost of the fittings were included in the estimated outlay? They generally cost as much as the hull.

Mr. Corry

MR. SEELY said, the rule at the Admiralty was to estimate the cost of fittings at one-third the entire outlay.

SIR JOHN PAKINGTON said, it would not be necessary for the House to meet before the usual hour on Monday.

INDEMNITY BILL.

On Motion of Mr. Secretary WALPOLE, Bill to indemnify such persons in the United Kingdom as have omitted to qualify themselves for offices and emoluments, and to extend the time limited for those purposes respectively, *ordered* to be brought in by Mr. Secretary WALPOLE, and Mr. HUNT.

Bill *presented*, and read the first time. [Bill 259.]

House adjourned at a quarter before Two o'clock.

HOUSE OF LORDS,

Monday, August 6, 1866.

MINUTES.] — SELECT COMMITTEE — *Report* — Office of the Clerk of the Parliaments and Office of the Gentleman Usher of the Black Rod. (No. 283.)

PUBLIC BILLS — *First Reading* — Indemnity* (284).

Second Reading — Public Health (270); Habeas Corpus Suspension (Ireland) Act Continuance (276); Patriotic Fund* (277); Constabulary Force (Ireland) (278) *negatived*.

Committee — Turnpike-Trusts Arrangements* (247); Poor Law Amendment* (248); Aberdeen Provisional Order Confirmation* (234); Inclosure (No. 2)* (236); Public Libraries Act Amendment* (279); Turnpike Acts Continuance* (280); Local Government Supplemental (No. 4)* (254); Railways (Ireland) Temporary Advances* (255); Bills of Sale Act (1854) Amendment* (256); Oysters Cultivation (Ireland)* (257); Naval Discipline* (258); Dockyard Extensions* (259); Consolidated Fund (Appropriation)*; Landed Estates Court, &c. (Ireland)* (260); New Zealand* (261); Prisons* (263); Industrial Schools (282); Reformatory Schools (281); Common Law Courts (Fees and Salaries)* (271); Expiring Laws Continuance* (272).

Report — Court of Session (Scotland)* (230); Turnpike Trusts Arrangements* (247); Poor Law Amendment* (248); Aberdeen Provisional Order Confirmation* (234); Inclosure (No. 2)* (236); Public Libraries Act Amendment* (279); Turnpike Acts Continuance* (280); Local Government Supplemental (No. 4)* (254); Railways (Ireland) Temporary Advances* (255); Bills of Sale Act (1854) Amendment* (256); Oysters Cultivation (Ireland)* (257); Naval Discipline* (258); Dockyard Extensions* (259); Consolidated Fund (Appropriation)*; Landed Estates Court, &c. (Ireland)* (260); New Zealand* (261); Prisons* (263);

Industrial Schools (282); Reformatory Schools (281); Common Law Courts (Fees and Salaries)* (271); Expiring Laws Continuation* (272); Cattle Diseases Prevention Act Amendment (No. 2)* (262).

Third Reading—Public Health (270); Straits Settlements* (211); Metropolitan Commons* (250).

Royal Assent—Crown Lands [29 & 30 Vict. c. 62]; Glebe Lands (Scotland) [29 & 30 Vict. c. 71]; British Columbia [29 & 30 Vict. c. 67]; Land Tax Commissioners' Names [29 & 30 Vict. c. 59]; Militia Pay [29 & 30 Vict. c. 60]; Drainage and Improvement of Lands Act (Ireland) Provisional Order [29 & 30 Vict. c. 61]; New South Wales and Van Diemen's Land Government [29 & 30 Vict. c. 74]; New Forest Poor Relief [29 & 30 Vict. c. 66]; Courts of Justice [29 & 30 Vict. c. 63]; Inland Revenue [29 & 30 Vict. c. 64]; Colonial Branch Mints [29 & 30 Vict. c. 65]; Public Works, Harbours, &c. [29 & 30 Vict. c. 72]; Public Works Loans (Ireland) [29 & 30 Vict. c. 73]; Carriage and Deposit of Dangerous Goods [29 & 30 Vict. c. 69]; National Gallery Enlargement [29 & 30 Vict. c. 83]; Pensions [29 & 30 Vict. c. 68]; Pier and Harbour Orders Confirmation [29 & 30 Vict. c. 58]; Parochial Buildings (Scotland) Act Amendment [29 & 30 Vict. c. 75]; Fees (Public Departments) [29 & 30 Vict. c. 76]; Parishes (Scotland) Act (1844) Amendment [29 & 30 Vict. c. 77]; County Assessments [29 & 30 Vict. c. 78]; Ecclesiastical Leases (Isle of Man) [29 & 30 Vict. c. 81]; Standards of Weights, Measures, and Coinage [29 & 30 Vict. c. 82]; Dean Forest (Walmore and the Bearce Commons) [29 & 30 Vict. c. 70]; Attorneys and Solicitors (Ireland) 1866 [29 & 30 Vict. c. 84]; Local Government Supplemental (No. 2) [29 & 30 Vict. c. 79]; Land Drainage Supplemental (No. 2) [29 & 30 Vict. c. 80]; Oyster Bed Licences (Ireland) [29 & 30 Vict. c. 88]; Oyster and Mussel Fisheries [29 & 30 Vict. c. 85]; Rochdale Vicarage [29 & 30 Vict. c. 86]; Thames Navigation [29 & 30 Vict. c. 89]; Foreign Jurisdiction Act Amendment [29 & 30 Vict. c. 87].

Lieutenant-General the Right Honourable Sir Hugh Henry Rose, G.C.B., G.C.S.I., General Commanding Her Majesty's Forces in Ireland, having been created Baron Strathnairn of Strathnairn in the County of Nairn and of Jhansi in the East Indies—Was, in the usual Manner, introduced.

Edmond Gordon Douglas Pennant, Esquire, having been created Baron Penryn of Llandegai—Was, in the usual Manner, introduced.

IMPROVEMENT OF THE DWELLINGS OF THE WORKING CLASSES.—QUESTION.

THE EARL OF SHAFTESBURY said, he wished to ask a Question of the First Lord of the Treasury. Some short time ago an Act was passed empowering the Treasury

to advance monies to companies formed for improving the dwellings of the working classes in towns and other populous places; and in that Act it was provided that the Treasurer should draw up regulations as to the terms upon which money should be advanced. A great number of persons were impatient to commence operations, so soon as the regulations were made known; and he should therefore be glad to hear what progress had been made?

THE EARL OF DERBY was happy to say that the regulations had been prepared, and he expected to be able to lay them upon the table that evening.

PUBLIC HEALTH BILL—(No. 270.)

(The Lord President.)

SECOND READING. THIRD READING.

Order of the Day for the Second Reading read.

THE DUKE OF BUCKINGHAM, in moving the second reading of the Bill, said, that the question of the public health had received so much attention, and had been so frequently the subject of legislation within the last few years, that it was quite unnecessary for him to enter into the reasons that had induced the late Government to bring in this measure, or the present Government to carry it on. Almost every year in the last twenty had shown some new attempt at improving the sanitary condition of the country, and during the present Session a Bill on the subject had been introduced into the House of Commons, and having gone through a Select Committee, in which it was carefully discussed, and subsequently through a Committee of the Whole House, it had passed the other House of Parliament. That was the Bill now before their Lordships. The measure dealt with a great many matters, but it might be divided principally into three parts. The first dealt with the case of the sewer authorities, and the amendment of the Sewage Outfalls Act of 1865; the second part amended the powers of removal of nuisances under the Nuisances Removal Act; and the third part was of a miscellaneous character, but comprised, perhaps, the most important part of the Bill. It amended the law in reference to several points which it was found could not be dealt with under any previous Act of Parliament. The defects of the present law in these respects were proved to give rise to very serious evils, which were especially important at such a

time as the present, when serious epidemics prevailed. In the third part, the principal subjects dealt with were those of the regulation of lodging-houses, the power to parishes to provide hospitals and places of accommodation for the sick; the prohibition of persons suffering from any infectious disease passing through the public streets, or in public vehicles; and the prohibition against persons keeping open lodging-houses; keeping within their lodgings persons suffering under any epidemic or infectious disease. There were also most important powers with respect to burials; and also clauses in reference to cases of infectious or epidemic disease breaking out on ships or vessels in port, but at places beyond the present jurisdiction of the local boards. The fourth part of the Bill simply extended its provisions to Ireland. One very important part of the Bill was that which gave power to the Secretary of State, in the event of the local authorities under certain circumstances not electing, to exercise the power vested in them. The present state of some of the principal towns, and also parts of this metropolis, rendered it of the greatest possible urgency that additional powers should be conferred upon local authorities and those whose duty it was to deal with sanitary matters in towns; and it was also found to be of great importance to amend some of the defects and want of powers that were found to exist under the present law. He felt that this Bill was of such importance that, if the House should agree to the second reading, he should be justified in asking their Lordships to suspend the Standing Orders, so as to pass the Bill through the various stages, and enable it to become law at the earliest possible moment. He might mention that in the other House the matter had undergone considerable discussion; two or three points especially had been dealt with by the Select Committee, and subsequently by a Committee of the Whole House; and it had been modified in accordance with what was felt to be the general opinion of the public and of the other House.

Moved, "That the Bill be now read 2^a."

—(*The Lord President.*)

EARL GRANVILLE said, that the Bill was necessitated by the very great anomalies which existed under the present state of the law with regard to the public health. It was most important that something should be done with regard to the water supply; and to his mind the most important portion of the Bill was that which re-

lated to that subject. He thought, however, that some amendments would be found expedient, whenever it should be deemed convenient to consolidate all the laws relating to these questions.

THE EARL OF SHAFTESBURY said, he did not doubt that this was a measure of the highest importance; but still, he could not conceal from himself that it proposed to confer very large powers in a very summary manner, and he thought it rather sharp practice to ask their Lordships to pass a measure of such importance through all its stages with such rapidity. Still, the requirement was urgent, and their Lordships must conform to the necessity of the case. He was anxious to express his gratitude both to the late and the present Government for having brought in and forwarded this measure. But strong as some of the provisions of this measure were, it did not, in his opinion, go far enough to remedy the ten thousand evils of which they had to complain—something was required in order to strengthen the hands of the Government. Let their Lordships consider that though we were not insensible to the present necessity, we had been utterly regardless of the prevention of disease, and had despised the experience we had been gaining for so many years. In 1830, and afterwards in 1849, we had been told of the condition of the water supply and of the pernicious consequences of overcrowding; and now, after thirty years of warning, we were in a worse condition with respect to both. In the history of the world he did not believe there was to be found an instance of so many thousands huddled together in so disgraceful, filthy, and indecent a manner as now in the City of London. There was a great deal which ought to attract attention in the question of the water supply, not only in regard to the quality of the water, but also in reference to its distribution and the conduct of the Companies, and he therefore gave notice that, in the course of the next Session, he would call their Lordships' attention to the whole subject of the water supply of this metropolis, with a view to its improvement. In the Registrar General's Report a few days ago there was an account of a visit of the Deputy Registrar to the East End of London, which contained a statement of the water he saw, tasted, and analyzed. If their Lordships read his description of the internal condition of the

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dwellings, and the supply and condition of the water, they would see that it was perfectly disgraceful and horrible. He hoped another Session would not be allowed to pass without providing a remedy. It was absolutely necessary that larger powers should be conferred on those engaged in the administration of the internal affairs of the metropolis. He was glad the Bill had been brought in, and he was sure the powers which it conferred would be most ably exercised by the noble Duke who was now charged with the duty.

THE EARL OF CARNARVON wished to be allowed to notice some changes and modifications which would be introduced with respect to a matter cognate with that dealt with by this Bill. By the Passenger Act it was provided that every ship carrying 100 passengers should be provided with a surgeon. It had been represented that in the present state of cholera a ship carrying fewer passengers would be subjected to very great danger if it had no surgeon. It was therefore resolved that in the course of a few days an Order in Council should be issued which would require that after the 20th instant every ship carrying passengers should take a surgeon with it.

Motion *agreed to*; Bill read 2^a accordingly; Committee *negatived*; Standing Orders Nos. 37 and 38 *considered* (according to Order) and *dispensed with*; Bill read 3^a, and *passed*.

INDUSTRIAL SCHOOLS BILL—(No. 282.)

(*The Earl of Devon.*)

COMMITTEE.

House in Committee (according to Order.)

THE EARL OF DENBIGH expressed his regret that the provisions with respect to the visitation of children not belonging to the Established Church and their attendance at divine service had been left permissive in their character, because it had been found that in nine cases out of ten simple permission amounted practically to absolute prohibition, owing to the bigoted opposition to which those professing the Roman Catholic religion were exposed. He was consoled, however, by the assurance given by the Home Secretary that the whole question should be considered during the recess with a view to legislation next year, when he hoped that that which was now permissive would be made compulsory.

Bill *reported*, without Amendment; Amendments made: Bill to be read 3^a *To-morrow*, and to be *printed* as amended.

REFORMATORY SCHOOLS BILL.

(*The Earl of Devon.*)

(NO. 281.) COMMITTEE.

House in Committee (according to Order.)

THE EARL OF DEVON said, that the remarks of the noble Earl (the Earl of Denbigh) applied to this Bill as well as to the previous one, and he therefore desired to express his own readiness, and that of the Government, to place the subject, with a due regard to the rights of conscience, on a satisfactory footing. It was in no way intended, by postponing any clauses for carrying out this object, to preclude what he hoped would be satisfactory legislation next year.

THE EARL OF DENBIGH regretted an Amendment which had been made in this Bill in the course of its passage through the other House, the effect of which was to make the visitation by a priest or minister of a youthful offender, and his attendance at a service other than that of the Established Church, dependent upon the requisition of a parent or guardian, who might be resident at such a distance as to render his interposition practically impossible.

THE EARL OF DEVON concurred in regretting that the original clause had not been retained in the Bill.

Bill *reported*, without Amendment; Amendments made: Bill to be read 3^a *To-morrow*, and to be *printed* as amended.

HABEAS CORPUS SUSPENSION (IRELAND) ACT CONTINUANCE BILL.

(*The Earl of Derby.*)

(NO. 276) SECOND READING.

Order of the Day for the Second Reading read.

THE EARL OF DERBY: My Lords, it is with great reluctance that I rise to move the second reading of this Bill; for nothing would have been more gratifying to me than to be able to state to your Lordships that, in the opinion of Her Majesty's Government, the condition of Ireland was now such, and the discontent and the conspiracy which have long prevailed had become so far extinguished as to allow us to revert to the provisions of the ordinary law, instead of asking for the continuance of the

extraordinary measure of the suspension of the Habeas Corpus Act. But, however desirable it might be that such a course should be pursued, we cannot undertake the responsibility of allowing Parliament to disperse without first taking powers to carry into effect the provisions of the Act which has been considered during the present Session indispensable for the preservation of the peace of Ireland. I need not now refer to the circumstances which were stated by Her Majesty's late Government at the commencement of the Session, as the reason why there should be confided to them the extraordinary powers they demanded—and which were confided to them, I believe, without a dissentient voice being raised in Parliament—for the purpose of protecting the loyal and peaceable inhabitants of Ireland from the effects of one of the most dangerous and treasonable conspiracies which ever existed in any country. I am quite sure this extraordinary measure was not applied for one single moment before it was necessary:—indeed, if I were to express my own opinion on the subject, I should say that the fault of the late Government was rather in delaying the application of the remedy until the conspiracy had attained to a strength and confidence which rendered it much more difficult to grapple with than would have been the case at an earlier period. Still, this was a fault no doubt on the right side, because no Government, without some absolute necessity, would be desirous of going beyond the ordinary powers of the law, and thereby curtail the liberties of the people. The operations after the suspension of the Habeas Corpus Act were carried out by the Executive, under the authority of the noble Earl whom I see opposite (the Earl of Kimberley), with an amount of firmness, and at the same time of temper and moderation, which reflect the highest credit on the manner in which he discharged the duties of his office. The effect of the measure in restoring peace and tranquillity to Ireland was most remarkable. I am happy to say that during the present year the returns from the assizes show a remarkable diminution in the amount of ordinary crime in that country; but, at the same time, with regard to the Fenian conspiracy, although the measures which were adopted have checked its outward manifestation, I cannot flatter myself that its spirit has been by any means subdued. That is also the opinion entertained by the late Government. The spirit still exists to a dangerous ex-

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tent, and with an impulsive population like that of Ireland, the permission to agitators to carry on their operations unchecked by any extraordinary measures of coercion would be liable to throw the country again into the greatest confusion and danger. The measure passed at the beginning of the Session has been acted upon, as I said before, with temper and moderation. A very considerable number of persons have been arrested under its provisions, but of these a large proportion—I believe more than one-half—have given security for their future good conduct, and the observance of the law, and have been thereupon set at liberty. It is the earnest desire of Her Majesty's present Government to extend that system as much as possible, and to allow the dismissal from prison of all persons who can give any security, or who can hold out any prospect that they will act for the future as loyal subjects of the Crown. But there are a considerable number of persons from whom no such security can be obtained or expected, and who, in point of fact, still maintain the language of defiance towards the authorities. Now, to let all these persons loose upon society would, in my opinion, be to incur a responsibility which no Government with a proper sense of duty to its Sovereign and the country ought to take upon themselves, for a period of five or six months during which the sittings of Parliament will be suspended. But it is not only with regard to the persons who in Ireland have been removed from the scene of their dangerous attempts—nor is it with regard to them chiefly—that the suspension of the Habeas Corpus Act has had a most beneficial effect, and that its repeal would be most injurious. A great portion of this formidable conspiracy is not of Irish birth. It comes from foreign agents—self-ex-patriated Irishmen perhaps—who carry on a treasonable conspiracy against the land of their birth, being secure under the laws of the country to which they have transferred their allegiance. At the time of the passing of the Suspension Act we know that a great number of these persons were in Ireland, spreading their opinions among the impulsive and easily deluded population of that country. When the Act was passed, and they found themselves amenable to the law, a great many returned to America, and from the time of their departure the maintenance of peace in Ireland is attributable rather to their absence from the country than to the imprisonment of those who re-

main. The repeal of the Act at the close of the Session would give to those persons the opportunity of returning to Ireland with perfect impunity, and of renewing those designs which they have never abandoned, and which they now put forward in the United States with the utmost confidence and effrontery. Repeal the Act and you will again admit those dangerous agents into Ireland, and the population will be exposed afresh to all the dangers from which the suspension of the Habeas Corpus Act has exempted them. I think it is much more with reference to these foreign agents, who would return to renew sedition and agitation in Ireland, than to the native population, that it is desirable to renew the suspension of the Habeas Corpus Act. I certainly believe that with the renewal of that dangerous element, and with powers conferred upon the Government—which will, I feel confident, be executed with firmness and at the same time with moderation, and with an anxious desire to protect the peaceable and loyal inhabitants of the country—I believe that though this suspension may be regarded as, and in fact is, a curtailment to a certain extent of the liberty of the people, the well-disposed portion of the population of Ireland will hail it as the greatest protection to their lives and liberties during the ensuing autumn and winter. I trust that at the commencement of next Session the state of matters will be so far improved that we may be able to ask Parliament to revert to the ordinary powers of the law; but, at the present moment, I am convinced I should not be doing my duty if I did not ask your Lordships to intrust to the present Government until the next meeting of Parliament the same powers which were intrusted to the late Government.

Moved, “That the Bill be now read 2.”
—(*The Earl of Derby*.)

THE EARL OF KIMBERLEY: My Lords, I am sure that all your Lordships will share, as I do, the regret expressed by the noble Earl as to the necessity for again proposing that the Habeas Corpus Act should be suspended in Ireland; but I am bound to say, that had I remained in office, it was my intention to recommend to the late Government that this course should be adopted, and from communications with my late Colleagues, I have reason to know that my recommendation would have been acted upon. Your Lordships will therefore see that I cannot do

otherwise than approve the conduct of the present Government in bringing forward this Bill. The noble Earl (the Earl of Derby) alluded to the state of ordinary crime in Ireland, which I am happy to say is at present at a very low ebb. That fact has been adduced by some persons as a reason for objecting to the continuation of the suspension of the Habeas Corpus Act; but I think a little reflection and consideration will satisfy your Lordships that there is no direct connection between ordinary crime in Ireland and the Fenian conspiracy, against which this Bill is exclusively directed. The ordinary crime of Ireland had for a considerable time—after an increase occurring during a series of years of bad harvests—again steadily diminished, and when the Fenian conspiracy was at its height, ordinary crime was at a much lower ebb in the country than it had been for some years. There is, in fact, no connection between the two things, except that the criminal population might be ready to take advantage of disorder and confusion to pursue their avocations. There is no doubt that at the present moment the tranquillity of Ireland, and the absence of crime from the country, is a subject of just congratulation; but I nevertheless feel it my duty to say that I agree with the noble Earl in believing that a dangerous spirit continues to exist in some portions of the population. I think that in consequence of the conspiracy never having broken out into actual rebellion, few persons, except those who have had the opportunity which I have had of seeing all the information that could be collected by the Government, know how formidable and how dangerous a conspiracy really existed in Ireland. I should have felt more hesitation in speaking in this way—because it might seem to magnify any merit of mine in preventing an outbreak—if that opinion had not been expressed by the noble Earl opposite; but, as that opinion has been expressed, I think it is my duty to state to your Lordships and to the country that I am persuaded that since the year 1798 there has not existed so dangerous a condition of the minds of people in Ireland as that which existed in the past year. I say this deliberately, after much reflection and consideration, and after communicating with those who played a principal part in the movement of 1848. I think there can be no doubt that the conspiracy in the

last-named year, though it actually broke out into a slight rebellion, was far less formidable than the conspiracy which I hope we have now to a considerable extent overcome. The reason why this conspiracy was so formidable was that alluded to by the noble Earl—namely, because to a great extent it has its roots in a foreign country. If it were not for the encouragement and support which the conspiracy received from persons who were themselves exempt from the dangers incurred by those who remained in Ireland, though there might exist in some parts of Ireland discontent bordering upon disaffection against the Queen's Government, yet such disaffection would never have assumed the form of a conspiracy which could be at all formidable and likely to endanger the tranquillity of the country. But as long as you have a large and extensive society in a foreign land, supported by considerable sums of money, and sending emissaries into Ireland for the purpose of sowing disaffection throughout the country, you will not be free from solicitude concerning the possibility of an outbreak. Another fact well worth attention is that the persons who were most active in promoting the conspiracy were not the poorer and more ignorant classes, but persons I can best describe as belonging to the artizan and small tradesman classes. It would be a mistake to suppose that many intelligent persons were not connected with the conspiracy. It is quite true—and the circumstance is a most fortunate one—that there were no owners of property or persons occupying high social or professional position in Ireland who took any part whatever in this movement; but, at the same time, the leaders and moving spirits of the conspiracy, though belonging, as I have said, to the artizans and humbler trading classes, were, nevertheless, persons whose energy and ability rendered them difficult to contend with. As regards the farming classes—of whom I have frequently seen it asserted that they did not sympathize with this sedition—I regret that in its full extent I cannot repeat that statement. In the South and West of Ireland, although the occupiers of farms did not take a prominent part in the conspiracy, yet, as a matter of fact, it was known that had the rebellion actually broken out in many parts of the country they would have been prepared to join it. I do not intend to pursue this theme, but I have said enough to show you that this sedition,

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the rise of which has been comparatively slow (for it has been in preparation for some years) cannot be expected to vanish in a moment by the mere enactment of a law suspending the Habeas Corpus, in the same manner that sedition vanished in 1848; and I am convinced that it is only wise and prudent to continue for a time the exceptional powers of the Government, because if those exceptional powers did not exist you would see a revival of sedition, you would lose the opportunity of stamping out the embers, and of preventing the rebellious spirit from again attaining formidable dimensions. More than this—there would be extreme inconvenience in the expiry at the present time of the exceptional powers given to the Government, for there still remain in prison under the Lord Lieutenant's warrant a considerable number of persons; and suddenly to let these persons loose without any guarantee whatever as to their future conduct would have an exceedingly injurious effect. It might very possibly happen that not long afterwards some fresh seditious movement would take place, and Parliament being then not sitting, the Government would find itself in a position of embarrassment from not having power to deal with the emergency. And therefore this must not be looked upon as a measure of coercion, levelled in an invidious manner against Ireland, but as a measure of ordinary precaution, such as any Government, looking to its safety and security, would adopt at the present moment. I am convinced that even the Fenians themselves would acknowledge this measure to be wise and sensible. I have myself received more than one letter from persons who had been confined under my warrant and were subsequently released, expressing, I am happy to say, their satisfaction with the manner in which they had been treated during their imprisonment, and stating that it was impossible to blame the Government for taking measures such as any Government with a regard for its security must be expected to take. The writers were perfectly honest in their admissions that they had intended to overthrow the Queen's Government, but added that they thought the Government perfectly justified in taking means to prevent their success. No persons, I venture to think, would be more surprised than those still in prison if Her Majesty's Government took so unwary a course as suddenly and without any guarantee to release them all from con-

finement. As the noble Earl (the Earl of Derby) has observed, the powers conferred by the Act have hitherto been exercised with moderation; there can therefore be little hesitation in renewing them. I have obtained a return of the number of persons who had been arrested up to the time of my leaving Ireland, and I find that they were in all 756 persons, of whom, on the 23rd of July, when the return was made up, there remained in prison 339. Your Lordships will see from this that although a considerable number of persons were necessarily arrested, the Government showed every disposition wherever they had an opportunity of doing so to release the prisoners, either on condition of their leaving the country or of their giving bail. And I cannot pass from this branch of the subject without acknowledging with gratitude the temperate manner in which the United States Consul in Dublin, instructed to make various representations with regard to persons who were either native-born United States citizens or naturalized American citizens, conducted his representation. As United States Consul he naturally did not shrink from the duty of bringing under my notice the cases of such persons as his Government felt interested in; but it is only due to that gentleman to state that throughout the communications which I had with him he showed very great moderation, and, if I may be permitted to use the word, very great discretion. I am satisfied that in what he did he was acting under the direction of the United States Minister in London. We have accordingly to thank both the United States Minister in London and the United States Government in America for the very prudent, moderate, and friendly manner in which they behaved with regard to all American citizens, born or naturalized, who might happen to be arrested under this Act. It gave me great satisfaction to be able to release several of these persons on their undertaking to return to the United States. This action of the American Government is the more important, remembering that there exists in that country a society formed for the express purpose of carrying on treason against the Sovereign of these realms. Nothing tended more strongly to discourage the hopes of the Fenians than the discovery that although, owing to the peculiar character of the Government of the United States, they might be permitted to carry on meetings and form so-

cieties without let or hindrance, the moment they actually broke through the neutrality laws and invaded a friendly country, the United States authorities did not shrink from doing their duty, but interfered in the most prompt and effectual manner. The noble Earl opposite has been pleased to mention with approval the manner in which I exercised the power given under this Act. [The Earl of DERBY: Hear, hear!] I can assure the noble Earl that such approval is to me a matter of very great satisfaction; for, although the result has been so far fortunate that no rebellion actually broke out yet I can unfeignedly assure your Lordships that the whole of the last winter was a time to me of very great anxiety. The noble Earl said, but with a personal courtesy that deprived the observation of all unpleasantness, that possibly the measures of the Government were not taken sufficiently soon. Now here I must observe that there is nothing more difficult than rightly to estimate the true nature of a conspiracy of this kind, and to know the precise moment at which it is ripe enough to strike; because your Lordships will see that the information which we now possess was not then before the public, and was only before me in a broken and fragmentary form, so that it is very probable that if we had struck at the conspiracy sooner the public might have said we had made "much ado about nothing," and that we had exaggerated into the importance of a conspiracy what, after all, was but sedition of a very ordinary kind. I am free to admit that I thought it my duty to allow the organization, as long as it was possible with safety to the country, to develop itself, taking care always so to have my eye on the conspirators as, if possible, to prevent them from breaking out into open violence. Had it been necessary, at the first whisper of sedition, to take means to crush the conspirators I should not have hesitated to adopt that course; but, the conspiracy having already arrived at a certain pitch, I am convinced that it was wiser to allow it to develop itself, taking measures, meanwhile, to root it out as far as possible. It would be most ungrateful in me were I not to seize this opportunity of acknowledging the general—I may say the universal support which I received from Irishmen of all ranks and of all parties, without distinction of creed or opinion, in the measures which I took to sustain the authority of the Crown

and cause of law and order. On this occasion Irishmen showed that they, like Englishmen on other occasions, could forget party dissensions, and unite in support of the Queen's Government—a support, as your Lordships may easily suppose, most necessary and indispensable to the Government at such a crisis. This conspiracy was distinct from former associations in this—that whereas in 1798 you had many landed proprietors and many members of the legal profession connected with the conspiracy, on this occasion I do not think it could be asserted by any one that a single landed proprietor or person connected with the learned professions was in the slightest way connected with the movement; at least, if there was an exception, it was of so slight a character as to confirm the general rule. I acknowledge the debt of gratitude which the Government owe to the gentry and nobility of Ireland for the support which they gave upon this trying occasion. But when I say this, I feel bound to add that I think what has happened on this and on former occasions, and the necessity which has been found at every outbreak for suspending the constitutional liberties of the country, are facts which should make your Lordships and everyone interested in the welfare of the United Kingdom reflect most seriously on the condition and prospects of Ireland. Since the Union you have had no less than three movements of this kind—in 1803, in 1848, and again in 1866; and these were but the continuance of revolutionary movements which have unfortunately characterized the country since the time of Queen Elizabeth. A country in that state cannot possibly make progress or attain prosperity; and I think an occasion of this kind is one when we should carefully reflect upon the condition and prospects of that country, and consider whether there are any measures by which we may not merely repress the Fenian Conspiracy, but prevent such conspiracies from being formed in future. At this period of the Session it would be out of place for me to enter upon a discussion of the various social disorders of Ireland and the various remedies which have been proposed; but I am confident of this—that those who look carefully at the condition of the country will see that it is impossible for England to perform its duty to Ireland as long as no attempt is made to deal with the important question of the tenure of land. When the Bill of my noble Friend who

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now sits upon the cross-benches (the Marquess of Clanricarde) was before the House I made some remarks upon this important subject; and now, without going into the details of the measure, I will again venture to impress upon your Lordships my opinion—namely, that this is a most urgent question for the consideration of Parliament. I hold that this country is directly responsible in this matter, and bound to see that the present state of things be not perpetuated in Ireland; and that, while employing the great military power which we possess for the purpose of suppressing rebellion and preventing conspiracies, we must at the same time seek out and remove as far as we are able the causes of these things. Unless this course be followed and remedial measures be adopted they will be, I am convinced, forced upon the attention of Parliament. I know it is most distasteful to people living in that part of the United Kingdom to think that their condition requires exceptional measures, and that they cannot be dealt with exactly in the same manner as those who hold land in England or Scotland; but I think the noble Earl the First Lord of the Treasury will not differ from me when I say that the position of Ireland is such that exceptional measures in regard to the land tenure are absolutely required. I believe that the question of land tenure is one which most interests the people, and I am convinced that it is a question which Parliament should first consider and first endeavour to solve. There are, however, other and very formidable evils, among which I may mention those connected with the Established Church. It is sufficient to mention the fact that there is in Ireland an Established Church to which no more than some 700,000 persons out of a population of more than 5,500,000 belong. Undoubtedly, that is a great and formidable evil, with which I am convinced some day Parliament must deal. At the same time, when you look at the condition of the mass of the people, that which most interests them is the question of land tenure. Of course, I am of opinion that the measure which the late Government brought in was in its principle suited to the occasion; but, at the same time, without in the slightest degree abandoning the principle of that measure, I may say that I do trust that Her Majesty's present Advisers will take the subject into their serious consideration; and if they can devise a

measure better suited to the state of Ireland than ours was, I, for my part, promise it my most hearty support. There are some subjects in which a settlement ought to be brought about by an agreement of both sides of the House, and I am convinced that Irish questions are amongst them. Ireland is a country with which English statesmen have been singularly unsuccessful in dealing; but if we can devise any measure by which that country can be brought more into sympathy with the rest of the United Kingdom, by which we shall touch the hearts of the Irish people—which we have never yet touched—we shall add to the glory and strength of the Empire more than by any other measures we can possibly devise. I shall not detain your Lordships any longer by alluding to the various topics which naturally suggest themselves to my mind, after residing for a period in Ireland, and paying great attention to those things which are connected with its welfare. I will only say that, although remedial measures for that country are largely called for, the first necessity is security, which no Government can neglect to provide, and therefore I cannot but support the Bill now before the House.

THE MARQUESS OF CLANRICARDE expressed his regret that the noble Earl who had just spoken with so much weight, authority, candour, and absence of all party spirit in regard to the Bill before their Lordships, should have thought it necessary to deviate from that topic to enter upon others, which compelled him (the Marquess of Clanricarde) to express his dissent from the views which he had advocated. The noble Earl, when speaking on the subject of land tenure, alluded to a treatment of property in Ireland, of which he was in utter ignorance, differing in opinion from Mr. O'Connell, Bishop Doyle, and from every good authority on the subject, not one of whom contemplated the re-distribution of land and the deprivation of the present possessors of their property.

THE EARL OF KIMBERLEY said, he could not allow it to go forth that he advocated the re-distribution of land, observing that he could not see how a charge of supporting such a Fenian measure could be founded upon anything he had stated.

THE MARQUESS OF CLANRICARDE said, that the Bill introduced by the late Government would, had it been passed into law, have effected a re-distribution of the

land; and if the noble Earl did not look upon it in that view, he differed from those who supported the Bill in the other House, and the various societies and associations that urged its acceptance on the very ground that it would have the effect he had stated. He was sorry the subject should have been mentioned, but he had not introduced it. He denied the assertion that the landlords of Ireland had been unwilling to entertain the subject in a spirit of justice and of equity; and the reason why a proper settlement had not been arrived at was the party spirit which had been aroused throughout the country. He did not wish to lay any particular blame on the legal profession, but he held that they had contributed much to prevent an amendment of the present unsatisfactory state of the law in Ireland in regard to landlord and tenant. There was, however, never less cause for the mention of such a matter than on the present occasion, when their Lordships were discussing a Bill proposed for the purpose of repressing Fenianism. The noble Earl and the various Members of the late Government had over and over again during the Session stated that Fenianism was not an Irish rebellion, that the farmers of Ireland had nothing whatever to do with it, that it was not connected with the question of landlord and tenant, but that it had its origin in America, and was supported by American gold.

THE EARL OF KIMBERLEY said, the importance of the subject would be sufficient excuse for again interposing. He had stated to their Lordships most distinctly that the conspiracy had its root in Ireland, but that that which made it more dangerous was the encouragement it met with from without; and so far from believing that the conspiracy was not sympathized with by the farmers of the West and South, he would again tell the noble Marquess that if the rebellion had broken out in the South and West of Ireland nearly the whole, if not the whole, of the tenant farmers would have joined the rebellion.

THE MARQUESS OF CLANRICARDE said, he clearly understood the statement of the noble Earl, but he did not say that a single large tenant farmer in Ireland would be found sympathizing with the movement. The noble Earl had said very truly that the chief supporters were shop-boys and artisans, and he left out farmers. Generally speaking, the farmers had the greatest reluctance to mix themselves up with

the conspiracy. Nor had he mentioned the clergy, who possessed considerable power in the rural districts. Nor had the noble Earl made any reference to the North and East of Ireland. For his part, he (the Marquess of Clanricarde) did not believe that the small farmers of the West had any sympathy with the conspiracy. But he rose to enter his protest against the notion that by altering the Law of Landlord and Tenant disturbances in Ireland would be prevented. He could not for a moment entertain the idea of Ireland being left to herself; but he had not the slightest hesitation in saying, that the loyal men of Ireland would have been strong enough and willing enough to beat the disaffected had the opportunity been afforded them. His noble Friend had got his information from the police; but had he (the Earl of Kimberley) come in personal contact with the tenant farmers of the country he would have found a state of things very different from that he had represented. Tranquillity could not be obtained by tampering with the rights of property, but by securing equal justice to all. He would not say anything upon the Established Church, to which the noble Earl had alluded, as this was not the proper occasion for so doing. He concurred in the wisdom of extending the period of the suspension of the Habeas Corpus Act, believing that in order to make property secure this step was necessary.

Motion agreed to : Bill read 2^a accordingly, and committed to a Committee of the Whole House To-morrow.

CONSTABULARY FORCE (IRELAND)

BILL—(No. 278.)

(*The Earl of Belmore.*)

SECOND READING.

Order of the Day for the Second Reading read.

Moved, "That the Bill be now read 2^a."
—(*The Earl of Belmore.*)

THE MARQUESS OF WESTMEATH, in expressing his gratification at the introduction of this Bill, again called attention to the case of the girl Catherine Geoghan, who had been so badly treated by the police sub-inspector, having been dragged out by her hair and dreadfully bruised while in the custody of the police.

THE EARL OF KIMBERLEY said, all he could remember about the case referred to was that an inquiry was made with regard to the conduct of the sub-inspector,

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and the result being not altogether satisfactory so far as the official was concerned, it was recommended to the Treasury that he should not receive the full pension to which he would otherwise have been entitled. The Bill before the House was, substantially, that prepared by the late Government, and the matter was one of very great urgency, because, unfortunately, the constabulary force was at present considerably below its proper number; while all those who knew the nature of the duties which the force had to discharge, and the recent rise of prices which had taken place, must come to the conclusion that an increase of pay was not only justly due to this force, but was urgently necessary. At some future time, when Ireland was no longer menaced by conspiracy and was in that state of security and tranquillity which she ordinarily enjoyed, it would be a matter for consideration whether the total number of the constabulary force might not be somewhat reduced, but at the present time such a reduction was out of the question. If this conspiracy had not so disquieted the country, it would have been his duty, in recommending that the pay of the force be increased, to ask the Government to consider whether its total number might not be safely reduced, while at the same time their pay should be augmented. One fact would probably be sufficient to show that this course might be taken:—The present number of the constabulary, if kept up to its proper quota, was precisely the same as it was thirty years ago, whereas the population of Ireland was no more than two-thirds what it was at that period. No question of reduction could be entertained now, but hereafter it would be a proper matter for consideration whether the number of the force might not be safely reduced. He would take this opportunity of acknowledging the invaluable services performed by the Irish constabulary while the Government were engaged in endeavouring to suppress the conspiracy. It was not too much to say that the conduct of the force during the whole of this period was beyond all praise. In a force entirely recruited in Ireland, more than two-thirds of the number being Roman Catholics, and drawn from all classes of people, there was not one, or more than one, single case in which the fidelity of any member of the force was open to the smallest suspicion. And when it was remembered that it consisted of 10,000 men, he thought it would be ad-

mitted that no country possessed a force of a more thoroughly satisfactory and loyal kind. Independently of the general reasons which existed for increasing the pay of the constabulary, he felt glad that the opportunity of increasing it should present itself at this time, and that Parliament was able in this way to mark its sense of the services of that excellent and valuable force.

Motion agreed to : Bill read 2^a ; Committee negatived ; and Bill to be read 3^a To-morrow.

House adjourned at Seven o'clock,
till To-morrow, a quarter
before Three o'clock.

HOUSE OF COMMONS,

Monday, August 6, 1866.

MINUTES.]—NEW WRIT ISSUED—*For Carnarvon County, v. The Honourable Edward Gordon Douglas Pennant, now Lord Penrhyn.*
NEW MEMBER SWORN—HON. Colonel Lindsay, *for Abingdon.*

PUBLIC BILLS—*Second Reading*—Indemnity [259].

Committee—Indemnity [259]; Extradition Treaties Act Amendment [247].

Report—Indemnity [259]; Extradition Treaties Act Amendment [247].

Considered as amended—Extradition Treaties Act Amendment [247].

Third Reading—Indemnity [259]; Extradition Treaties Act Amendment [247], and *passed.*

Withdrawn—Marriages (Ireland) (No. 2)* [123]; Tithe Rent-charge (Ireland)* [110].

METROPOLIS—MASTER OF LAMBETH WORKHOUSE.—QUESTION.

MR. OLIPHANT said, he wished to ask the President of the Poor Law Board, Whether the statement of Mr. Day, Master of the Lambeth Workhouse, in explanation of charges of gross misconduct preferred against him and Mrs. Day by Thomas Rawley, on the 6th of April, 1865, is satisfactory; and, if not, whether it is the intention of the Poor Law Board to institute an official inquiry into the conduct of the master and matron of that Establishment?

MR. GATHORNE HARDY, in reply, said, the complaint to which the hon. Gentleman referred was made so long since as April, 1865, and on the 20th of June, 1865, the President of the Poor Law Board of that date returned an an-

swer that he did not propose to carry the investigation further. The complaint made against the master and matron of the Lambeth Workhouse was that tea, sugar, and meat had been used by them for their own purposes in maintaining a portion of their family in the workhouse, contrary to the rule laid down by the Guardians. Inquiry was made into the circumstances by the Guardians, and they found that several of the charges were true, upon which they severely reprimanded the master and matron; and that the rest of the charges were frivolous and vexatious. That Return was made to the Poor Law Board more than a year ago, and the Board decided that they would take no further steps in the matter; and he might add that if the Guardians were not competent to inquire into such charges, they were unfit to discharge the duties which the law had imposed on them. Subsequent charges were made by the same person against the master and matron, but they were made in such a tone and spirit that the Poor Law Board did not think it right to make further inquiry into them. It was a great deal too late now for him (Mr. Gathorne Hardy) to re-open a question which had been closed by the Poor Law Board previous to his acceptance of office.

INDIA—GRIEVANCES OF THE INDIAN OFFICERS.—QUESTION.

MAJOR JERVIS said, he would beg to ask the Secretary of State for India, Whether any, and, if so, what steps have been determined on with a view of finally remedying the grievances under which the Officers of the Local Army of India have now so long laboured?

VISCOUNT CRANBOURNE: Sir, we have come to the conclusion to offer to the officers some remedy for the grievances which have existed for so long a time; but I will not now enter into an explanation at any great length of what the proposed changes will be, for such explanation would carry me very far beyond the ordinary limits of a reply to a Question. I will, however, attempt—especially as this matter, though it may not excite very great interest among a large number in this House, intensely interests a large class outside—to describe the principal features of the measure which it is proposed to adopt. I will not now deal with those grievances which only apply to a limited

number of persons, but will refer to those which apply to the whole Indian army; they relate principally either to the Staff Corps or to the bonus system. In 1861, when Lord Halifax instituted the Staff Corps, he took out of the Indian army all officers who had held Staff appointments for a certain length of time and formed them into a Staff Corps. This Staff Corps, however, was constituted on a system of promotion different from that which prevailed in the Indian army. In the Indian army promotion was strictly by seniority, but in the Staff Corps officers were promoted entirely by length of service. The inevitable result of that was that promotion in the two branches, which stood side by side, proceeded at a different pace; and officers taken out of the Indian army and put into the Staff Corps, if they came from regiments where promotion was going on very slowly, found themselves by the operation of the system of the Staff Corps very soon promoted over the heads of officers senior to themselves, whom they had left behind them in the regiments. This was felt as a great grievance by the officers of the Indian army. The matter was referred to a Commission, presided over by Lord Cranworth, and of which other persons of eminence were members, and they determined that the grievance alleged by the Indian officers was genuine. To remedy that grievance Lord Halifax issued a brevet, which had the effect of giving army rank to the officers remaining in the Indian regiments equal to that which they would have gained if they had gone into the Staff Corps. Nevertheless, there still remained the grievance that this brevet rank thus given to the regimental officers was rank without pay, and therefore that the senior officer saw the junior promoted over his head—not with regard to army rank, but with regard to pay. This was felt as a serious grievance; and there was yet another grievance connected with the Staff Corps. The officers taken to the Staff Corps left their names behind them on the list of the regiments, so that they blocked up the promotion of officers junior to them; and these junior officers had the aggravation of seeing the Staff officers enjoying not only, as they thought, better pay and promotion, but blocking up the promotion of others just as if they had not been taken to the Staff Corps. There was this further aggravation, that the occupation of the Staff Corps being more

healthy than that of the Indian army (and in the Indian army every officer is interested in what accidents might happen to his senior) vacancies were not likely to be created so rapidly in consequence as in the Indian army. Her Majesty's Government have had, therefore, to consider how to meet these grievances. In stating the remedy which they propose, I am breaking no official confidence by saying that this part of the measure was agreed to by the late Government, and that, therefore, we share the responsibility of it, in some degree, with them. The measure proposed is this—whereas Lord Halifax originally only allowed Indian officers who had served on the Staff service to join this valued and envied Staff Corps, it is now proposed that all officers, who belonged to the Indian army before the amalgamation, shall be allowed to join the Staff Corps without any condition or undergoing any test whatever. So the summary of the matter is this—we say to the Indian officers, if you think a Staff officer is better off than you, we give you the position which you think more advantageous. We think that this is a measure which should satisfy any grievance the Indian officers feel on this head. With regard to the matter of bonus, the change of Government had taken place before any decision with respect to it was come to, and therefore upon this point the responsibility is our own. The House is, no doubt, aware of what is known as the bonus system. In the Indian army promotion was by seniority, and to prevent a block of promotion it was the practice for the officers to club together and raise a fund with which, as it were, to pay their superiors, below the rank of lieutenant-colonel, to retire, and thereby bring about promotion much earlier than otherwise would have been the case. When a certain number of Indian regiments were disbanded, and junior officers ceased to be appointed at the bottom of the list, the obvious result was that those who had risen to a high rank and wished to retire were disappointed in the hope they had entertained that they would be bought out by the subscriptions of the officers below them. Lord Cranworth's Committee distinctly decided that the Parliamentary guarantee did not extend to the bonus. I believe the Parliamentary guarantee did not cover that system, and the Indian officers were in error in urging it. But, putting the guarantee aside, I think it is clear

Viscount Cranbourne

that if your servants have been largely damaged by any sudden or unexpected act of yours, the principle that is and ought to be observed in every branch of the public service is that we ought to do something to compensate them. And assuredly if there is any branch to which we should desire to apply that principle it is to those who risk their lives in our defence. Viewing the matter in that light, and not in the least questioning or attempting to reverse the decision of former Governments, we still thought it our duty to attempt in some way to meet the complaints of officers on this head. Now, the House will observe that the subscription of a bonus had for its immediate object to get a step of rank. That step carried with it increased pay; therefore, the object of that subscription was to a certain extent obtained. The officer got his advance in rank, and, of course, increased pay earlier through the subscription than otherwise. If he had not purchased out his superior officer, he would have had to remain longer in his inferior grade. Therefore, I say, the Indian officer has already got to a certain extent compensation for his subscription. We have no intention to pay that over again; but our proposal is this:—We understand it is stated by several officers that they have not received full compensation in that way—that they paid a very much larger sum than they had any immediate chance of receiving, in the hope that when they came to retire they would receive compensation from the subscriptions of their junior officers. Our proposal is that in each Presidency a committee shall be appointed which, as soon as an officer retires, shall inquire into his case in order to ascertain how much money he is really out of pocket in payments to officers who have retired, and the loss, whatever it be, the Government propose to make good to him. [Mr. STANSFELD: With interest?] No, not with interest. Considering the enormous stimulus to promotion that has taken place, the many advantages that officers have received, and that you never in practice give compensation to public servants for the whole of their loss, we think that interest on neither side should be allowed—either for or against the officer. The House, and especially those hon. Members who take an interest in Indian matters, may wish to know what this operation is likely to cost. We have had it calculated by General Hannington, a very competent authority on such a subject, and his view of the matter is that it will cost about £160,000,

extending over twenty years. I think the charge will probably come much heavier in the earlier portion of that period, but it is impossible exactly to predict in what proportions it will come. My belief is, as far as I have been able to examine the figures, that this is an outside and maximum estimate, and that the expense will fall far short of that. But even if it should reach that amount, the House will not think it too much to remove a sincere, though it may be a mistaken, sense of injury from the minds of Indian officers. I will only conclude my answer to my hon. and gallant Friend by saying that I hope he will use his influence, if he is satisfied with this arrangement, and that all others who have taken up the case will use their influence, to do all they can to put a stop to a system of agitation most mischievous to the Indian service and most inconsistent with the ordinary attitude which officers ought to assume towards the Government. I do earnestly hope that as far as this House is concerned we may now close this thorny and disagreeable subject.

COLONEL SYKES said, he wished to know what period of service would be allowed to officers?

VISCOUNT CRANBOURNE: For colonels appointed before 1862 it will be reduced from twelve to ten years. The officers to whom compensation for bonus will be given on retiring must be officers retiring below the rank of lieutenant-colonel.

IRELAND—WRECKS ON THE EAST COAST.—QUESTION.

MR. FITZWILLIAM DICK, said, he wished to ask the President of the Board of Trade, Whether he has any objection to give a Return of the number of Vessels lost upon the East Coast of Ireland, particularising those between Kingstown and Waterford, between the years 1845 and 1865, both inclusive; stating the date of each wreck, the estimated value of the vessel and cargo, and the number of lives lost in each case?

SIR STAFFORD NORTHCOTE said, in reply, that as he had already informed his hon. Friend, he could not give him the information asked for, not from any indisposition to do so, but because so much information as could be given was already before the House. It was inadvisable to be frequently extracting information contained in papers before the House, because it led to confusion and expense. It would

be impossible to give any reliable information between 1845 and 1850, or, indeed, 1855, and it would be impossible to give any really accurate estimate of the value of the vessels and cargoes which had been lost. The Wreck Register, laid annually on the table of the House, contained in great detail all the losses for the year, and the Returns made in 1864 gave for five years all the particulars that could be given with regard to losses on the different coasts of the Kingdom. He would place in his hon. Friend's hands marked tables, showing all the information there was at the disposal of the Government. Communications were, however, going on between the Board of Trade, the Trinity House, and the Ballast Office, Dublin, with a view of improving the lights on the coast of Ireland, more especially with the view of preventing the numerous wrecks which unfortunately took place on that part of the coast to which his hon. Friend referred.

INCREASE OF THE JUDGES.

QUESTION.

MR. LAIRD said, in the absence of his hon. Friend (Mr. Graves), he would beg to ask Mr. Attorney General, Whether it is the intention of the Government to take into consideration the necessity for increasing the number of Judges, and the re-arrangement of the jurisdiction of the Courts?

THE ATTORNEY GENERAL, in reply, said, the subject to which his hon. Friend referred was one undoubtedly of the very greatest importance. With regard to the Courts of Common Law, the Judges at present transacted a much greater amount of business than they had ever before transacted; and yet, notwithstanding the extent of the business so transacted, the difficulty of overtaking the business of the Common Law Courts was seriously injurious to the interests of the public. Liverpool felt that difficulty as much as any other place in the Kingdom, although there were three Circuits of which Liverpool took advantage. Although the Nisi Prius Court there had very prolonged sittings, there was still a considerable number of arrears left over, and many of the Liverpool cases had to be brought at great inconvenience to London. But, although the facts were palpable to every person, the remedy was by no means easy to devise. The questions connected themselves not merely with the business of the Courts

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of Common Law, but also with the arrangements of the Court of Admiralty, the Probate and Divorce Court, and the Judicial Committee of the Privy Council. He could only say it was impossible for the Government at the present moment to deal with the subject; but they had turned their attention to it. The subject was engaging the anxious attention of the Lord Chancellor, with the view of submitting to the Government, if possible, some arrangement to mitigate the evil so much felt.

FRANCE AND ITALY.

QUESTION.

MR. DARBY GRIFFITH said, he would beg to ask the Secretary of State for Foreign Affairs, Whether there is any ground for the apprehensions that have been lately expressed by Signor Bianconi, a Member of the Italian Parliament, as to an intention on the part of the French Government to acquire a portion of the territory of Italy? When Baron Ricasoli, replying on the 15th of July to Signor Bianconi's inquiry, whether negotiations were in progress to cede to France a portion of Italian territory to the east of Genoa, used such terms as these, the matter would appear to be serious—

“As long as I remain in the Government, and as long as I live, I cannot conceive the possibility of Italy losing one inch of her territory.”

It was extremely likely, nevertheless, that an attempt to obtain some Italian territory had recently been made. We know by what insidious means France obtained some territory from Italy a few years ago, and how it was denied up to the last moment that negotiations were in progress between France and Italy for that purpose. In consequence of Baron Ricasoli's statement, he would therefore beg to ask the noble Lord, Whether he is cognizant of any pressure having been lately put on the Italian Government by the French Government for the purpose of obtaining for France a portion of Italian territory? He must apologize to the noble Lord for not giving him notice of his Question; and, of course, the noble Lord would give whatever answer he pleased.

LORD STANLEY: I am not able to give the hon. Member the information he seeks.

REMOVAL OF MR. FARNALL FROM THE METROPOLIS.—QUESTION.

MR. C. P. VILLIERS said, he wished to ask the President of the Poor Law

Board, Whether the statement that appeared in the papers that day is correct, that Mr. Farnall had been withdrawn from the metropolitan district; and, if so, whether his withdrawal at this peculiar time had reference to any ground of complaint that he had against Mr. Farnall personally, or on account of the manner in which he had discharged his duties?

MR. GATHORNE HARDY: Sir, the statements which have appeared in the newspapers upon this subject are, to a certain extent, correct. Those relating to Mr. Farnall are entirely correct, inasmuch as I have assigned to him a district different from that in which he has hitherto been engaged. In making that change, Mr. Farnall was informed that I did not make it with a view to throwing any discredit upon him, or for the purpose of placing him in an inferior position to that which he has till now filled. The inquiries I have on hand I have thought advisable to have conducted by new Inspectors unconnected with the London district.

MONETARY CRISIS—BANK RATE OF INTEREST.—QUESTION.

MR. ALDERMAN SALOMONS said, he had given notice of a Question that he intended to put to Mr. Chancellor of the Exchequer upon a subject of great importance. It referred to the letter addressed by the Government on the 11th of May to the Directors of the Bank of England. That letter was issued under special circumstances, by which the Bank of England was desired and empowered to part with a portion of their reserves for the benefit of the public at large; but in that letter was a restriction which had been very much commented on. It was to this effect, "that in the event of such recommendation being afforded, no discount or advance should be granted at a less rate than 10 per cent, and that Her Majesty's Government reserved to themselves to recommend the imposition of even a higher rate." The question of that limitation had been much discussed, and in many quarters it had been considered as a restriction of a very objectionable kind. The question he wished to bring before the House was, Whether Her Majesty's Government would have any objection to renew the letter to the Bank of England, omitting therefrom the condition affixed, of a minimum rate of 10 per cent interest?

THE CHANCELLOR OF THE EXCHEQUER: Sir, the Question of the hon. Gentleman really involves two inquiries. The first is, whether I should be prepared to recommend an infringement of the law; and the second, what are the conditions on which I should be prepared to make that recommendation, if I thought it proper. Now, Sir, if persons of great authority in the City of London, in consequence of the present state of our monetary affairs, are of opinion that such a change as the worthy Alderman has submitted should take place, and they would make a representation to that effect to Her Majesty's Government, Her Majesty's Government will give to such a representation a patient and candid attention; and after due consideration they would recommend the course which they would deem most advantageous to the public interest. But I cannot help thinking that the hon. Gentleman, on reflection, will see that that should rather be the course that should be pursued than that I should endeavour to give a brief reply to a mere casual Question on a matter of such importance, which requires such precise information to be placed before me, and also opportunity for the most mature consideration.

INDIA—GRIEVANCES OF THE INDIAN OFFICERS.—QUESTION.

COLONEL SYKES said, he would beg to ask the Secretary of State for India, Whether he will render available to Members of the House of Commons the Despatch which he proposes to send regarding the redress of the grievances of Officers in the Indian Army?

VISCOUNT CRANBOURNE: Yes, Sir, it will be laid on the table to-night.

DRILLINGS IN JAMAICA.

EXPLANATION.

MR. RUSSELL GURNEY said, in reference to a question privately given to him by the hon. Member for Oxford (Mr. Neate), it was true that one of the statements which he had made on a previous evening did appear to those who looked only at a single passage of the Report, without reference to the context, to be at variance with the statement of the Commissioners. He had stated that the outbreak in Jamaica was preceded by certain symptoms of an intended disturbance, and that drillings which had been proved to have occurred, afforded evidence that

the outbreak was not accidental, but planned. This statement appeared to be contradicted by a passage from the Report of the Commissioners which he would beg to be allowed to read—

"It appears also that in one parish two or three threatening letters were addressed to several persons, and that drillings were supposed to be taking place. Notwithstanding the alleged fact that threatening letters were previously unknown in the island, we were unable to attach any importance to those brought to our notice. As regards the drillings it was found upon investigation at the time that they were wholly unconnected with illegal objects."

On examination, however, it would be seen that the passage he had just quoted did not refer to the drillings in Morant Bay, which immediately preceded the outbreak. The drillings alluded to in the passage he had quoted were drillings which had taken place some months previously in another part of the island, and the drillings to which he referred in his remarks of the other evening as having preceded the outbreak were described in another part of the Report. At page 13 of the Commissioners' Report, it is stated that for a week before the 11th of October there had been systematic drilling at Stony Gut, and that the men on those occasions assembled with cutlasses, sticks, and lances, and were exercised in companies under the directions of a man called Colonel Bowie, Paul Bogle and others; and a witness named Grant stated, that on one occasion, upon a signal from Bogle, not less than 300 negroes came out, variously armed, fell in in three companies, and were drilled under their various leaders. It was to these drillings that he referred the other evening, when he mentioned them as a proof of the existence of organization among the negroes before the outbreak.

RECREATION GROUND AT CHIGWELL.

QUESTION.

MR. ALDERMAN LUSK said, he would beg to ask the Secretary of State for the Home Department, Who was responsible for cutting down 150 oak trees on the fifty acres of ground, reserved as Recreation Ground, from the common land in that neighbourhood; whether they have been cut down by the valuer of the Inclosure Commissioners; and whether the proceeding is not contrary to the recommendation of the Committee on Open Spaces of 1863?

MR. WALPOLE, in reply, said, the

Mr. Russell Gurney

trees so cut down had been felled, not by order of the valuer of the Inclosure Commissioners, but by the valuer of the parties interested in the common. The timber belonged to the lord of the manor, and instead of an unreasonable quantity having been removed, the valuation he (Mr. Walpole) had seen showed that there were hundreds of trees still remaining, and that, in fact, the trees removed were only such as were necessary to improve the beauty of the place, and fit it for the purpose for which it was intended.

THE CHOLERA.

MOTION FOR ADJOURNMENT.

MR. J. A. SMITH, who had given notice of a question upon this subject, was anxious to preface it with a few observations, and if necessary he should conclude with a Motion. The state of things in the East End of London was very alarming, but he imputed no blame to the Government; on the contrary, he wished to acknowledge the earnest anxiety which the President of the Poor Law Board and the noble Duke the President of the Council (the Duke of Buckingham) had displayed when representations were made to them on the subject. The House was probably aware that under the existing law all the powers of interfering on occasions of this kind were lodged with vestries and local Boards of Works, forming districts under the Nuisances Prevention Act. No doubt at the East End of London, where cholera existed to so great an extent, and which he was sorry to say was rapidly increasing, the Boards of Works had done a great deal towards carrying out the Orders of the Privy Council; but still they had come far short of the necessity of the case; and the results of omissions on their part affected not only themselves and those whom they immediately represented, but the comfort and convenience of the community so largely that he ventured to think that, under the circumstances, Her Majesty's Government ought to take some responsibility on themselves in reference to what may exist during the time Parliament is not sitting. He believed the whole community would welcome the interposition of some absolute authority in so serious an emergency. He might be allowed to mention two or three facts which had come within his own notice, and which he thought were facts that would justify the suggestion he had ventured to address to

Her Majesty's Government. He was present that morning in Bethnal Green, where there was a population of 140,000, in company with an inspector who had been sent to this district by the Duke of Buckingham for the purpose of ascertaining what the state of the case was, and he found that no special arrangements had been made for burial, the usual slow process prescribed by the Poor Law Board being still in force. In Parliament Street and Hare Street the bodies of persons who died on Thursday were, up to yesterday, lying unburied, the inhabitants of the houses in question being very anxious to get rid of them, but finding no way of obtaining their removal. No hospital was yet opened in that district for the reception of cholera patients, not a single nurse was employed, and no medical comforts were provided by the vestry, except a provision of medicines and disinfectants, the application of these being left to the sick and their friends, without any supervision by qualified persons. These were facts which spoke for themselves, and which appeared to him to call loudly for attention at the hands of Her Majesty's Government. With regard to the separation of the sick from the healthy, he was authorized by the inspector to state that in Poplar yesterday he saw on a first floor a youth suffering from cholera, a man asleep in the same bed, and within the house on the ground floor, just underneath the bed, stood a most offensive privy and waterbutt. No power existed to remove the sick or the healthy, or to remove or deodorize the cause of the offensive smell. These and other circumstances of a similar nature had induced him to take the liberty of making this statement to the House, the importance and urgency of which he felt most deeply. The hon. Gentleman, in proposing the adjournment of the House, concluded by asking the President of the Poor Law Board, Whether, viewing the extensive outburst of Cholera in the Eastern districts of the Metropolis, the Government are prepared to allow Parliament to separate without providing the means of summary interference in cases where the vestries may neglect the enforcement of sanitary precautions, or may omit or delay the necessary arrangements for the care of the sick, and the separation of the healthy from the dying and the dead?

MR. AYRTON wished, before the right hon. Gentleman answered the Question, to second the Motion for adjournment, and

to thank his hon. Friend for having brought the subject under the consideration of the House. Had he taken that step himself his motives might have been liable to misconstruction. There had of late been a considerable disposition to put Questions in that House respecting the condition of the poorer classes in different parts of the metropolis, and outside the House a number of wealthy and influential persons had repeatedly directed attention to the subject. He thought, however, that they looked at the matter from one point of view only, and showed no disposition to consider the real source of the evils of which they complained. He endeavoured, some years ago, to bring about an investigation of that source by means of a Committee, but he was always thwarted by official obstructions, and it was only when the existence of the Poor Law Board was imperilled, that official personages would consent to the appointment of a Committee to investigate the operation of the Poor Law in the metropolis and other parts of the country. That inquiry abundantly confirmed the view which he had taken, and the Committee recommended, as the only method of eradicating the evils which existed, an enlargement of the area of administration, coupled with an enlargement of the area of charge. They further advised that a special measure should be framed to meet the exceptional condition of the metropolis. What action, however, had been taken on that Report? An Act was passed for the whole country, but the metropolis was put off with an infinitesimal measure for the relief of the casual poor, which he believed was only carried because of its insignificance, and because it did not give any practical effect to the principles enumerated by the Committee. Again and again had he pressed upon the Poor Law Board the necessity of acting on the Committee's recommendations, but nothing had been done, and until something was done there would be a frequent recurrence of the evils complained of. Appeals were now very properly being made to the benevolence of the community, and these appeals had been nobly responded to by many distinguished persons, by none more conspicuously than by a lady who had done so much for the welfare of the poorer classes in the metropolis — he meant Miss Burdett Coutts. He was informed, however, by a gentleman who had studied the subject, that all the contributions of the wealthier

classes of the metropolis put together would not amount to more than 1*d.* in the pound on their incomes. If that were so, it showed how inefficacious a substitute private benevolence was for great public duties, and how necessary it was that the law should interpose to compel all persons to bear their due share of public burdens, whether willing or not. If such a measure of justice was rendered to those poorer districts, no difficulty, he undertook to say, would arise in grappling with the emergency; but at present all the sources of action were weakened and all the fountains of benevolence were dried up by a burning sense of injustice, the local authorities feeling themselves overwhelmed with burdens, while the wealthier classes were almost exempt. If those authorities were not equal to the discharge of their duty, why did not persons of rank and position come forward to take part in the administration of affairs, and why was there not a Board of Supervision to bring to bear all the wealth and strength of the more fortunate districts upon the accumulated misery and misfortune of the poorer localities? Every one must deplore the calamity which had visited the metropolis. He recollected, however, predicting some years ago that such visitations would occur, and that the dead would be exposed in a way enough to make the people revolt against authority, unless steps were taken to alleviate these difficulties—a prediction which was now unfortunately fulfilled. Plenty of activity was displayed in the beginning of the Session in order to afford relief to the sufferers by the cattle plague, but now, when the Angel of Death was hovering over the metropolis, and when the greatest distress prevailed among the people, no disposition was shown to meet the difficulty in the proper way by obliging the rich to contribute to the necessities of the poor. Short as the remainder of the Session was, it was long enough for the purpose, if the disposition existed, to grapple with the difficulty. He commended the question to the consideration of the Government, and he warned them that it was idle to issue mandates from this or that Department to local authorities already overwhelmed by excessive burdens, for, exhausted as their resources were, they could not be expected to impose new charges on already over-taxed communities. The water supply had, no doubt, been a great source of the evil, but districts saddled with enormous rates for other purposes

could not be expected to incur a large expenditure for a due supply of water. He had warned the House a few days since that the shortness of the supply of water was not only an inconvenience but was a source of danger and misery to the poorer classes, and that, if necessary, funds should be raised in order to enable that supply to be increased. He hoped that the Government would strike at the root of the evil, and then they would not be troubled again with a question of this kind, which arose out of that injustice and oppression which he and others believed was endured by the humbler classes of his country.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. J. A. Smith.*)

MR. GATHORNE HARDY: I think that the observations of the hon. Member for the Tower Hamlets (*Mr. Ayrton*) have gone far beyond the question which has been addressed to me by the hon. Member for Chichester (*Mr. J. A. Smith*). While, however, forbearing to comment upon his remarks, I must explain that the present Ministry, during the short time it has been in office, has not found it easy to deal with the difficulties connected with this subject, which preceding Governments have been unable to overcome. As to the administration of the Poor Law in the metropolis, I have already given the subject my best attention; I will continue to give to it as much consideration as possible, and I trust that when Parliament again meets I shall have at least some proposition to offer, which I trust will be acceptable, and which I can assure the hon. Gentleman will be framed in a spirit of sympathy with the poor, whether they be ratepayers or those who receive relief from the rates. The question put to me by the hon. Member for Chichester is of a different character. According to the law relating to the metropolis the responsibility of dealing with emergencies of this nature does not rest with the guardians of the poor, but with the various local vestries. The power of dealing with the various matters connected with the public health was retained in the hands of the vestries at their desire, notwithstanding that elsewhere such power had been placed in the hands of the guardians and of the local Boards of health. The vestries are under the Privy Council Office, where they have medical men at their command. The hon. Gentleman must recollect that we have just passed a Public Health

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Bill, which still continues throughout the country the powers now possessed by local bodies, and those bodies must not forget that they are now upon their trial, which in all probability will be a severe one, and that in the event of their failing to properly discharge their duties the powers now conferred upon them will be placed in the hands of others. To do those bodies justice I may observe that in many cases they are now—they ought to have done so before undoubtedly—making every effort to remedy the evils that exist in the poorer districts, and I hope that they will be able to cope with the difficulties with which they have to contend. They will be placed in a better position by the Bill we have just passed, and which, I hope, will become law to-morrow.

MR. HENLEY thought the right hon. Gentleman had scarcely answered one part of the hon. Gentleman's question in a manner which would satisfy the public. A dreadful plague had fallen upon parts of this metropolis, and it was believed, justly or not he could not tell, that adequate measures had not been taken to prevent that disease from spreading. The hon. Member for the Tower Hamlets said, with some appearance of justice, that the consequent burdens had fallen most heavily upon the poorer parishes; and, possibly, the question would arise whether, if parties thus burdened fell short in the discharge of their duties, it would not be from want of means. Now, that was a part of the hon. Gentleman's question to which the right hon. Gentleman had not addressed himself. Considering how very serious the calamity might become, he should have been glad had the right hon. Gentleman given the House an intimation that the Government would by a short Act have obtained some means of supplying any pecuniary want of the kind if they found that the requirements of the poorer districts were such as their means would not enable them to meet. If money could not reasonably be obtained in poor districts, then, either by a rate on the metropolis, or in any other way they saw fit, they could provide for the emergency. A penny rate in the metropolis raised something like £50,000. [Several Voices: £60,000.] Well, that sum would go a long way towards providing precautionary measures, or the administrations of summary relief. It should be recollected that the cholera was not a gentleman who would wait until next February. He would do his work

while hon. Members were away, and therefore he should have been glad to have heard from the right hon. Gentleman that the Government saw their way to some such measure as he had suggested.

MR. NEATE reminded the House that he had made a suggestion similar to that offered by the right hon. Gentleman the Member for Oxfordshire three days since, and the answer he had then received from the right hon. Gentleman the President of the Poor Law Board was, that he was not prepared to introduce any measure such as he had proposed. He should, therefore, throw upon the Government the responsibility of any evils that might arise from their neglect of the public interest.

COLONEL HOGG, as a member of one of the bodies referred to, could state that they had great difficulties to contend with in the discharge of their duties. The greater number of those bodies were most anxious to do their duty, and were using every exertion to remove all nuisances and dangerous obstructions in the metropolis. Their inspectors, however, told them that the owners of property would not do what was required of them, and that the magistrates would not convict when cases of refusal to remove nuisances were brought before them. They had thus to coax and persuade the owners of property to effect the necessary improvements, instead of being able to compel them by law to do what was right.

MR. FREVILLE - SURTEES, as a member of one of the local boards, observed that their great difficulty was that, although they had power to appoint inspectors of nuisances, they had no power to compel the removal of the nuisances which the inspector might discover and point out.

THE CHANCELLOR OF THE EXCHEQUER: It would be, I think, most unwise if, in a moment of alarm, and in a great hurry, the Government were to come forward and to ask for an Act which would change the principle upon which our system of local administration has been framed. I can only say that if a great emergency arises, Government will not shrink from the responsibility imposed by the new position of affairs.

Motion, by leave, withdrawn.

INDEMNITY BILL—[BILL 259.]

(Mr. Secretary Walpole, Mr. Hunt.)

SECOND READING. THIRD READING.

Order for Second Reading read.

Bill read a second time, and *committed*;
considered in Committee.

House resumed.

Bill *reported*, without Amendment.

On Motion that the Bill be now read the third time.

MR. DARBY GRIFFITH asked whether more notice ought not to have been given, when it was intended to pass a Bill through all its stages, than the mere Motion of a Member of the Government? He was only desirous that the House should be on its guard against any infraction of its rules.

MR. SPEAKER said, that in the last days of the Session it was not unfrequent that Bills should pass through the House in this manner. It was at the option of any hon. Member, if he thought it inconvenient or improper, to interfere; but if the body of the House was satisfied that there was no objection, then it had not been unfrequent that a Bill, if it had passed through Committee without Amendment or objection, should be read a third time and passed in the same day.

MR. WALPOLE said, he had given notice that this Bill would be necessary, although an Act had been passed that Session in reference to the abolition of certain oaths. He stated on Saturday that he should ask to be allowed to pass the Bill through all its stages this evening.

Bill read the third time, and *passed*.

EXTRADITION TREATIES ACT
AMENDMENT BILL [Lords]—[BILL 247.]
COMMITTEE.

Order for Committee read.

Motion made, and Question proposed,
"That Mr. Speaker do now leave the Chair."

Bill *considered* in Committee.

(In the Committee.)

Clause 1 *agreed* to.

MR. M'CULLAGH TORRENS said, he had a suggestion to make, and wished to know whether he was to put it in the nature of a simple clause, or propose it as an addition to the clause just adopted.

The object of it was that the whole of the depositions upon which any person intended to act should be laid before the magistrate before the surrender was made. He did not wish, however, to interfere with the Amendment of the hon. Baronet the Member for Reading (Sir Francis Goldsmid).

THE CHAIRMAN: The first clause has been agreed to. The hon. Member should move a new clause. It will come in order after the clause of which the hon. Baronet the Member for Reading has given notice.

SIR FRANCIS GOLDSMID then rose to move the clause of which he had given notice, and by which he proposed that nothing in this or previous Acts should authorize the extradition of political offenders. He reminded the Committee that it was inconvenient to bring forward a measure of so much importance at this period of the year. The majority of the Members remaining in town were Members attached to the Government, and very little opportunity was given for any general expression of opinion on the part of the House. This circumstance gave the Government, in point of numbers, a giant's strength; and it was only to be hoped that they would not use it tyrannously. It was said on their part that this was not the time to propose an important Amendment of the Extradition Acts, because the present Bill was merely intended to free the operation of those Acts from a technical difficulty. But the promoters of the Bill themselves insisted that that technical difficulty had reduced the treaty with France to a mere dead letter. The Bill became by that circumstance an important Bill; and when the Committee were asked to give force and vitality to an enactment which had hitherto been a dead letter, it became their duty to consider whether without some safeguard its death would not be preferable to its vitality. It was said by the noble Lord the Foreign Secretary that he was ready to agree to a clause of a workable character, and he (Sir Francis Goldsmid) should endeavour to show that the clause he was about to move was both workable and important. He thought there could be no doubt that there was a general impression in the public mind, and the mind of Parliament, that the existing Extradition Treaties did not authorize the delivering up of political offenders, but on looking to the Acts themselves they would find in them no such declaration. The noble Lord the Foreign Secretary told the House

that he was willing to consider favourably the introduction of such a clause, provided a proper definition could be given of a political offender, adding that in a rough and popular way that was perhaps possible. He (Sir Francis Goldsmid) answered that he went very little beyond the noble Lord when he said it was possible, not only in a rough and popular sense, but for all practical purposes, to understand the phrase; and, in fact, the Attorney General admitted and even asserted this when he said that there was a clear understanding with foreign Powers.

THE ATTORNEY GENERAL said, that the hon. Baronet was mistaken in supposing that he said that there was a clear and distinct understanding with foreign Powers. What he said, and what he intended to say was, that in point of fact no demand for the extradition of political offenders had ever been made, and therefore that there must have been an understanding on the part of foreign Powers that treaties of this kind would not be used for that purpose.

SIR FRANCIS GOLDSMID said, that his recollection was according to what he had stated, and this recollection of the Attorney General's statement was confirmed by the reports in what were called the usual channels of information. However, it did not make a very material difference. The statement of the hon. and learned Gentleman, as now explained, amounted to this, that there was an understanding on the part of foreign Powers not to apply for any political offenders. But how could there be a clear and distinct understanding, either with or on the part of foreign Powers, upon a matter which in the next breath they were told was so obscure and dark that it required a definition, and for want of a definition nothing could be said of it in the Act of Parliament? It was, it appeared to him, one of those things which were clear enough to the ordinary intelligence, but which, if they attempted to define very much further, they would make darker instead of clearer. The first part of his (Sir Francis Goldsmid's) clause went so far in explaining what was a political offence, as to say it was an offence committed for the promotion, prevention, or obstruction of any political object. It did not define the word political, and any attempt to define the word would make more obscure what was sufficiently plain to ordinary understandings to act upon under the Extradition Treaties.

The second part of his clause was intended to prevent any foreign Government, after obtaining the delivery up of a person upon a charge which might fail, but which was not political, from trying him upon a charge which was political. If he were told that it was wrong to impute any such possibility to any foreign Government, his answer was that Governments, in general, lost sight of fairness when they had to deal with political offenders, and further, that it was impossible for the French Government to consider that part of the clause as implying any imputation, inasmuch as it followed in substance the 7th Article of the French Treaty of May, 1852, which treaty, for reasons in no way connected with this clause, was not sanctioned by the British Parliament. As he inferred from the remarks of the noble Lord on Friday last that he was not satisfied with the clause as it at present stood, he had since ventured to submit to him two other clauses, either of which, although he did not like them so well as he did his own, would yet effect a great improvement in the Bill. One of those clauses was to this effect—that nothing in this Act, nor in any previous Act relating to any Extradition Treaty, should be deemed to extend to any political offence. That was a very simple clause. The other was to the effect that no person should be delivered up under that or any other Act relating to any Extradition Treaty except under a warrant from the Secretary of State certifying that it had been shown to the satisfaction of that Minister that the offence with which the person so delivered up was charged was not a political offence. If that clause were adopted, the Secretary of State would act under Parliamentary authority, without the possibility of any legal difficulty respecting the validity of the warrant, but subject to his being called to account by Parliament if his discretion were unfairly exercised. As to the contention of the Government that the existing treaties and the present Bill would be satisfactory without any amendment of the latter—if so able and acute a lawyer as the Attorney General were advising a client in a matter of private right, he would never advise him to rely upon any understanding by the other party as controlling or modifying the sense of any written agreement. But this was a matter of far more importance than one of private right. When the persons administering foreign Governments were changed, what would

become of understandings with or on the part of them? The Amendment he proposed, therefore, would afford an important security; and moreover, it would give a protection to any English Secretary of State who might be pressed by a foreign Minister to surrender a political offender. He had heard it, if he was not mistaken, stated in the course of the discussion on a former occasion, that any offence that could be considered as political, any killing in the attempt to overturn a dynasty, would not come within the wording of the Bill as it stood; but he believed, nevertheless, that such an offence as that which had been alluded to by his hon. Friend the Member for Westminster in connection with the attempt made by the present Emperor of the French at Boulogne would be regarded in the light of an *assassinat* under the French Penal Code. The 296th and following Articles of that Code laid it down that homicide committed voluntarily was *meurtre*, and that when there was premeditation, though without ill-will against any particular individual, the offence amounted to an *assassinat*. Now, in the instance which he had just mentioned there could, he thought, be little doubt that the homicide had been accompanied with this kind of premeditation.

MR. NEATE rose to order. It was not proper, he contended, that an hon. Member should discuss in that way the serious question whether such a crime as that of which he was speaking had or had not been committed by the Emperor of the French?

THE CHAIRMAN said, there was, so far as he could see, nothing in the remarks of the hon. Member for Reading which transgressed the bounds of order.

SIR FRANCIS GOLDSMID disclaimed all wish to say anything which could fairly be regarded as insulting to the Emperor of the French. He was merely arguing that a person placed in a similar predicament might, under the provisions of the Bill as it stood, have to be delivered up, and that it was not proper that we should be placed under such a necessity. He hoped that he had said enough to show that the clause which he proposed was not only necessary to the vindication of the honour of this country and the preservation of the right of asylum, but that it would tend to maintain rather than endanger our friendly relations with foreign Powers. The right of asylum had, even in the time of many now living, shel-

tered several eminent politicians, and some who deserved the name of great patriots and statesmen. We had seen it protect some men who had previously ruled, and some who had afterwards been called to rule, over mighty nations. It was a right to which he believed all Englishmen attached the greatest importance, and to which they were anxious to adhere. In conclusion, he begged to move the following new clause:—

“That nothing in this Act, nor in any previous Act relating to Treaties of Extradition, shall be construed to authorize the extradition of any person in whose case there shall be reasonable grounds for belief that his offence, if any, had for its motive or purpose the promotion or prevention of any political object, nor to authorize the extradition of any person the requisition for the delivery of whom shall not contain an undertaking on the part of the Sovereign or Government making such requisition, that such person shall not be proceeded against or punished on account of any offence which he shall have committed before he shall be delivered up, other than the offence specified in the requisition.”

Clause brought up, and read a first time.

MR. NEWDEGATE said, he perfectly sympathized with the feeling which had prompted the hon. and learned Member to propose the clause, but was of opinion that the first part of the proposition should be left to the Councils of the Government, and if any violation of it took place, that would be a matter for the consideration of Parliament. But the second part of the clause stood on very different ground. It provided, that in every document presented to the magistrate the offence for which the extradition was demanded should be specified, but he did not think the meaning of the words sufficiently clear. He believed it would be improper to entail on any court the necessity of judging whether the offence was political or not, but thought the courts had a right to expect and demand, not that the Habeas Corpus Act should be suspended against all foreigners in this country, but that the document should be in the nature of a warrant, and state the offence for which the authorities of this country were required to aid a foreign Government in the extradition of a prisoner. He proposed that the latter part of the clause should read as follows:—

“Such person shall not be proceeded against or punished on account of any offence which shall not be specified in the document demanding the extradition of such person.”

The magistrates ought to act under what was equivalent to a warrant, but to require the courts to define political offences

was to require them to undertake a duty beyond their competency.

MR. NEATE said, that whether the hon. Member for Reading had or had not transgressed the rules of the House in the observations which he had made, it was, he thought, extremely undesirable, as a matter of taste and judgment, to mix up with the discussion of the question before the Committee the precise legal appreciation in which a certain act of the Emperor of the French was to be held. To speak of such an act as approaching assassination was, he contended, to give of it a totally erroneous description. As to the proposed clause, whatever might be said with respect to the first part of it, the second must, he thought, be indignantly rejected by the Committee. What, he should like to know, was the meaning of the first part, if not that any man who came to this country after having made an unsuccessful attempt on the life of a foreign Prince should here find a secure shelter? It would apply to such cases as that of Orsini, or that of the misguided youth who endeavoured to murder Count Bismarck; but it was, he contended, important to make a distinction between political offences generally and political assassination. The one was an offence against the Government of a country; the other an offence against the universal morality of all nations. He, for one, could not see why a difference should not be recognized as existing between insurrection and assassination, just as in ordinary warfare the seeking to take an enemy's position and the getting up a plot to murder his General were looked upon in a different light. An insurrection for the purpose of altering the form of Government was totally different from assassination. Indeed, the British constitution might be described as only the result of a series of great political crimes. He thought the late Government adopted a mistaken mode of dealing with this question, for before making a convention they should have referred the matter to a Committee of the House, and then they would have known on what basis to enter upon a treaty. He thought it desirable that the whole subject of Extradition Treaties should undergo revision.

LORD STANLEY thought that there was some force in what was said by the hon. Member who began the debate as to dealing with a question of this kind at so late a period of the Session; but it was

not the fault of the Government that the question was only now under their consideration, and he had to remind the Committee that if the Bill were put off till next Session the Treaty of 1843 would drop. He admitted, with the hon. Member who spoke last (Mr. Neate), that the whole question was one of great delicacy and difficulty, and one that required more systematic examination than it had yet received. No doubt there were several offences which on the score of general morality and general policy it was desirable to include in the treaty. With regard to the particular question now before the Committee, it seemed to him that the fact of the treaty having been almost a dead letter since 1843 was a strong argument against its anticipated abuse; because there was nothing in it to have prevented the French Government, had they been so minded, from making exactly the same use of it as it was suggested they might do if the Bill were passed in its present form. The real difficulty about the clause was, how to define a political offence. The definition of the hon. Gentleman would include every political assassination whatever, and would prevent the extradition of such men as Orsini, Booth, the assassin of President Lincoln, and the murderer of the witness who had recently been shot in Ireland for giving evidence against the Fenians. What, then, was our security if the Bill passed as it stood? In the first place, it was exceedingly doubtful whether political offences were included even in the French Code under the term "murder or attempted murder." Moreover, the magistrate would have to decide the case, not according to French, but according to English law. In the next place, it was perfectly well-known what were the cases that the treaty was intended to meet; and though it was generally held that the phrase, "it shall be lawful," was mandatory, and not merely permissive when applied to a public officer, he doubted whether any Secretary of State could be compelled to interfere in a case where it was understood that the law was not intended to apply. Lastly, it was impossible to conceive the French Government so blinded by passion or revenge as to insist on putting the treaty in force in a case which they knew would lead to its instant abandonment by this country. He thought also that in a case like this international courtesy demanded that the treaty should not be materially altered without communication with the other party to it. As

for the proposal that the French Government should be required to enter into an undertaking that they would not try any person for any offence other than that for which he had been given up, he thought that that would be a very feeble protection indeed; for, assuming for the sake of argument that the French could act in the manner suggested—and he really begged pardon for assuming it even for that purpose—he could only say, that a Power which could act in such a manner would not be bound by an undertaking of the kind proposed.

MR. J. STUART MILL felt that many of the sentiments which they had just heard from the noble Lord were of a very reassuring character, and if the noble Lord were always to be Foreign Secretary, he should not require much further security; but since the country was not likely to be always so far favoured, he could not help regretting that the deliberations of the noble Lord had not led him to frame some other clause, if that already proposed did not meet with his approbation. It should be remembered that if a person charged with political assassination were not given up, he would not necessarily escape punishment; for he might still be prosecuted in the country where he had sought refuge. Nobody wished that political should enjoy any more impunity than any other kind of assassination; but if we had only the alternative of trying in this country persons charged with political offences, or of giving up everybody charged with homicide of a political character, he (Mr. Stuart Mill) should prefer the former. At the same time, he did not think it impossible to define political offences. Various attempts at definition had, to his knowledge, been communicated to the noble Lord. One of them, suggested by a learned Gentleman, he would mention. It was, "Any offence committed in the course or in furtherance of any civil war, insurrection, or political movement." That he thought would not include political assassination. It appeared to him that this matter required much more consideration than it had yet received; the more one examined into it the worse it looked. There was at the present moment the utmost uncertainty as to the nature of the inquiry which an English magistrate was bound to make, previous to delivering up any person charged with a political offence. He found in the papers before the House two entirely different views of the law of this country. The Extradition Act said—

Lord Stanley

"It shall be lawful for any justice of the peace, having power to commit for trial, to examine upon oath any person or persons touching the truth of such charge, and upon such evidence as according to the law of that part of Her Majesty's dominions would justify the apprehension and committal of the person accused if the crime had been there committed, it shall be lawful for the magistrate to commit the prisoner into the custody of the officers of the Power so demanding him."

Now, it was stated in the able and excellent letter of Lord Clarendon to Lord Cowley, that a magistrate, when called upon in this country to commit any person for trial, was authorized to examine into the truth of the charge; that, according to our practice, when a person has made oath that another person has committed a certain crime, a warrant is issued for his apprehension; and that the next step is to bring the accused person before a magistrate, when the accuser must appear with his witnesses and be confronted with him in open court, and it must be proved to the satisfaction of the magistrate, before committing the prisoner for trial, that there was sufficient *prima facie* ground for believing, first, that the crime had been committed, and next, that the prisoner was the party who had committed it. According to this view of the law, it would be in the power of the person accused, before the order is passed for delivering him up, to produce witnesses and have them examined. By the treaty now entered into, the prisoner might be delivered up on the production of written depositions. But he had always understood that, although the depositions might be received in evidence, yet conformably with our practice it would be open to the prisoner to produce counter evidence in contradiction to them, which might show them to be untrustworthy. But now look at the memorandum of the Conference at the Foreign Office on the 8th of February. It was there stated that an impression prevailed in France that the English magistrate actually tried the case; and that that impression was unfounded. Of course it was, because there was a great deal of difference between the inquiry previous to committal and the actual trial. But, then, the memorandum went on to say, that when the prisoner was brought before the magistrate he would be entitled to have the depositions read in his presence; but that he would not be allowed to controvert the truth of those depositions, or to produce counter evidence, except as to his identity. Could there be a more flagrant case of

contradiction between theory and practice? They were entitled to ask Government whether the law laid down in the Act or the practice laid down in the Foreign Office memorandum was right. If the practice were to prevail over the law, a law should be made to legalize it; but it ought to be considered whether such a law would not be an absolute enormity. Could it be dreamt of that even in respect to an ordinary offence, depositions taken unknown to the person charged—which he had no opportunity of disputing—with reference to which he was not permitted to cross-examine his accusers, should be sufficient to require his surrender? Were these depositions, produced in evidence in a court in this country, to be made the grounds for delivering up a person to be tried in the country in which the depositions were made, on the sole condition that he was not shown to be the person named in the warrant? If he really were the person charged, was he not to be allowed to tender any evidence to show that the depositions did not establish a case against him? That was a subject on which the noble Lord the Secretary of State should tell them his mind. Then they had been led to think that there was an understanding with foreign Powers, including the Government of France, that political prisoners should not be delivered up. It now appeared, however, that there was no such understanding, but it was assumed that the French Government would not ask them to deliver up such persons. If that was the case, it was extremely honourable to the French Government, or to our own, perhaps to both—honourable to the French Government if they did not desire to have such persons delivered up, honourable to the reputation of our own Government in foreign countries, if the absence of the demand was grounded on a conviction that it would not be complied with. They had the noble Lord's assurance that he would not deliver up such persons, but they ought to have some more complete security. Was that intention grounded on an understanding that the treaty did not require us to give up persons charged with political murder, or on a belief that, although the treaty did bind us to deliver them up, the demand would not be made? Surely it would have been better to have some words inserted in the Act showing that it was not the intention of Parliament that the Act should authorize the extradition of political offenders. It was admitted

that the Act in terms admitted the extradition of political offenders, but we were told that the right was not exercised. That might be the case with regard to a particular Sovereign, but what security had they for the conduct of his successors. It seemed now that there had not been even a verbal understanding, and that absence of any demands from which it had been sought to infer one, might have arisen only from the circumstance that during the period which had elapsed there had not been a sufficiently strong desire for the surrender of any person included in the class referred to, to induce the French Government to demand his extradition. It was said that we could get rid of the treaty in six months, but that could not or would not be done until something irrevocable had taken place, until, perhaps, some illustrious exile had been delivered up, whose surrender would cover this country with ignominy. He entreated the noble Lord to apply his mind to the subject, and see if it were possible to insert words that would show at least the will and intention of Parliament that the extradition should not extend to political cases, so that there might be something to be relied upon by the Secretary of State in justification of the course he might have to take. This Act was an experiment which they were going to try for the first time, and surely it would be worth while to try it avowedly as an experiment. Would the noble Lord limit the duration of the Act to twelve months? At the expiration of that time they would perhaps have better means of judging than they had now, and might be able to renew the Act from time to time for a longer period.

THE ATTORNEY GENERAL did not rise to repeat the statements which had been already made by the noble Lord on the subject of *Extradition Treaties*, which well deserved the consideration of the House; but when the hon. Member for Westminster suggested that the operation of this Bill should be limited to the period of twelve months, he must remind the hon. Member that these treaties were themselves limited in their duration. The treaty with France might be determined by a notice of six months, the treaty with the United States might be determined without notice, and he believed the treaty with Denmark might be determined in the same manner. Therefore the present Bill, though general in its terms, could be limited at the instance of the Government to a period of

six months. He agreed with the hon. Member that it might happen that they would not terminate the treaty without the occurrence of something that would be to all of them a subject of regret. But that was more likely to happen if they adopted the hon. Member's suggestion and extended the Bill to twelve months than if they reserved the power of terminating it in six months. He thought there was a grave misapprehension on the part of the hon. Member for Westminster as to the case of a person who, having been guilty of assassination, took refuge in this country, and defended himself on the plea that it was done from a political motive. The hon. Member thought that such a person ought not indeed to escape from punishment, but that he ought to be tried in this country. But he could not be tried in this country—it was impossible. It might be said that the impossibility was only technical, but he believed it was deeper than a technicality. No person could be tried in this country except for an offence that was committed against the peace of the Sovereign of this country. He would, therefore, be altogether free from punishment. The hon. Member read a passage from a memorandum in the Foreign Office to the effect that a person accused of crime would not be allowed to plead anything whatever in his own defence, to deny his identity with the person named in the warrant of demand. But he (the Attorney General) differed from that opinion. As he understood the Act of Parliament of 1843, a magistrate was required to take the same amount of evidence with regard to a person demanded to be delivered up as would justify him in the apprehension and committal of a person accused of crime in this country. The copies of the depositions against the person accused were to be received in evidence, but only as one ingredient in the case. But suppose the person accused was in a condition to show that the fatal blow which caused the death of the person of whose murder he was accused, was not struck by him but by somebody else, he would be at liberty to produce that evidence to controvert the depositions, and the magistrate would be bound to discharge him in the same way as he would do if the alleged crime had been committed in this country. The hon. Member for Reading had not at all answered the objections which were formerly made to his Amendment. The hon. Member proposed that nothing in this Act or in previous Acts should be con-

The Attorney General

strued to require the extradition of persons whose offences were committed from political motives. But the hon. Member did not care so much for inserting this Amendment in the present Act. What he observed was to modify the provisions of the previously existing Acts. But the hon. Member must observe that in all the existing Acts the Sovereign had entered into treaties with the Foreign Powers, and what Parliament was called upon to do was to ratify those treaties, and give the Sovereign power to carry them into effect. The bargain was made between the Sovereigns, and the hon. Member proposed to introduce a new ingredient into the bargain which did not exist at the time the bargain was made. It might have been unreasonable that this new ingredient had not been introduced at the beginning; but to introduce it now was simply to break the bargain which the Sovereigns had made and Parliament had ratified; it was to infringe upon treaty engagements, and that without notice to the other side. He thought the House would not be willing to enter upon such a course as that. The only possible offence which could give occasion for the introduction of the political element was murder or the attempt to murder. Now what the Committee was asked to do by the Amendment of the hon. Member to put it into simple English, was this—that every person who had committed a murder in a foreign country and had fled to this should be given up, provided always that if he had committed that murder from a political motive he should not be given up. Now supposing such to be the interpretation of the law, he asked what answer would be given by England in certain cases that might be referred to. He would put the case that had lately shocked the whole civilized world—the murder of the President of the United States. Suppose that the murderer had escaped to this country, and that a demand had come from the United States for his being delivered up, what would this country have said? He could not have been punished in this country; and would we have said to America, we admit the man has committed a murder which shocks humanity and the whole civilized world, but we believe that he was actuated by motives of a political character, and therefore we think that he ought to be kept in this country and not given up? Or, take a case of more recent occurrence. Suppose that a police-sergeant or informer had been assassinated

in Ireland in cold blood from motives of revenge, or a desire to promote the Fenian movement, and that the murderer had escaped to France or to the United States, would we be satisfied if we were met by the answer, we agree that the man has committed a murder, but we believe that he did it somehow from political motives, with a view to help forward the Fenian insurrection, and therefore he cannot be delivered up. He thought the House ought to be careful how it sanctioned such doctrines as these. He thought there was some confusion of ideas between political offences and murder committed from political motives. He agreed with those who held that under no Extradition Treaty ought a man to be delivered up for what was popularly called "political offences." But those offences had nothing to do with murder; they were acts which were punished in different countries in different ways—they did not involve assassination, they related to the overturning of a Government or the alteration of a system of law; and, as the hon. Member for Oxford had said, they had often been committed in our country's history, and had led to wholesome changes in our Constitution, though there was no doubt they would at the time have been punished by our laws. These were the things which he understood by the term political offences, and the House, he was sure, would never agree to deliver up such offenders. But, on the other hand, the House would be justified in delivering up murderers and assassins, even though they should plead that they were actuated by political motives. He thought they had perfectly good security that the proposed Extradition Treaty with France would not be abused. In the first place, they had the power to terminate the treaty after six months' notice. The second security was this, that it was not compulsory upon any particular Secretary of State to put the Act in force by sending a person accused before a magistrate, because the words were, "it should be lawful for one of the Secretaries of State to signify the requisition to act to the magistrate;" but these words did not apply to any one Secretary of State in particular. But the third security, and that which to his mind was better than the other two, was this—we might demur as we pleased to the definitions given in the French Code of criminal law; but, according to the words of the Act of Parliament, the magistrate who committed must have before him such evi-

dence as, according to the laws of England, would justify the apprehension and commitment of the person accused if the crime were committed in England. Therefore, the magistrate must have before him such evidence as he would act upon in regard to an English subject. With respect to the latter part of the hon. Member's Amendment, which required that the person should not be tried for any offence but that for which he had been given up, we should certainly have a well-founded complaint against any country that demanded a man to be given up for one offence, and then proceeded to try and punish him for another. But, on the other hand, to put such words into an Act of Parliament which did not exist in the treaty, would only be offering a gratuitous insult to the foreign Power to whom it applied, without securing any real advantage. The hon. Member for Reading had said that in the Treaty of 1852, which fell through, there was a proviso of that kind. But in that case it was absolutely necessary, because the offences specified were so numerous—he believed they exceeded twenty and nearly exhausted the whole criminal law—and therefore it was necessary that we should have the double security that none of the offences should be political offences, and that no one should be tried for a different offence from that for which he had been given up.

SIR GEORGE BOWYER argued that certain offences, besides being offences against municipal law, were also offences against human civilization. In such cases extradition was necessary, because the separation of countries into distinct Governments was *pro tanto* an impediment to the punishment of offences, and that was an evil for which it was necessary in the interests of society to provide a remedy. If the clause proposed by the hon. Member was assented to this country would, in a manner, be forced to sanction murders committed for a political purpose, and would thereby unavoidably be mixed up in foreign complications.

MR. AYRTON hoped that the hon. Member would withdraw the clause he had proposed, to which there were two unanswerable objections. The first objection to the clause was that it proposed to alter the terms of the treaty between this country and France, which could only be done by agreement between the two contracting Governments. The second objection was of a rather more personal character, as the clause

was so worded as to appear to give some moral right to murder people for political differences. He should regret exceedingly if any person who shot him in the lobby were to find a safe asylum in France, on the ground that he did not like his speeches in the House. As all persons connected with public affairs were in some sense political personages, if the clause were agreed to, any one holding a public office might be murdered with impunity. He should ask the noble Lord the Secretary of State for Foreign Affairs whether it would not be better to agree to the proposition of the hon. Member for Westminster to limit the duration of the treaty to some definite period, as the original treaty was now at an end. ["No, no!"] The treaty was at an end, inasmuch as the French Government had given notice to terminate it. [Lord STANLEY remarked that that notice had been withdrawn.] He contended that the notice to terminate the treaty had not been withdrawn. All that the French Government had done was to give their consent to the treaty continuing in force for another six months. Therefore, as the original treaty was at an end, there would be no difficulty in making the new one terminable at a certain definite period, so as to enable the House to re-consider the matter during the next Session.

MR. KINGLAKE had heard with great satisfaction the observations that had fallen from the noble Lord, because he understood him to acknowledge, with that candour that was so characteristic of him, that the legislation upon this subject, as varied by the Bill now before the House, could not fairly be relied upon as legislation of a safe character. He did not doubt that, owing to the Bill being introduced so late in the Session, and there not being, therefore, sufficient time to discuss it, hon. Members attached more importance to the measure than really belonged to it. In due time the subject would receive careful consideration. The Committee could not better express their feeling upon the matter than by acceding to the suggestion of the hon. Member for Westminster, and limiting the duration of the Act to one year. The Attorney General had said that the best way of proceeding in order to make the treaty a temporary one was to make it terminable at six months' notice, so that, when the House wished to re-consider the matter, the notice might be given. That would scarcely be a courteous mode of proceeding, neither would it ac-

cord with his view, which was that the object of limiting the duration of the Act was to obtain a sort of Parliamentary expression of opinion that the House was not satisfied with the opportunity it had had of putting the legislation upon this subject upon a proper basis. The noble Lord read a passage from the Act of Parliament which stated that the Act was permissive, and was not compulsive; but he omitted to observe that the connection with the foreign States, including that of France, was compulsory, and that if the stipulated conditions were complied with the Secretary of State had no option but to hand over the accused. Therefore, that branch of the security upon which the noble Lord relied had failed. Under these circumstances, he begged to move that a clause be added to the Bill, limiting the duration of the Act to the 1st of September, 1867. An opportunity would thus be afforded of giving to the measure full consideration.

LORD STANLEY could not have consented to the introduction of a clause which would have altered its principles, but he could have no difficulty in acceding to the proposition of the hon. Member, that the duration of the Bill should be limited to one year from the 1st of next September. In the course of the next Session the House would have an opportunity of carefully and deliberately considering the subject.

SIR FRANCIS GOLDSMID then withdrew his Motion, and Mr. Kinglake's clause was added to the Bill.

MR. M'CULLAGH TORRENS moved the insertion of a proviso necessitating the production of all the depositions taken in any case by the French magistrate, as well as the mere certificate, but the proviso was negatived without a division.

House resumed.

Bill *reported*, with an Amendment; as amended, *considered*; read the third time, and *passed*, with an Amendment.

CURRENCY AND BANKING.

MOTION FOR ADDRESS. ADJOURNED DEBATE.

Order for resuming adjourned debate, on Motion for Address [31st July] read.

MR. WATKIN said, that in spite of the late period of the Session at which they had arrived, many hon. Gentlemen who felt extremely interested in this subject had hoped that the Government would have been able to secure an hour for

Mr. Ayrton

its discussion. The present state of the House, however, rendered a further discussion of the question impossible, and after consulting various friends who would probably have wished to speak upon the subject, he had thought it advisable not to persevere with his Motion. He had, however, a few days previously urged upon the President of the Board of Trade the advisability of the Government appointing a Commission to visit the great centres of industry in the country, and to take the evidence of merchants, bankers, and manufacturers, who regarded themselves as having been subjected to great hardship and inconvenience. He was sorry to say, however, that though personally he met with every courtesy and kindness at the hands of the right hon. Baronet, the right hon. Baronet did not see his way to the adoption of his proposal.

Mr. GILPIN tendered his thanks to the hon. Gentleman the Member for Stockport (Mr. Watkin) for having brought forward this subject. It was one that excited great attention, and he regretted it had not been fully discussed. He hoped, however, what discussion had taken place would encourage the Government to take the subject into their consideration during the recess.

Order discharged.

House adjourned at Eight o'clock.

HOUSE OF LORDS,

Tuesday, August 7, 1866.

MINUTES.]—PUBLIC BILLS—*Second Reading*
—Indemnity (284).

Committee—Habeas Corpus Suspension (Ireland) Act Continuance* (276); Patriotic Fund* (277); Indemnity (284).

Report—Habeas Corpus Suspension (Ireland) Act Continuance* (276); Patriotic Fund* (277).

Third Reading—Cattle Diseases Prevention Act Amendment (No. 2)* (262); Court of Session (Scotland)* (230); Turnpike Trusts Arrangements* (247); Poor Law Amendment* (248); Aberdeen Provisional Order Confirmation* (234); Inclosure (No. 2)* (236); Public Libraries Act Amendment* (279); Turnpike Acts Continuance* (280); Local Government Supplemental (No. 4)* (254); Railways (Ireland) Temporary Advances* (255); Bills of Sale Act (1854) Amendment* (256); Oysters Cultivation (Ireland)* (257); Naval Discipline* (258); Dockyard Extensions* (259); Consolidated Fund (Appropriation)*; Landed Estates Court, &c. (Ireland)* (260); New Zealand*

(261); Prisons* (263); Industrial Schools* (282); Reformatory Schools* (281); Common Law Courts (Fees and Salaries)* (271); Expiring Laws Continuance* (272); Constabulary Force (Ireland)* (273); Indemnity (284), and passed.

Royal Assent—Public Health [29 & 30 Vict. c. 90].

LONDON, CHATHAM, AND DOVER RAILWAY (NEW LINES, &c.) BILL.

THIRD READING.

LORD REDESDALE, in moving the third reading of this Bill, thought it necessary to make a few remarks upon a question which was of great public importance. A Notice of Motion for the suspension of the Standing Orders had been given by his noble Friend opposite (the Marquess of Clanricarde), with a view to the introduction of Amendments, the object of which was to create out of the existing income of the Company a separate fund upon which a loan of £1,000,000 was to be raised; and, as he understood, these clauses had received the approval of the Board of Trade. Now the income of the Company was insufficient to pay its existing debt, and the proceedings which had been taken in the Court of Chancery showed most distinctly that such was the case. Their Lordships would, therefore, see that it was impossible to listen to an application the effect of which would divert from its proper object the money which was now pledged to the payment of interest upon certain debentures already existing. In order to create a new fund an additional income should be raised and an additional burden thrown upon the Company. It would be impossible to carry on the affairs of companies with a just regard to the interest of their creditors if such a course of proceeding were allowed, and he therefore felt it his duty to decline to sanction the introduction of the Amendments to which he had referred.

THE MARQUESS OF CLANRICARDE, in explanation, said, it had been represented to him that if the proposition to which his noble Friend the Chairman of Committees alluded were sanctioned by Parliament, it would be of the greatest use to the Company, and the opinion of the Board of Trade was that the object for which these clauses had been drawn up was desirable. Without knowing anything of the particulars of the case himself, or intending to take any Motion on the subject on his own account, he had

thought that an opportunity ought to be afforded to any noble Lord who might think proper to do so of submitting the matter to the consideration of Parliament by moving the clauses which the Company desired to have introduced into the Bill. It was with that view that he had given notice for the suspension of the Standing Orders, which would be a necessary proceeding in such a case. He, however, quite agreed that the course proposed could not be permitted unless it received the sanction of all existing creditors. No such assent was alleged, and therefore he was not disposed to press the matter.

Order for taking into Consideration the Standing Order No. 179. sect. 6 in order to its being dispensed with; read, and *discharged*; Bill read 3^a, with the Amendments, and *passed*, and sent to the Commons.

INDEMNITY BILL—(No. 284.)

(*The Earl of Derby.*)

SECOND READING. THIRD READING.

Order of the Day for the Second Reading read.

THE EARL OF DERBY: My Lords, I hope there will be no objection to the renewal of this Bill; but I hope also that this will be, if not the last, yet very nearly the last time, that such a Bill will be necessary. The whole question of oaths is at present under the consideration of a Commission, and I hope that the Report of that Commission will be such that no oaths need in future be imposed, except those which all persons may take conscientiously and without difficulty. It is not very creditable to our legislation that we should pass Acts requiring oaths to be taken, and then year after year pass other Acts dispensing with those oaths. Of course, however, at this present time several persons are still subject to penalties imposed by the existing law, and I hope therefore that your Lordships will assent to the passing of this Bill of Indemnity.

Bill read 2^a (according to Order); Committee *negatived*; Standing Orders Nos. 37 and 38 *considered* (according to Order) and *dispensed with*; Bill read 3^a, and *passed*.

The Marquess of Clanricarde

PRIVATE BILLS.

STANDING ORDERS AMENDED.

The following Amendments made to the Standing Orders relating to railway companies:—

"In Standing Order 184, sec. 3, after ("£20,") add ("or for a sum which is not a multiple of £10,") that a clause be inserted in each Railway Bill in which, after the Fact of the Deposit having been made and the Amount paid as stated in the Schedule, it shall be enacted to the effect that the depositors may receive any interest from time to time paid on any securities while so deposited, and that so soon as it shall be proved to the satisfaction of the Board of Trade that the company has paid up such a sum as, together with the deposit, amounts to one-half of their authorized share capital, and has expended that amount on their undertaking, it shall be lawful for the company to withdraw the sum deposited for the purpose of the undertaking, and thereupon they shall issue shares to the contributors and their assigns to the amount represented by their respective contributions; that the above requirements shall not apply to any incorporated railway company seeking power to construct new works, provided that the new capital to be raised is not greater than the existing authorized capital of the company, and provided that the company is paying a dividend upon its ordinary stock. For companies so exempted the present £50 a day penalty shall be retained until the same shall amount to 8 per cent on the estimated cost of the works, together with interest at the rate of 5 per cent on the balance from time to time remaining unpaid from the date of the final payment.

"In Standing Order No. 189, sec. 14, p. 45, after the word 'traffic' in line 7, insert: or until the sum received in respect of such penalty shall amount to 8 per cent on the estimated cost of the works; together with interest at the rate of 5 per cent on the balance from time to time remaining unpaid from the date of the Act to the date of the final payment."—(*The Chairman of Committees.*)

Motion agreed to:—Standing Orders amended accordingly.

RITUALISM IN THE CHURCH OF ENGLAND.—QUESTION.

THE MARQUESS OF WESTMEATH, who had given notice—

"To inquire whether the Lord Bishop of London, having delivered an address on the 17th of February last alleging that certain persons had taken upon themselves to alter the whole appearance of the Lord's Supper, beginning with one indication and ending with another, which, if it meant anything, spoke of the idolatrous worship of the consecrated elements, and that it was not to be denied that some are engaged in a conspiracy to bring back our Church to the state in which it was before the Reformation, any proceedings are to be taken during the recess to test that conspiracy, and to bring the authors of it to justice."

said, that the proceedings of the Tractarian party had been already discussed in that House, but no steps having been taken to provide a remedy, he felt it his duty to give the notice which was on their Lordships' Minutes. His attention had been called to a remarkable document in the shape of a reply by the Bishop of London to an address presented to him by sixteen rural deans and 220 clergymen of the archdeaconry of Middlesex, on the 17th of February last, in which he said that—

"Certain persons have taken upon themselves so to alter the whole external appearance of the celebration of the Lord's Supper as to make it scarcely distinguishable from the Roman Mass, and they endeavour on all occasions to introduce into the other services some change of vestment or ornament quite alien to the established English usage of 300 years."

The object of this was to make the transition easy, the step downward from the Church of England to the Church of Rome. The Lord Bishop further said—

"I fear it cannot be denied that a few are engaged in a conspiracy to bring back our Church to the state in which it was before the Reformation."

This was a serious charge, and, coming from one in the Bishop of London's high position, there could be no doubt that he had strong grounds for the accusation, and it should certainly be followed by action to preserve the people from the conspirators. He would ask their Lordships to consider the manner in which the working of this conspiracy was laid down by the Bishop, who used these words—

"Beginning with the use of lighted candles during the daylight at the administration of the Holy Communion, some men have gone on to incense, and the distinctive Roman habits and prostrations which, if they mean anything, speak of an idolatrous worship of the consecrated elements."

It surely was a reproach that this idolatrous worship should be allowed in the Reformed Church of England; but when the introducers of it were clergymen who were solemnly pledged to drive away all strange and erroneous doctrine, then the conspiracy became one of an alarming character, and all due means should have been taken for its repression. The sentiments contained in this reply of the Lord Bishop were soon afterwards reiterated in an address delivered by his Lordship in Convocation in the presence of several other Prelates. And here he could assure their Lordships that he felt it necessary to use the most precise and particular language when

speaking of any one holding such a high office in the Church, and more especially in his absence, for he regretted that the Bishop was not in his place to give any explanations on the subject. That, however, was not his (the Marquess of Westmeath's) fault. He had given notice of the Question, and the Bishop was not present to supply their Lordships with information as to the conspiracy which he admitted was in existence. In the address delivered by the Bishop in Convocation, he said—

"I have heard of a distinguished divine of very calm mind being present at one of the churches where these practices were resorted to with a view of satisfying himself as to what was going on, being so shocked that he felt he could not, without a compromise of all that was dear to him, partake of the Lord's Supper at the hands of the persons who were officiating, so like was it to the Roman fashion."

Here, then, was another convincing token that the scheme to draw away the people to Roman Catholic rites was nothing less than a conspiracy. In another passage the Bishop pointed out the injurious consequences to the laity in these words—

"If our attention is to be directed to such matters of dispute as we have now been considering, I fear our influence will be undermined, and that the laity will feel that they cannot worship in our parish churches without compromising their consciences."

This was a peril so great that when matters had come to such a pass that the laity were in danger of alienation from the Church, the subject was well worthy their Lordships' attention. The Bishop further, addressing his brother Prelates, intimated that the proceedings carried on by the Puseyite clergy were so bad, that none of them dare be present at the Puseyite celebrations. These were his Lordship's words—

"There is not one of your Lordships who would venture to take part in the administration in some of the churches where this extreme ritualism prevails. A clergyman in this position is estranged from his Bishop. He knows that he is doing that behind his Bishop's back which he could not do in his presence."

From these remarks of the Bishop, who, doubtless, had good reasons for making them, it was plain that there was a mutiny in the camp; but instead of the chief officers in the Church putting the conspiracy down, they turned away, and allowed all the mischief to be done behind their backs. He would submit to their Lordships that if any excuse were required for referring to this most important subject, the words

of the Bishop on the same occasion would be sufficient. The right rev. Prelate said—

“But if I were a layman who felt my liberty infringed in this matter, I certainly should desire that ambiguous expressions in the present law should as soon as possible be rendered into intelligible language.”

That the law should be put in force against the conspirators was plainly the duty of some one, and the laity were waiting anxiously to see it done. It might be proper that he should submit to their Lordships some evidences that “the idolatrous worship of the consecrated elements,” referred to by the Bishop, was openly taught in his Lordship’s own diocese. He held in his hand a copy of a sermon by the Hon. and Rev. R. Liddell, Incumbent of St. Paul’s, Knightsbridge, and preached in that church, and he would read one passage—

“I will remind you” (said Mr. Liddell) “that the awful solemnity of the Christian churches culminating act of worship, in the celebration of the blessed Eucharist, consists in this, that we offer upon the Church’s altars on earth the very counterpart of what Christ offers in the courts of heaven—that is, Himself. We believe that by consecration at the hands of His authorized priesthood, who in this act represent Him, the elements become in a mystery, yet not less really, what He pronounced them to be after his His own consecration—His own blessed body and blood.”

This was the doctrine preached publicly in London churches, and it was the doctrine of the Church of Rome, not of the Church of England; but nothing was done to call the preacher to account. He would now give their Lordships a later instance. He would quote from a sermon preached on the 5th of last month by the Rev. Warwick Wroth, Incumbent of St. Phillip’s, Clerkenwell, and only just published, in which he says—

“The great act we do, the Eucharistic oblation of the body and blood of Christ, is called our sacrifice of praise and thanksgiving.”

Their Lordships would observe the phrase, “oblation of the body and blood of Christ;” but there was no such oblation possible or recognized by the Church of England, and there were no altars or sacrificing priests. There was but one priest, and that the Great High Priest, who in the courts above made intercession for sinners. Therefore, all this was but a pretence to enable those Puseyite clergymen to pervert their flocks. He would now call attention to the language employed by Mr. Wroth with reference to “the Real Presence,” the teaching of which doctrine was preliminary to

the use of sacrificial vestments, which were presented and “offered on the altar” the following Sunday after the preaching of this sermon—

“And it is on this account, dearly beloved, that now this congregation has been plainly taught the true Catholic faith regarding the Real Presence in the Holy Eucharist and the Eucharistic sacrifice, and I trust have all come to believe it, I think it right to comply with the request of many among you, and adopt on Sunday next those vestments which are ordered in the Rubric at the beginning of the Book of Common Prayer. I have exercised caution and waited long before adopting these vestments, though I believed them to be strictly legal, because until the true faith regarding the Holy Eucharist was believed, the meaning of vestments would not have been realized, and might have caused offence to many.”

Such was the ordinary language employed by several clergymen in the Bishop of London’s own diocese, and the cases he had cited were proofs of a conspiracy to restore the doctrines of the Romish Mass. As Parliament was on the eve of adjourning he felt it his duty to inquire whether any, and what, steps were being taken to put down this treason in the Church of England?

THE EARL OF DERBY agreed that as a notice of this kind had been given it might have been expected that the Bishop of London would have been present to explain the language which he had used. He was sure, however, that the noble Marquess would not expect him to follow him into the proceedings which had been referred to, and which were, if they answered the description given of them by the noble Marquess, certainly inconsistent with the simplicity of Protestant worship. At the same time, it must be recollected that great difficulty was felt by the Bishops in keeping the clergy within the bounds of moderation and discretion. He regretted the practices which had been alluded to, and which he believed were productive of a good deal of mischief; they alienated a great many from the Church, and gave rise to a great amount of dissension. The last time the matter was brought before their Lordships the Bishop of London, speaking for the right rev. Bench, stated that they had conferred upon the matter, and found that although some of these practices may be within the limits of the law there were others decidedly illegal, which could be put a stop to by legal process. They had made an intimation of that circumstance to the clergy, and informed them that it was their intention to

The Marquess of Westmeath

call in the assistance of the law to enable them to put down the practices complained of; stating at the same time that they relied on the good sense and moderation of their subordinate clergy to relieve them from that responsibility. In the present case, he saw no reason for interference on the part of Her Majesty's Government unless some representation was made by the spiritual authorities that the case was one which absolutely called for intervention. He could not say more respecting the Question put by the noble Marquess, not expecting that he would be the person called upon to give an explanation on the subject.

THE MARQUESS OF WESTMEATH observed, that having ascertained that it would not be regular to address the question personally to the Bishop of London, he gave the notice in the terms entered on their Lordships' books; but as the right rev. Prelate had not thought fit to give the information required, he felt it his duty, previous to the adjournment of Parliament, to ascertain if any steps were to be taken to put down an admitted conspiracy, which was got up for no other purpose than to overthrow the Protestant religion. For his part, he considered that it was a case not to be dragged wearily through antiquated Ecclesiastical Courts, but settled by a proceeding at common law, which would submit the question to the decision of twelve honest jurymen. It was plain that something ought to be done, and it was from a sense of duty he brought the matter before their Lordships' House, and now the responsibility would rest on others.

House adjourned at a quarter past Six o'clock, till To-morrow, a quarter before Five o'clock.

HOUSE OF COMMONS,

Tuesday, August 7, 1866.

METROPOLIS—RIOTS IN HYDE PARK. QUESTION.

MR. P. A. TAYLOR said, he would beg to ask the Secretary of State for the Home Department, Whether his attention has been called to a report of a decision by Mr. Knox at Marlborough Street in a case of violence proved to have been exercised by a policeman against a person not inside,

nor seeking to enter, the Park; the summons having been discharged with these words—

"Do not blame the constable who has given you a chance blow, but blame those who turned loose the scum and refuse of the town on the peaceable inhabitants."

MR. WALPOLE, in reply, said, his attention had not been called to that particular case until the hon. Gentleman put his Notice on the Paper; but that day he had inquired into the matter, and had read the whole of the report of the case. The question which the hon. Member had put to him would convey a false impression as to what had actually taken place. What took place on that occasion was not, as the question would seem to imply, that the person referred to was not mixed up with the riot at the time, but the magistrate gave a very clear exposition of the law, quoting the highest authority, and pointing out that it was the duty of the police when any riotous proceedings occurred to put them down, and to use force for that purpose if necessary. The observations with which the question closed would, he thought, bear a very different aspect from that which it seemed to bear as it stood, if it were taken in connection with the preceding remarks of the magistrate, who said—

"With reference to the evidence given by the defendant, I think it completely contradicts the evidence given by the witnesses for the prosecution. There was a tumultuous mob which the constable was engaged in dispersing. He was in the execution of his duty, and the summons must be discharged. He would say to the prosecutor before he left the Court, should he find himself in the position of being present where riotous proceedings were going on—don't blame the constable who has given you a chance blow, but blame those who turned loose the scum and refuse of the town on the peaceable inhabitants."

ARMY—CAVALRY BARRACKS NOT- TINGHAM.—QUESTION.

MR. OSBORNE said, he would beg to ask the Secretary of State for War, if he is about to take any steps for the erection of new Cavalry Barracks at Nottingham?

GENERAL PEEL: Sir, it was decided some three or four years ago to give up Nottingham as a station for cavalry. The intention of building barracks there, for which a site was purchased and the plans prepared, has consequently been abandoned.

IMPURE STATE OF THE RIVER LEA. QUESTION.

MR. MONK said, he wished to ask the

Vice President of the Privy Council, Whether his attention has been called to the alleged impure state of the River Lea, whence the principal supply of water is drawn by the East London Waterworks Company for the inhabitants of Bow and Stratford; and, if so, whether he has taken, or is prepared to take, any measures to prevent the pollution of the river above the source of such supply?

MR. CORRY, in reply, said, there was no reason to suppose that the water of the River Lea above Enfield was more impure than that of other rivers from which the supply of water for London was derived. From the Report of Mr. Rawlinson, the eminent engineer, who had been appointed by the Privy Council to investigate the condition of the waterworks of the Company at Enfield, it appeared that the water was not exposed to any noxious influence, after passing through the filtering beds of the Company, until its discharge into the private cisterns. The last analysis, he might add, showed that the water was as free from organic matter as that of other Companies. In consequence of complaints which had been made of the insufficient supply of water furnished by the East London Waterworks Company, a letter had been written from the Privy Council Office, calling the attention of the secretary of the Company to the matter, and suggesting that the times of service should be longer and more frequent. But the Privy Council have no power to enforce obedience to these suggestions on such subjects.

SOUTH AMERICAN MEAT.—QUESTION.

MR. OLIPHANT said, he would beg to ask the Secretary of State for Foreign Affairs, Whether the diplomatic agents in South America have made any reports on the various schemes which are understood to be in progress for curing meat for the British Market; and if such reports have been made, whether copies of the same will be laid before Parliament?

LORD STANLEY: I have, Sir, one report from Buenos Ayres, which was no doubt written with the intention that it should be made public. I shall have no objection to lay it, or any other similar report which I may receive, on the table.

METROPOLIS—SHOREDITCH WORKHOUSE.—QUESTION.

MR. OLIPHANT said, he wished to ask the President of the Poor Law Board,

Mr. Monk

Whether there would be any objection to lay before the House Copies of the Correspondence between Mr. Hart and the Poor Law Board, and the Poor Law Board and the Shoreditch Guardians, as to the complaints of Edward Wynne, an inmate, concerning cruelty alleged to have been committed in the infirmary of the Shoreditch Workhouse; and also, whether he proposes to hold an official inquiry touching those complaints, seeing that no satisfactory investigation has been made into them by the Board of Guardians?

MR. GATHORNE HARDY said, with reference to the subject to which the hon. Gentleman called his attention, the correspondence was in progress at the time he (Mr. Hardy) came to the Poor Law Board. As he thought the House would like to hear the circumstances of the cases involved, he would state them as briefly as he could. It appeared that a pauper, whilst an inmate of the workhouse, wrote a letter to a local paper in Shoreditch, which letter contained an account of three cases of alleged cruelty which had taken place in the workhouse. The one was the case of a woman who, it was stated, had been left suffering from the pains of labour, standing for an unreasonable time at the door before she was taken into the ward. The second was the case of a man who was described as being left with insufficient clothing, and kept sitting up at a time when he ought to have been in bed. The third appeared to be the most serious case of any. It was that of a man who it was alleged had been exceedingly ill-used and struck by a stick by the wardsmen on account of his filthy habits. Immediately after the publication of this letter it appeared that Mr. Hart called the attention of the Poor Law Board to the statements contained therein. A letter was accordingly written to the Poor Law Guardians requesting them to institute inquiries into the truth of these allegations. The Guardians did institute such inquiry, and had Edward Wynne brought before them. On being asked certain questions regarding his statements, Wynne appeared to a certain extent to decline giving information as to some of those cases. In respect to the woman referred to, as the matter occurred two years ago, it was found impossible to identify the case. In respect to the man said to have been kept sitting up in a chair without proper clothing, it was proved that the medical officers had recommended that particular treatment in order to prevent

him getting bed sores ; and that he had a rug on his shoulders which had accidentally fallen off, and was seen lying beside him. In respect to the third case, the circumstances were somewhat different. When his (Mr. Hardy's) attention was first called to it he directed an inquiry to take place respecting it. He had seen the evidence that morning, and it seemed to him, upon the admission of the wardman himself, that he did use harsh treatment to the man in question, being provoked to do so by his extremely filthy habits. He (Mr. Hardy), therefore, thought it is duty to write a letter to the Guardians, calling their attention to his conduct, and expressing the opinion that he was not a fit person to be intrusted with the care of others. With respect to the question of the hon. Gentleman as to whether he (Mr. Hardy) proposed to hold an official inquiry touching those complaints, it should be recollected that the circumstances alluded to took place in 1864, when the Guardians had themselves inquired into them, but had experienced great difficulty in identifying those transactions. There had been no complaint made by the supposed injured parties, and it was only in consequence of the publication of the letter of the man Wynne that the attention of the authorities had been called to those transactions. It must be also borne in mind that the Guardians who were in office two years ago were not the Guardians now in office. It seemed to him therefore that an official investigation into the cases would now be wholly unnecessary. With respect to the papers asked for, if the hon. Gentleman thought them worth having they would be produced. At the same time, he (Mr. Hardy) did not think that it would be wise to load the table with a correspondence which would lead to no useful result.

METROPOLIS—ST. PAUL'S CATHEDRAL. QUESTION.

CAPTAIN GRIDLEY said, he wished to ask the First Commissioner of Works, If he will direct his attention to the mutilated condition of some of the public Monuments in St. Paul's Cathedral (particularly those of Admiral Lord Rodney, General Sir William Ponsonby, and General Hay), with the view to their reparation ?

LORD JOHN MANNERS said, in reply, that the Question of the hon. and gallant Gentleman assumed that the public monuments in St. Paul's Cathedral were

under the charge of the Office of Works. He had made inquiries, but he had not been able to find anything in the archives of the Office which would show that such was the case. He would, however, make further inquiry, and if it should turn out that the monuments in St. Paul's Cathedral were under the charge of the Office of Works, undoubtedly he should direct his attention to those monuments which were so far mutilated as to require reparation.

CAPTAIN GRIDLEY said, he would beg to ask the noble Lord, whether, in the event of its appearing that this was a matter not within the jurisdiction of the First Commissioner of Works, he would call the attention of the Dean and Chapter of St. Paul's to the state of those monuments, which were a national disgrace ?

LORD JOHN MANNERS was understood to say that he did not think it was for him to call upon the Dean and Chapter. He could not give an answer to that question.

CATTLE PLAGUE—LOSSES FROM THE RINDERPEST.—QUESTION.

MR. BIDDULPH said, he would beg to ask the Secretary of State for the Home Department, If he can state definitely whether any measure is likely to be introduced for the purpose of compensating those persons who incurred losses from the Rinderpest before the Compensation Act was passed ?

MR. WALPOLE replied that the Returns on the subject were not yet completed. He had, however, been in communication with his noble Friend the President of the Council, and they concurred in the opinion that the Returns were so far completed that they might, before the close of the Session, be in a position to state their views generally with respect to it.

NAVY—NAVAL COAST VOLUNTEERS. QUESTION.

MR. H. BERKELEY, in rising to put a question to the Government with reference to the Royal Naval Coast Volunteers, said, that as he wanted to make a short statement, he would place himself in order by concluding with a Motion. The Force from which the navy was supplied, was derived from three sources—the Continuous Service Men, the Naval Reserve, generally able-bodied seamen, and the Naval Coast Volunteers, who were for the most part fishermen and were employed in the coasting trade, who, though not in the first class of able seamen, were consi-

dered to be a most efficient body of men, who lived on the sea shore, and might be said to fringe the coast all round Great Britain and Ireland. The Royal Naval Volunteers were established by the late Sir James Graham. There was one particular clause in the Act, regulating the force, which made the service extremely popular not only to the men, but to the families of those engaged in it. By that clause it was made a condition that the Royal Naval Coast Volunteers should not be sent on foreign service, or, in other words, should not be sent beyond 300 miles from the coast of Great Britain and Ireland. The force was so popular that its ranks filled admirably, and it seemed likely to fulfil its destined purpose; but in the last Session of Parliament the Duke of Somerset and Lord Clarence Paget came down to Parliament for the purpose of repealing that clause, which was the very spirit of the Act. As to the effect of that proceeding, he was content to take the declaration made by Lord Clarence Paget, who, in the course of the present year, stated that the Force was entirely ruined by the removal of the clause referred to.

MR. SPEAKER intimated that the hon. Member was out of order in referring to a debate which had taken place during the present Session.

MR. H. BERKELEY said, he would beg to explain that he was not stating where Lord Clarence Paget made the declaration; but, nevertheless, such a declaration was made by that noble Lord, and the reason assigned for the removal of the clause was that if one of Her Majesty's ships with these Volunteers on board chased an enemy's cruiser, that ship dared not, under the clause, chase such cruiser beyond 300 miles from the coast. Now, he thought it manifested very little knowledge of the character of English seamen to suppose that if those men saw an enemy's ship of war which they had a chance of fighting and making a prize of they would not chase her 3,000 miles if called upon without raising any difficulty. Still, the Force was constituted for the defence of the coast, and the Admiralty would do wrong, unless on the first intimation of war they recalled these Volunteers, and placed them where they were intended to be for the defence of the coast, in flotillas and harbour vessels or floating batteries, as might be deemed best. Under these circumstances, he wished to know, Whether the Admiralty would take this subject into their consideration?

Mr. H. Berkeley

ADMIRAL SEYMOUR said, the Force had for the last two or three years remained stationary—that of 5,000 men. The reason why they were less this year arose from more care being taken in the selection of the men. The subject, however, would have the consideration of the Board of Admiralty during the recess.

CASE OF NEVILLE MASKELYNE TOOMER.—QUESTION.

MR. NEATE said, he would beg to ask the Secretary of State for the Home Department, Whether he had received a Memorial respecting the case of the convict Toomer; and, if so, what course is intended to be pursued in consequence?

MR. WALPOLE replied, that he had received a memorial respecting the case, and having read it, and the evidence taken in Court, he felt it his duty to request the learned Judge who tried the prisoner to communicate a copy of his notes. Until those notes were sent he was not prepared to decide on the course to be taken.

IMPERIAL GUARANTEES—TURKISH LOAN.—MOTION FOR A RETURN.

MR. HUBBARD, in rising to move for a Return of Imperial Guarantees, showing the date and extent of each, the amount paid, and the amount for which the country is still liable (in continuation of Parliamentary Paper, No. 599, of Session 1860) and to ask the Chancellor of the Exchequer whether it is true, as reported, that the Turkish Government had failed to provide the interest and redemption fund due on the 1st of August upon the £5,000,000 loan contracted in 1855 under the conjoint guarantee of England and France; and, in the event of such default, in what manner Her Majesty's Government proposed to fulfil their guarantee, whether by the liquidation of the drawn bonds, or by reviving them as titles to the interest guaranteed by the two Powers, said: The House would recollect that in 1855, in the midst of the Crimean War, the Government of Lord Palmerston asked the consent of the House to a Resolution, and afterwards to an Act of Parliament, for guaranteeing a loan of £5,000,000 to the Turkish Government, with interest at the rate of 4 per cent, payable half yearly. In addition a sinking fund of 1 per cent per annum, together with interest on so much of the loan as should from time to time be redeemed, was to be applied in the redemption of the capital, and the loan

was to be under the joint guarantee of the Governments of England and France. The subject was debated at considerable length. The Bill was passed, and the contract was taken, on the 20th August 1855, by the house of Rothschild and Sons. The terms were £102 12s. 6d. for every £100 of the loan. The price was considered very high at the time, but, compared with the price of Government Securities and Consols, the bargain could not be supposed a very bad one for the contractors. From time to time capital and interest of the loan had been paid as stipulated, but the public had been informed by the ordinary channels of information, that on the 1st of August last, though the interest on the bonds was paid, the bonds which were drawn for redemption were not paid. Feeling a great interest in this loan as a Commissioner of the Royal Patriotic Fund, which was nearly the largest holder, he inquired particularly into the reason of this defalcation, and he found that the Turkish Government had provided neither for the payment of interest nor of capital, but that Her Majesty's Government had provided for the interest. Of course, this hesitation in the entire fulfilment of the engagements entered into was a source of considerable disquiet to those interested in the loan. According to the popular understanding of the terms of the loan it was believed, and such was the impression of the very eminent house who made the contract, and of those who had taken a portion of the loan when it was tendered for, that the Governments of England and France would, in the case of default, put themselves in the position of the borrower, and fulfil all the engagements made; but on referring to the documents issued on the occasion of the contract, he found passages therein which raised a doubt as to the way in which the guarantee of England and France was to be carried out. The 9th clause of the statement respecting the conditions of the loan ran thus—

“The sinking fund will be applied from year to year, commencing on the 1st of August, 1859, either in the purchase of certificates of the loan in the public market, or, at the option of the Ottoman Government, in paying off at par such certificates as shall be drawn by lot in the presence of the chief cashier and chief accountant of the Bank of England, on some one day in the month of May next immediately preceding the 1st of August in each year. The interest on the certificates so drawn, together with the capital, will be payable on the 1st of August next following such drawing, after which day all interest on the certificates so drawn will cease altogether.”

The House would observe that the proposals issued by the Turkish Government, with perfect publicity, through the instrumentality of the Bank of England, must be considered decisive, and established the contract between that Government and the bondholders; and nothing was more distinct than the engagement with reference to the sinking fund. But the House would observe that the engagement of our own Government did not appear to refer to anything but the interest, and that view was certainly confirmed by the clauses of the Act itself, which was passed in August, 1855, notwithstanding the more comprehensive language of the Preamble. After reciting the Articles of the Convention, the Preamble ran thus—

“Their Majesties the Queen of the United Kingdom of Great Britain and Ireland and the Emperor of the French, being desirous to save the Sublime Porte the expenses of remittance, consent to undertake to transmit to the Ottoman Government the proceeds of the above-mentioned loan of five millions sterling, to be raised under the conjoint guarantee of their Majesties.”

These words, reciting that the loan was to be raised under the conjoint guarantee, if taken alone would leave no doubt that the whole scope and compass of the loan was to be matter of conjoint guarantee. But in the clauses of the Act the guarantee seemed strictly limited to the interest. The first clause ran thus—

“It shall be lawful for Her Majesty and she is hereby authorized to guarantee, jointly with His Majesty the Emperor of the French, and severally, the interest on the loan to be raised by His Imperial Majesty the Sultan, not exceeding interest at the rate of four pounds per centum per annum on a sum of five millions of pounds sterling, upon the terms and conditions set forth in the said convention.”

Therefore, while on the one hand nothing was more clear than that the guarantee was meant to apply to the whole obligation, on the other, when they came to the question of legislation, there was nothing to authorize the Government to issue money except as payment of the interest. This contrariety might be explained by reference to the discussions which preceded the Act. In introducing the loan to the House of Commons, Lord Palmerston said—

“Her Majesty's Government engages to recommend to Parliament to guarantee one-half of that loan (£5,000,000), the other half to be guaranteed by France.”—[3 *Hansard*, cxxxix. 674.]

That was the original intention—this Government was to guarantee one-half, and the French Government the other; but, at the instance of the French Government, the guarantee was made common.

Therefore, the noble Lord said afterwards, "it is to be a joint guarantee of the whole." In regard to the extent of the guarantee, Lord Granville said most explicitly and distinctly—

"Undoubtedly this country will be responsible to the creditor for the whole sum (£5,000,000)." —[3 *Hansard*, cxxxix. 850.]

Sir George Lewis, at that time Chancellor of the Exchequer, had the conduct of the Bill, and always insisted that we guaranteed, not the capital, but the interest. He said—

"Is it likely that the French Government would have consented, in addition to the loan which they had advertised, to call for an addition of £2,500,000, in order to lend that money to the Turkish Government? Are we ourselves in a position now, after the engagements we made on contracting the loan in the spring, to go into the market to borrow £2,500,000, in order to advance it to Turkey?" —[3 *Hansard*, cxxxix. 1467.]

In that respect Mr. Cardwell made the following reply:—

"The Chancellor of the Exchequer said in reply, 'You imagine we have guaranteed the principal, but we have only guaranteed the interest.' I should like to know the difference between guaranteeing principal and interest and guaranteeing interminable annuity." —[3 *Hansard*, cxxxix. 1255.]

And Mr. Gladstone, who took a very active part in the discussion, said—

"The financial mischief may be limited within the figure £5,000,000, which, great as it is, can well be borne by the gigantic resources of this country." —[3 *Hansard*, cxxxix. 1306.]

He went on to say—

"His first feeling was one of satisfaction that there was no guarantee of the sinking fund, which appeared to him an extension of what he regarded as an inexpedient and mischievous principle; but when he looked further, he found that guaranteeing the sinking fund was really a contraction of the mischief. They were going to guarantee interest at 4 per cent on £5,000,000, and that £5,000,000, which would cost them more than the price for which average English credit would obtain money in the market, might be paid off at a given rate through the sinking fund. Taking the average of times, this country could borrow at less than 4 per cent; and therefore it would be advantageous if we could relieve ourselves from an engagement to pay 4 per cent. It appeared to him plainly for the interest of the two Powers that the sinking fund also should be guaranteed." —[3 *Hansard*, cxxxix. 1493.]

He did not find the name of a single Gentleman deserving the name of a statesman in favour of the Bill. Sir George Lewis supported it officially, and the hon. Gentleman the Member for Southwark (Mr. Layard) made an enthusiastic speech in its favour. The late Chancellor of the Exchequer and the present Chancellor of the Exchequer were both opposed to the

scheme, and the words of prophecy uttered by the latter right hon. Gentleman had been fulfilled. The right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli) said on that occasion—

"I look upon the proposed guarantee in this case as not merely an engagement to fulfil, but as one which we shall certainly be called upon to fulfil." —[3 *Hansard*, cxxxix. 1240.]

The credit of the country once engaged, there should be no suspense on a matter of such moment, and the Government should, therefore, lose no time in deciding how they were going to fulfil their guarantee. There could be no doubt there had been indefensible carelessness in the official advisers of the Government in the drawing up of this Act of Parliament. This was the state of the case which he had to bring before the notice of the House and of the Government, and he need hardly remark that it added another to the many illustrations we had already had of the extreme inexpediency, he might indeed say the extreme folly, of this country going out of its way for an object which was by no means one of national interest, to involve ourselves in loans for foreign Powers in whose prosperity and stability we had no possible concern. In a previous Session, when he called the attention of the House to a most undesirable proceeding—the issue of a letter by Lord Russell commending the prosperity and good management of the Ottoman Empire as a reason why English capitalists should lend money for a new Turkish loan—Lord Palmerston met him, as was always his custom, with the assertion that it was the duty of this country to support our old and valued ally. He was satisfied, however, that if it were the wish of this country to support the Ottoman Empire, we could not have taken a more mischievous course than that of enabling it to borrow; for, just as a perfect savage was destroyed by being taught to drink, so a half-civilized savage was destroyed by being taught to borrow. This was what had been done in the case of Turkey, and no subsidies or advances that we could make would preserve the vitality of so corrupt an Empire. But, whatever might happen to the Ottoman Porte, the interest of English capitalists and the honour of the English Government had to be considered, and that honour was pledged to the fulfilment of the guarantee. Of course, France would have to be consulted, and he might remark that the

clause in the bond inserted by France explicitly guaranteed the principal of the loan, whereas England guaranteed only the interest upon it. He had no wish to press Her Majesty's Government for a decision which they might yet be hardly in a position to announce, for it was a matter in which they could scarcely, with satisfaction to themselves or our ally, come to a resolution without conferring with France. He would, therefore, merely ask the Government to take an early opportunity of concerting with the Emperor of the French the mode in which the defalcation was to be met, either now or at any future time; and, in the meantime, to give an assurance that they would do all in their power speedily to remove from the bondholders the very disagreeable feeling of doubt and uncertainty which now hung over an investment which they had made under strong pressure by the English Government.

THE CHANCELLOR OF THE EXCHEQUER: Sir, of course there will be no opposition to the Return which has been moved for by my hon. Friend, who has, with his usual perspicuity, brought before the House a rather complicated question. I think the House must fully understand, after my hon. Friend's statement, a matter which really on the surface is by no means clear. I will proceed to reply to the question of my hon. Friend, as far as I think it consistent with the public convenience to do so. It is quite true, as my hon. Friend well knows, that the Turkish Government have failed to provide the interest and redemption fund, due on the 1st of August, on the loan of £5,000,000, which was contracted by Turkey in 1855, under the joint guarantee of France and England; but I feel it my duty to add that we have had information from the Turkish Ambassador that he has received a telegraphic message from his Government, announcing that the sums necessary both for the interest and the sinking fund have been transmitted from Constantinople, and may be expected to arrive in this country in a few days. Of course that, as far as it goes, is satisfactory; but it does not dispose of the question which my hon. Friend has put, and I may state that when the default in the payment of the interest by the Porte was announced, Her Majesty's Government directed that the interest guaranteed by England, in conjunction with France, should be immediately paid. With regard to the second point which my hon. Friend

has brought before the House—namely, whether, in the event of default, in what manner Her Majesty's Government propose to fulfil their guarantee, whether by the liquidation of the drawn bonds, or by receiving them as entitled to the interest guaranteed by the two Powers—my hon. Friend has anticipated, and very properly anticipated, my reply to that part of his inquiry. Of course it would not be becoming in me to give an opinion upon such a subject until Her Majesty's Government have had an opportunity of conferring with our ally. All that I can say, therefore, at present is that we shall take those steps which, under the circumstances, we deem expedient, and I will let my hon. Friend know what the result of our deliberations with our ally may be, and also what steps we shall take after that result has become known.

Motion agreed to.

Return ordered, "of Imperial Guarantees, showing the date and extent of each; the amount paid; and the amount for which the Country is still liable (in continuation of Parliamentary Paper, No. 599, of Session 1860)."—(*Mr. Hubbard.*)

NAVIGATION LAWS.

MOTION FOR PAPERS.

MR. AYRTON, who rose, pursuant to notice, to call the attention of the House to the negotiations for the abolition of the Navigation Laws in foreign countries, and to move for Papers relating thereto, remarked, that sixteen years ago Parliament took away all protection from the shipping interests of this country by the abolition of the Navigation Laws. Neighbouring States, however, could not at that time be induced to follow our example; and it was not till 1860 that Mr. Lindsay, then a Member of that House, proposed an Address to the Crown praying Her Majesty to negotiate with France for the modification of its Navigation Laws, and the repeal of the differential duties imposed on commodities imported in British ships. The Government accordingly communicated with our Ambassador at Paris, but Mr. Cobden, who was then in France negotiating the supplementary convention for carrying into effect the treaty which he had previously concluded, advised the Government, on being appealed to, not to pursue the subject any further. He stated that the opposition of the protective inte-

rests in France already presented a formidable obstacle to a satisfactory settlement of the treaty, and that a proposal to abandon the existing restrictions on navigation would awaken hostility in quarters hitherto favourable. Owing to that advice no steps were taken in the matter, and Lord Cowley, when, at the end of the year Earl Russell again called his attention to it, replied that no advantage would arise from then pressing the French Government on the subject. Most men would have desisted after such discouragement, but Mr. Lindsay took the energetic step of going over to France, and, being very courteously seconded by Earl Russell, he had an interview with the Emperor, and placed before him the whole subject of the Navigation Laws of France, and their relations to the industry of that country. The result was that the Emperor became the first convert to the expediency of dealing with the question, and at his request a very able document was drawn up by Mr. Lindsay, and submitted by the Emperor to his Minister of Commerce, M. Rouher. The Minister, after frequent interviews with Mr. Lindsay during a period of sixteen months, recommended that a Commission should be appointed, and that Commission, being furnished by Mr. Lindsay and by other gentlemen in this country with evidence showing the advantages that would accrue from a modification or repeal of the Navigation Laws, reported in favour of such repeal. The French Legislature, he was informed, had consequently passed a measure abrogating those laws, and repealing or reducing to a nominal sum the duties hitherto imposed on ships constructed in foreign countries, and brought to France for the purpose of being registered as French vessels. They had thus struck at the very root of the protective system, and very important results might be expected from such a step. The effect of the recent changes in the laws of France relating to shipping would be almost as advantageous to this country as was that of Mr. Cobden's treaty. It would be desirable that the French law effecting those changes should be laid upon the table, and therefore he moved for the production of papers relating to this question. The efforts of Mr. Lindsay to obtain some relaxation of the Navigation Laws in Spain and Portugal had not been properly followed up by our diplomatic representatives in those countries; neither had any steps been taken by the Foreign Office to give effect to the

Mr. Ayrton

Address unanimously agreed to by the House in 1860. The noble Lord had a great opportunity before him for dealing with this subject, because it was probable that Spain and Portugal might be willing to follow the example of relaxing these laws that had been set them by France. He had referred particularly to the part taken by Mr. Lindsay in inducing the French Government to modify their Navigation Laws, because it was remarkable that in a case where diplomatic efforts had failed a private shipowner should, by merely bringing his intelligence to bear upon the subject, have carried it to a successful conclusion. He begged to move for Papers relating to the negotiations for the abolition of the Navigation Laws in foreign countries.

MR. ALDERMAN LUSK seconded the Motion, and in doing so stated that the shipping owners of this country had many grievances to contend against; and he hoped the noble Lord would seriously turn his attention to the removal of them.

LORD STANLEY: I quite agree with the hon. Gentleman as to the opinion he has expressed that it is desirable that the Navigation Laws throughout Europe should be relaxed, if not altogether abrogated. I think that is a point upon which no difference of opinion can exist in this country. The only question we have to determine is how that abrogation or relaxation is to be brought about, and to what extent diplomatic exertions are likely to be successful in inducing foreign Governments to assent to the changes in their laws that we desire to see effected. I do not myself attach much weight to negotiations upon this subject, as foreign countries would hardly repeal their Navigation Laws for the sake of pleasing us, and I think that the example of this country, and the success that has attended the abrogation of our Navigation Laws, afford an argument better than any we could direct our representatives to make use of. At the same time, there is no doubt that there is good in keeping the subject, from time to time, before the eye and before the mind of foreign Governments. I do not think that great activity has been shown during the last two or three years in reference to this question. As to France, I understand that what has been done is this—A provision has been made for the progressive reduction of differential duties, and, as I understand, after a certain time, they will be totally abolished.

The decree by which that change is made comes into operation at the commencement of next year. As to the decree itself, it is a public document, and therefore there can be no objection to lay it upon the table of the House. With regard to the correspondence, the hon. Member will, I am sure, not misunderstand me when I say that I should like to look into it before I say whether or not it can be produced. The hon. Member has correctly stated that all attempts in a diplomatic way which have been made to obtain a reduction of the differential duties against foreign flags in Spain and Portugal have been unsuccessful. Nothing that I am aware of has been done by either of those countries. I quite agree with the hon. Gentleman that the example of France will, in all probability, carry very great weight with those countries, and I shall be glad if that be the case. It is desirable that every opportunity should be taken by our Ministers to urge upon foreign Governments the necessity for repealing their Navigation Laws; but there is some danger in pressing this matter too hard, for if we do so, foreign Governments might imagine that we were anxious to bring about that which would be to the advantage of England rather than that which would be to the general benefit. It is possible to lose a good bargain by showing too much anxiety for it. I have not much faith in the power of persuasion, but I have great faith in the power of example, and I think that the example of France in this matter will have a good effect upon the other Continental nations. I will take care that the attention of our diplomatic body is directed to this subject, and I trust that at no distant date some progress will be made in reference to this matter.

Motion agreed to.

Copy ordered, "of any Papers or Correspondence relative to the abolition of the Navigation Laws in Foreign Countries."
—(Mr. Ayrton.)

PUBLIC SCHOOLS BILL. [Lords.]

[BILL 212.] SECOND READING.

Order for Second Reading read.

MR. GOSCHEN said, it was with very considerable regret that he moved that the order for the second reading of this Bill be discharged. Considerable difference of

opinion with regard to the Bill had been expressed in the other House, and it would be impossible in the brief remainder of the Session to pass it through that House. It would be recollected that a Commission which had been appointed to consider the question of the condition of Public Schools had made their Report in 1864—and that a Select Committee of the House of Lords had discussed the matter in the course of last year. The present Bill had then been introduced. With the exception of one Amendment proposed in the House of Lords, curtailing the powers given to the Executive Commission for reforming the Governing Bodies of schools, the Bill had been well received by all parties. Had the second reading of the Bill, however, been proceeded with, he should have moved in Committee the omission of the clause to which he had just referred, because he believed the clause would seriously injure the working of the Bill. The Bill dealt with many important matters, such as the foundations and endowments of public schools, the regulation of the studies and the appointment of the head masters, and every other subject of importance connected with the seven public schools which the Bill would have affected—namely, Eton, Winchester, Harrow, Rugby, Charterhouse, Westminster, and Shrewsbury. Some objection was urged against the Bill in the interests of each of these schools, and it would therefore have been unfair to have attempted, in the face of objections entitled to consideration, to hurry the Bill through Parliament at so late a period of the Session. In Eton, for example, there was a question as to interference with the Governing Body; in Harrow and Rugby the foundations feared that their privileges would be interfered with, and would most seriously have opposed the clauses which in their opinion effected that object. The hon. Member for the Tower Hamlets objected to Westminster and the Charterhouse being included in the Bill; and with respect to Shrewsbury, the question of patronage as regarded St. John's College would have been raised. Under these circumstances he withdrew the Bill, but the subject was one the importance of which could not be exaggerated, and he trusted it would receive the attention of Her Majesty's Government during the recess.

MR. NEATE had serious objections to the Bill, the further progress of which he should have opposed, because he believed

it would have tended to deprive the middle classes of the few advantages which they were entitled to receive from the public schools of the country, instead of tending, as it ought to have done, to bring the schools more within the reach of those classes. He thought also, however he might shock some nerves by the avowal, that the time had at last come when they should consider whether Greek and Latin were indispensable elements of a useful education. He was of opinion that this subject should be considered in connection with the Report that might be soon expected to make its appearance upon middle class schools, and also in reference to the question of the administration of the Universities, and how far, generally speaking, our present system of education fulfils the purpose of the founders, and what was of greater importance, the wants of the present age.

MR. AYRTON had not objected to the insertion of Westminster and the Charterhouse down in the Bill, his objection had been that no inquiry had been made as to the connection which existed between those schools and the education of the metropolis. The go-by had been given completely to that subject, and so strongly had he felt the omission that he had communicated with a Member of the late Government, who had consented to the appointment of a Select Committee to inquire into this omitted topic in the Commissioners' Report. He objected to the whole system of the metropolitan schools, and he quite agreed with the hon. Member for Oxford that the time had come when they ought to consider whether the whole educational resources of the country were to be wasted in endeavouring to teach boys Greek and Latin—he said endeavouring, for as a matter of fact, we did not succeed in that object, whilst we neglected that technical education which was attended with such surprising results on the Continent. They saw what technical education had done for the Prussian army, and knew that it would be impossible for us to put an army in the field with similar advantages. He hoped that larger views of the question would be taken in the next attempt at legislation.

Order discharged.

METROPOLITAN COMMONS BILL.

(*Mr. Cowper, Mr. Childers.*)

[BILL 211.] LORDS' AMENDMENTS.

MR. COWPER, in moving that the
Mr. Neate

Lords' Amendments to this Bill be considered and agreed to, said, that the effect of them would be to limit the operation of the measure to the metropolis. He regretted this, as he thought that it might usefully have been introduced to all parts of the kingdom.

Lords Amendments to be considered
forthwith.

Lords Amendments *considered*, and agreed to, and several consequential Amendments made to the Bill.

TURNPIKE ACTS CONTINUANCE BILL.

(*Mr. Secretary Walpole, Mr. Hunt.*)

[BILL 229.] LORDS' AMENDMENTS.

MR. NEWDEGATE said, he could not help feeling that the House of Lords had struck out one clause relating to compensation to be paid to surveyors and other officers connected with the turnpike trusts without a full knowledge of the circumstances under which the clause was introduced. He trusted the right hon. Gentleman the Home Secretary would give the House some assurance that the subject should receive careful attention before the Act was put into operation.

MR. WALPOLE said, the fullest consideration should be given to the subject. Undoubtedly some of the officers, such as surveyors, were entitled to compensation, but there was a question as to whether a distinction should not be drawn between those officers and others who were not placed in the same position or under the same circumstances.

MR. NEWDEGATE said, that after the assurance he had received he should not attempt to oppose the Amendment.

Lords Amendments to be considered
forthwith.

Lords Amendments *agreed to.*

* House adjourned at a quarter before
Seven o'clock till Friday.

HOUSE OF LORDS.

Wednesday, August 8, 1866.

MINUTES.]—PUBLIC BILLS—*Third Reading*—*Habcas Corpus Suspension (Ireland) Act Continuance* * (276); *Patriotic Fund* * (277).

IRELAND (CONSTABULARY) — CASE OF
SUB-INSPECTOR BURKE.

MOTION FOR PAPERS.

THE MARQUESS OF WESTMEATH, having detailed the circumstances of the assault upon Catherine Geoghan, and the censure which the Irish Government had passed upon Sub-Inspector Burke, of the Irish Constabulary, for his conduct in that matter, said, he desired to know upon what authority, or on whose recommendation, a pension had been granted to that officer. He had been informed, from the office of the Lord Lieutenant, that it was the Treasury that granted these pensions and fixed the amount. The noble Marquess concluded by *moving*—

“That an humble Address be presented to Her Majesty for, Copy of any Recommendation or Certificate sent by the Irish Government to the late Board of Treasury for a Pension or Superannuation Allowance to be granted to Mark Burke, late Sub-Inspector of the Irish Police Force, subsequent to his Trial for his Neglect and Refusal to do his Duty at Ballisodare on the 26th of January 1865.”—(*The Marquess of Westmeath.*)

THE EARL OF DERBY said, he must confess his entire ignorance of the case, except what he had heard stated by the noble Marquess, and the answers which had been given by the late Government. He must acknowledge considerable ignorance as to the mode of granting pensions in such cases. If the pensions were referred to the Treasury of this country, who could not by possibility know anything about the facts, it must be upon the responsibility of the Irish Government. If the warrant were produced, the noble Marquess would be unable to see on what ground the recommendation was made, and his stock of information on this subject would not be increased. Under these circumstances, the noble Marquess would probably be satisfied with having placed his views before the House, and would not press the Motion.

Motion (by Leave of the House) *withdrawn*.

EXTRADITION TREATIES, ACT AMENDMENT BILL—(No. 287.)

(*The Lord Chancellor.*)

COMMONS' AMENDMENT CONSIDERED.

Commons' Amendment *considered* (according to Order).

THE EARL OF DERBY *moved* that the Commons' Amendment be agreed to. He regretted that the other House should have

adopted this Amendment, by which the operation of the Bill was limited to one year. At the same time, it would be very inconvenient upon the ground of that alteration to disagree with the Commons, for then the Bill might probably be defeated altogether. Moreover, during the year an opportunity would be afforded of communicating with the Government of France, and arranging the terms of the renewal of the former treaty, or of any new treaty which might be thought expedient.

Commons' Amendment *agreed to*.

House adjourned at half past Five o'clock,
to Friday next, One o'clock.

HOUSE OF LORDS,

Friday, August 10, 1866.

MINUTES.]—*Royal Assent*—Consolidated Fund (Appropriation) [29 & 30 *Vict.* c. 91]; Local Government Supplemental (No. 3) [29 & 30 *Vict.* c. 106]; Railway Companies' Securities [29 & 30 *Vict.* c. 108]; Ecclesiastical Commission [29 & 30 *Vict.* c. 111]; Turnpike Trusts Arrangements [29 & 30 *Vict.* c. 105]; Aberdeen Provisional Order Confirmation [29 & 30 *Vict.* c. 93]; Inclosure (No. 2) [29 & 30 *Vict.* c. 94]; Railways (Ireland) Temporary Advances [29 & 30 *Vict.* c. 95]; Bills of Sale Act, 1854, Amendment [29 & 30 *Vict.* c. 96]; Oysters Cultivation (Ireland) [29 & 30 *Vict.* c. 97]; Dockyard Extensions [29 & 30 *Vict.* c. 98]; Landed Estates Court, &c. (Ireland) [29 & 30 *Vict.* c. 99]; New Zealand [29 & 30 *Vict.* c. 104]; Prisons [29 & 30 *Vict.* c. 100]; Common Law Courts (Fees and Salaries) [29 & 30 *Vict.* c. 101]; Expiring Laws Continuance [29 & 30 *Vict.* c. 102]; Constabulary Force (Ireland) [29 & 30 *Vict.* c. 103]; Indemnity [29 & 30 *Vict.* c. 116]; Straits Settlements [29 & 30 *Vict.* c. 115]; Extradition Treaties Act Amendment [29 & 30 *Vict.* c. 121]; Habeas Corpus Suspension (Ireland) Act Continuance [29 & 30 *Vict.* c. 119]; Patriotic Fund [29 & 30 *Vict.* c. 120]; Metropolitan Commons [29 & 30 *Vict.* c. 122]; Cattle Diseases Prevention Act Amendment (No. 2) [29 & 30 *Vict.* c. 110]; Court of Session (Scotland) [29 & 30 *Vict.* c. 112]; Poor Law Amendment [29 & 30 *Vict.* c. 113]; Naval Discipline [29 & 30 *Vict.* c. 109]; Reformatory Schools [29 & 30 *Vict.* c. 117]; Industrial Schools [29 & 30 *Vict.* c. 118]; Turnpike Acts Continuance [29 & 30 *Vict.* c. 105]; Local Government Supplemental (No. 4) [29 & 30 *Vict.* c. 107]; Public Libraries Act Amendment [29 & 30 *Vict.* c. 114].

PROROGATION OF THE PARLIAMENT.
SPEECH OF THE LORDS
COMMISSIONERS.

The PARLIAMENT was this day prorogued by Commission.

The LORDS COMMISSIONERS — namely, The LORD CHANCELLOR; The LORD PRIVY SEAL (The Duke of Buckingham); The EARL OF MALMESBURY; The EARL OF BRADFORD; and The EARL OF CADOGAN — being in their robes, and seated on a Form between the Throne and the Woolsack; and the COMMONS being come with their Speaker, the ROYAL ASSENT was given to several Bills.

Then THE LORD CHANCELLOR delivered the SPEECH of The LORDS COMMISSIONERS as follows: —

“My Lords, and Gentlemen,

“WE are commanded by Her Majesty, in releasing you from the Labours of a protracted Session, to convey to you Her Majesty’s Acknowledgments for the Zeal and Assiduity with which you have applied yourselves to your Parliamentary Duties.

“HER Majesty has much Satisfaction in informing you that Her Relations with all Foreign Powers are on the most friendly Footing.

“HER Majesty has watched with anxious Interest the Progress of the War which has recently convulsed a great Portion of the Continent of *Europe*. Her Majesty cannot have been an indifferent Spectator of Events which have seriously affected the Positions of Sovereigns and Princes with whom Her Majesty is connected by the closest Ties of Relationship and Friendship; but Her Majesty has not deemed it expedient to take part in a Contest in which neither the Honour of Her Crown nor the Interest of Her People demanded any active Intervention on Her Part. Her Majesty can only express an earnest Hope that the

Negotiations now in progress between the Belligerent Powers may lead to such an Arrangement as may lay the Foundation of a secure and lasting Peace.

“A WIDE-SPREAD treasonable Conspiracy, having for its Objects the Subversion of Her Majesty’s Authority in *Ireland*, the Confiscation of Property, and the Establishment of a Republic, having its Seat in *Ireland*, but deriving its principal Support from naturalized Citizens of a foreign and friendly State, compelled Her Majesty at the Commencement of the present Session to assent to a Measure, recommended by Her Representative in *Ireland*, for the temporary Suspension in that Part of Her Majesty’s Dominions of the Habeas Corpus Act. That Measure, firmly but temperately acted on by the *Irish* Executive, had the Effect of repressing any outward Manifestations of treasonable Intentions, and of causing the Withdrawal from *Ireland* of the greater Portion of those Foreign Agents by whom the Conspiracy was mainly fostered.

“THE Leaders, however, of this Movement were not deterred from prosecuting their criminal Designs beyond the Limits of Her Majesty’s Dominions. They even attempted from the Territories of the United States of *America* an Inroad upon the peaceful Subjects of Her Majesty in Her *North American* Provinces. That attempted Inroad, however, only served to manifest in the strongest Manner the Loyalty and Devotion of Her Majesty’s Subjects in those Provinces, who, without Exception of Creed or Origin, united in Defence of their Sovereign and their Country. It served also to show the good Faith

and scrupulous Attention to international Rights displayed by the Government of the *United States*, whose active Interference, by checking any attempted Invasion of a friendly State, mainly contributed to protect Her Majesty's Dominions against the Evils of a predatory Inroad.

"HER Majesty would have been rejoiced at the Close of the present Session to be enabled to put an end to the exceptional Legislation which She was compelled to sanction at its Commencement; but the Protection which Her Majesty owes to Her loyal Subjects leaves Her no Alternative but that of assenting to the Advice of Her Parliament to continue till their next Meeting the Provisions of the existing Law. Her Majesty looks anxiously forward to the Time when She may be enabled to revert to the ordinary Provisions of the Law.

"Gentlemen of the House of Commons,

"HER Majesty commands us to thank you for the liberal Provision which you have made for the Public Service, and for the Naval and Military Defences of the Country.

"My Lords, and Gentlemen,

"HER Majesty has seen with great Concern the Monetary Pressure which, for a Period of unprecedented Duration, has weighed upon the Interests of the Country. The consequent Embarrassment appeared at one Moment to be aggravated by so general a Feeling of Distrust and of Alarm that Her Majesty, in order to restore Confidence, authorized Her Ministers to recommend to the Directors of the Bank of *England* a Course of Proceeding suited to the Emergency.

"THIS, though justifiable under the Circumstances, might have led to an Infringement of the Law, but Her Majesty has the Satisfaction of being able to inform you that no such Infringement has taken place, and that, although the Monetary Pressure is not yet sensibly mitigated, Alarm is subsiding, and the State of Trade being sound, and the Condition of the People generally prosperous, Her Majesty entertains a sanguine Hope that Confidence will soon be restored.

"HER Majesty has observed with Satisfaction and with deep Gratitude to Almighty God that He has so far favoured the Measures which have been adopted for staying the fearful Pestilence which has visited our Herds and Flocks, that its destructive Effects have been in a great measure checked, and that there is Reason to hope for its entire Extinction at no distant Period. In the meantime Her Majesty has given Her willing Assent to a Measure which has been introduced for the Relief of those Districts which have suffered the most severely from its Visitation.

"HER Majesty regrets that this Country has at length been subjected to the fearful Visitation of Cholera which has prevailed in other *European* Countries, but from which it has hitherto been happily exempt. Her Majesty has directed that a Form of Prayer to Almighty God, suitable to the present Exigency, should be offered up in all the Churches of this Realm; and Her Majesty has given Her cordial Approval to Legislative Measures sanctioning the Adoption, by Local Authorities, of such Steps as Science and Experience have shown to be most effectual for the Check of this fearful Malady.

"Her Majesty hopes that those in whose Hands so large and beneficial an Authority is left will not be slow to execute the Powers entrusted to them, and that they will be seconded in their Endeavours by all who have at Heart the Safety and Well-being of Her People. In connexion with this Subject Her Majesty hopes that a Bill, to which She has given Her ready Assent, for improving the Navigation of the River *Thames*, may incidentally be conducive to the Public Health.

"HER Majesty has great Satisfaction in congratulating the Country, and the World at large, on the successful Accomplishment of the great Design of connecting *Europe* and *America* by the Means of an Electric Telegraph. It is hardly possible to anticipate the full Extent of the Benefits which may be conferred on the Human Race by this signal Triumph of scientific Enterprise; and Her Majesty has Pleasure in expressing Her deep Sense of what is due to the private Energy which, in spite of repeated Failure and Discouragement, has at length, for the Second Time, succeeded in establishing direct Communication between the Two Continents. Her Majesty trusts that no Impediment may occur to interrupt the Success of this great Undertaking, calculated, as it undoubtedly is, to cement yet closer the Ties which bind Her Majesty's *North American* Colonies to their Mother Country, and to promote the unrestricted Intercourse and friendly Feeling which it is most desirable should subsist between Her Majesty's Dominions and the great Republic of the *United States*.

"HER Majesty is aware that, in returning to your respective Homes,

many of you have Duties to perform hardly less important than those which belong to you in your legislative Capacity. Her Majesty places full Reliance on the Loyalty and Devotion with which you will discharge those Duties; and Her Majesty earnestly prays that your Influence and Efforts may, under the Blessing of Divine Providence, tend to the general Welfare, Prosperity, and Contentment of Her People.

Then a Commission for proroguing the Parliament was read.

After which,

THE LORD CHANCELLOR said—

My Lords, and Gentlemen,

By virtue of Her Majesty's Commission, under the Great Seal, to us and other Lords directed, and now read, we do, in Her Majesty's Name, and in obedience to Her Commands, prorogue this Parliament to *Thursday* the Twenty-fifth Day of *October* next, to be then here holden; and this Parliament is accordingly prorogued to *Thursday* the Twenty-fifth Day of *October* next.

HOUSE OF COMMONS,

Friday, August 10, 1866.

MINUTES.]—NEW WRIT ISSUED—*For Salop* (Northern Division), *v.* the Honourable Charles Henry Cust, Chiltern Hundreds.

The House met at half after One of the clock.

STATE OF JAMAICA.—QUESTION.

MR. J. STUART MILL said, he wished to ask the Under Secretary of State for the Colonies, Whether any further information has been received as to the apprehensions which he stated to be entertained by the authorities in Jamaica of a new outbreak in the Colony; and whether he has any objection to state more particularly to the House the information which had previously been received on that subject?

MR. ADDERLEY said, in answer to the hon. Member's question, he must beg to state that just before the recent debate on the subject of Jamaica despatches were received, from which it appeared that disturbances were apprehended by the Custos of the parish of Metcalfe, a Member of the Colonial Government, as likely to take place in his district during the present month of August. Her Majesty's Government immediately took such precautions as they deemed fully adequate to secure the peace of the colony, and they ascertained from the Admiralty that a considerable naval force was about the island, and available for any emergency which might arise. The Governor, Sir Henry Storks, felt no distrust in the powers which he possessed to meet any such disturbances as were apprehended. No further information had been received since the arrival of those despatches, but he had laid papers on the table that day which gave the despatches *in extenso*, together with the fullest information up to the most recent period respecting the late lamentable occurrences.

NAVY—DOCKYARD EXPENDITURE.

QUESTION.

MR. SEELY said, he would beg to ask the First Lord of the Admiralty, Whether he will allow the investigation which was agreed to be entered upon on the 6th of March, 1866, to be continued, so that the correctness of Mr. Seely's statements in the House relating to the management of Her Majesty's Dockyards, and the replies thereto, or reports thereon of the Admiralty, as contained in papers 465 and 465-I may be ascertained?

SIR JOHN PAKINGTON: Sir, I am not aware to what agreement it is that the hon. Gentleman refers. I have looked into *Hansard* for the 6th of March, and can find there no trace of any such agreement. My answer, however, to the hon. Gentlemen is this:—That if he himself desires to go into the Accountant General's Office and investigate any part of the dockyard expenditure, I shall be willing to promote that investigation on his part, and he shall have every possible information laid before him. But I think—indeed, I feel assured—that the hon. Gentleman will conduct such an investigation in a fair spirit; and in the event of his coming to any entry or to any other information which he thinks is of a doubtful character I hope he will ask for an explanation on

the spot from the officers of the department, and not come down to the House and make a complaint on any such subject, unless the answer he receives is unsatisfactory. I make this observation because I am sorry to say the investigations instituted by the hon. Gentleman's secretary were not conducted in that spirit. The consequence was that the hon. Gentleman came down to the House not very long ago, and, upon the authority of his secretary, made a statement which involved a series of errors, one of which was of the gravest kind—namely, that an extravagant sum, £5,600, had been expended upon the repair of boats. And when I pointed out this serious error to the hon. Member, the only excuse he made was that his secretary had read the wrong line. This was in a printed paper; and no man of business, looking at such a paper, would have made that mistake. Therefore I am obliged to say that, while I shall be glad to afford every facility to the hon. Member himself, I am not disposed to admit his secretary again into the office.

MR. SEELY: Sir, after what has fallen from the right hon. Gentleman, perhaps I may be allowed to offer one word in explanation.

MR. SPEAKER intimated to the hon. Member that it would be irregular for him to proceed.

AGRICULTURAL STATISTICS.

QUESTION.

MR. M'LAGAN said, he wished to ask the President of the Board of Trade, Whether, in his reply to the hon. Member for East Norfolk, on Agricultural Statistics, he meant his remarks as to the incompleteness of the Returns to apply to Scotland as well as to England?

SIR STAFFORD NORTHCOTE said, his remarks did not apply to Scotland, the Returns from that part of the Kingdom he had no reason to complain of.

NAVY—SAVINGS BANKS.—QUESTION.

MR. KINNAIRD said, he would beg to ask the First Lord of the Admiralty, Whether any instructions have been issued to the Admirals commanding on the different stations for the formation of Savings Banks for the men on board Her Majesty's Ships; and, if so, when such Savings Banks will come into operation?

SIR JOHN PAKINGTON said, he was happy to be able to give his hon. Friend

an answer to his question, which, he thought, would be satisfactory. The late Board of Admiralty had not neglected that matter. On the contrary, it had issued orders to the Mediterranean station respecting the establishment of savings banks, and an experiment was now being tried on board the *Victoria*. He trusted that when the House met again next Session it would be in his power to state that further progress had been made in that matter.

THE RHINE PROVINCES.—QUESTION.

SIR GEORGE BOWYER: Seeing the noble Lord the Secretary of State for Foreign Affairs in his place, I am desirous of asking him a question respecting a statement which appeared in the papers of this morning—namely, that the Emperor of the French, certainly, as appears to me to be somewhat too late, has made a demand upon the Prussian Government for the rectification of the frontier, to be carried into effect by the cession of territory from Prussia to France. Now, I wish to know, Whether the noble Lord has any knowledge on the subject; and also, whether he is aware of what reply has been given by the Prussian Government to this demand of the Emperor of the French?

LORD STANLEY: In answer, Sir, to the hon. Member, I have to say that according to a telegram which has reached me I have no doubt that communications to the effect he has spoken of have passed and are passing between the Government of Paris and the Government of Berlin. As to the precise nature of these communications, I am not in a position to state what they are; still less am I able to say what the reply given by the Government of Prussia has been.

THE ABYSSINIAN PRISONERS.

QUESTION.

MR. BAILLIE COCHRANE said, he would beg to ask the Secretary of State for Foreign Affairs, Whether he has received any fresh Despatch relating to the Abyssinian prisoners; and, if so, whether he is prepared to lay it upon the table of the House?

LORD STANLEY said, in reply, that he had not received any despatch which would affect the statements already made upon the subject in the House. Such papers as he had received in relation to the matter were of no importance. He

might repeat, however, what he had stated previously, that the Government were preparing to send back Mr. Flad, a gentleman who had already been received by the Emperor of Abyssinia, under such circumstances as he hoped would result in the release of the prisoners at present detained in that country?

MR. HENRY SEYMOUR said, he wished to know whether something more than the sending of Mr. Flad back to Abyssinia was not necessary for the removal of the disgrace which had accrued to the country in the matter of having two persons acting as unsuccessful envoys at the capital of a barbarous chief?

LORD STANLEY said, that the question asked by the hon. Gentleman was not so much an interrogation upon a matter of fact as intended to induce the Government to enter upon a defence of the course which had been adopted. He should be prepared to defend the action of the Government at the proper moment, but it would be inconvenient at the present time; and with respect to a question asked without previous notice, he should decline to enter into a discussion upon the subject. The Government had, he believed, adopted the measures which were best calculated to procure the release of the unfortunate captives. If the hon. Gentleman, however, after he had made himself fully acquainted with the facts relating to the matter, should be of a different opinion, it would be perfectly competent for him to argue the question out on a fitting occasion.

COLONEL SYKES said, he would beg to ask the Secretary of State for Foreign Affairs, whether, in his opinion, the release of the Abyssinian captives could not be better effected by the present to the king of a few barrels of gunpowder and a few hundred rifles than by any other means?

[No answer was returned to this question.]

NAVY—DOCKYARD EXPENDITURE.

EXPLANATION.

MR. SEELY said, he desired to offer a word of explanation in answer to the remarks of the right hon. Baronet the First Lord of the Admiralty, who, in substance, had accused him of acting in a manner unbecoming a Member of Parliament, in not laying the information obtained by his secretary before the Admiralty prior to his having made a statement upon the subject to the House. It was his wish that every fact, or supposed fact, which he intended

to submit to the House should first of all be laid before the Admiralty, and he therefore, he believed, had just cause to complain of the remarks of the right hon. Baronet, which were calculated to affect his character, not only for accuracy, but also for fairness. The door of Somerset House was, so to speak, shut in the face of his secretary, and access to the books was denied him, as soon, he supposed, as it was found that the knowledge which he was likely to gain would be unpleasant. Besides, he had offered to submit to the Admiralty every fact which he intended to lay before the House, and that offer was rejected by the right hon. Gentleman.

METROPOLIS—SHOREDITCH WORKHOUSE.—QUESTION.

In reply to a Question from Mr. Alderman LUSK, on behalf of Mr. Oliphant,

MR. GATHORNE HARDY said, it was quite a mistake to suppose that he had promised to produce the Papers relating to the alleged acts of cruelty committed in the Shoreditch Workhouse. What he had said was, that if the hon. Member for Stirling (Mr. Oliphant) thought proper to move for these Papers, he (Mr. Hardy) would not resist the Motion. But he found on going to his office that morning that some additional Papers had been received, which he had not had time to peruse. As those Papers might necessitate further correspondence it was therefore obvious that the Papers were not in a fit condition to lay before the House.

LORD CHIEF BARON.

MOTION FOR PAPERS.

MR. J. STUART MILL said, he rose to move for an Address for Copies of all the Correspondence which has taken place between Members of the Government and Mr. Rigby Wason in relation to the appointment of Sir FitzRoy Kelly to be Lord Chief Baron of the Exchequer; and of any Correspondence between the Members of Government and Sir FitzRoy Kelly upon the same subject.

MR. WALPOLE said, he had no objection to the first part of the Motion; but as the second part related to communications made to him by the Lord Chief Baron which were of a private character,

he (Mr. Walpole) could not assent to their production. There might be an investigation into the matter in another Session, and in that case he thought that the Lord Chief Baron should have an opportunity of considering what answer he should make.

BUST OF THE LATE MR. JOSEPH HUME, ANSWER TO ADDRESS.

Answer to Address [15th June], reported, as follows:—

I have received your Address praying that I will cause to be placed within the precincts of the House of Commons a Bust, offered by his widow, of the late Joseph Hume, esquire, who for nearly forty years ably, laboriously, and disinterestedly served his Country in the House of Commons.

And I will give directions to My First Commissioner of Works and Public Buildings to consider in what part of the precincts of the House of Commons such Bust may most appropriately be placed.

PROROGATION OF THE PARLIAMENT.

Message to attend The LORDS COMMISSIONERS.

The House went, and the ROYAL ASSENT was given to several Bills.

And afterwards a Speech of The LORDS COMMISSIONERS was delivered to both Houses of Parliament by THE LORD CHANCELLOR.

Then a Commission for proroguing the Parliament was read.

After which,

THE LORD CHANCELLOR said—

My Lords, and Gentlemen,

By virtue of Her Majesty's Commission, under the Great Seal, to us and other Lords directed, and now read, we do, in Her Majesty's Name, and in obedience to Her Commands, prorogue this Parliament to *Thursday the Twenty-fifth day of October next*, to be then here holden; and this Parliament is accordingly prorogued to *Thursday the Twenty-fifth day of October next*.

SITTINGS OF THE HOUSE, SESSION 1866.

RETURN to an Order of the Honourable The House of Commons,
dated 1 August 1866 ;—for,

A RETURN "of the Number of Days on which THE HOUSE SAT in the Session of 1866, stating, for each Day, the Date of the Month, and the Day of the Week, the Hour of Meeting, and the Hour of Adjournment; and the Total Number of Hours occupied in the Sittings of the House, and the Average Time; and showing the Number of Hours on which The House Sat each Day, and the Number of Hours after Midnight; and the Number of Entries in each Day's Votes and Proceedings (in Continuation of Parliamentary Paper, No. 0.101, of Session 1865)."

(Mr. Charles Forster.)

Month.	Day.	House met.	House ad- journed.	Hours of Sitting.	Hours after Midnight.	Entries in Votes.	Month.	Day.	House met.	House ad- journed.	Hours of Sitting.	Hours after Midnight.	Entries in Votes.
1866			H. M.	H. M.	H. M.		1866			H. M.	H. M.	H. M.	
Feb. 1	Th	2	3 15	1 15	- - -	6	Apr. 9	M	4	1 0	9 0	1 0	124
" 2	F	2	4 30	2 30	- - -	5	" 10	Tu	4	1 30	9 30	1 30	133
" 3	S	1	4 0	3 0	- - -	2	" 11	W	12	5 45	5 45	- - -	64
" 5	M	1	4 0	3 0	- - -	2	" 12	Th	4	12 45	8 45	0 45	120
" 6	Tu	1	11 30	10 30	- - -	53	" 13	F	4	12 30	8 30	0 30	103
" 7	W	12	1 0	1 0	- - -	139	" 16	M	4	2 15	10 15	2 15	139
" 8	Th	4	12 45	8 45	0 45	220	" 17	Tu	4	1 15	9 15	1 15	119
" 9	F	4	6 45	2 45	- - -	144	" 18	W	12	5 50	5 50	- - -	97
" 12	M	4	12 0	8 0	- - -	122	" 19	Th	4	1 15	9 15	1 15	97
" 13	Tu	4	5 30	1 30	- - -	204	" 20	F	4	2 0	10 0	2 0	109
" 14	W	12	5 30	5 30	- - -	133	" 23	M	4	12 30	8 30	0 30	119
" 15	Th	4	1 15	9 15	1 15	124	" 24	Tu	4	10 30	6 30	- - -	98
" 16	F	4	1 0	9 0	1 0	117	" 25	W	12	5 57	5 57	- - -	73
" 17	S	12	12 45	12 45	0 45	26	" 26	Th	4	2 0	10 0	2 0	98
" 19	M	4	1 0	9 0	1 0	172	" 27	F	4	3 45	11 45	3 45	97
" 20	Tu	4	1 0	9 0	1 0	120	" 30	M	4	2 0	10 0	2 0	132
" 21	W	12	2 0	2 0	- - -	64							
" 22	Th	4	1 45	9 45	1 45	62							
" 23	F	4	1 30	9 30	1 30	71							
" 26	M	4	1 15	9 15	1 15	115							
" 27	Tu	4	9 0	5 0	- - -	75							
" 28	W	12	2 45	2 45	- - -	48							
Total...	22	--	- -	135 0	10 15	2,024	Total...	16	--	- -	138 47	18 45	1,692
Mar. 1	Th	4	1 15	9 15	1 15	52	May 1	Tu	4	7 30	3 30	- - -	100
" 2	F	4	12 30	8 30	0 30	75	" 2	W	12	5 55	5 55	- - -	67
" 5	M	4	12 45	8 45	0 45	98	" 3	Th	4	12 30	8 30	0 30	94
" 6	Tu	4	7 45	3 45	- - -	85	" 4	F	4	8 15	4 15	- - -	75
" 7	W	12	5 0	5 0	- - -	80	" 7	M	4	12 15	8 15	0 15	146
" 8	Th	4	1 15	9 15	1 15	82	" 8	Tu	4	12 0	8 0	- - -	116
" 9	F	4	2 15	10 15	2 15	82	" 9	W	12	5 50	5 50	- - -	53
" 12	M	4	12 45	8 45	0 45	113	" 10	Th	4	1 0	9 0	1 0	110
" 13	Tu	4	12 45	8 45	0 45	104	" 11	F	4	1 30	9 30	1 30	85
" 14	W	12	5 50	5 50	- - -	38	" 14	M	4	9 15	5 15	- - -	151
" 15	Th	4	12 30	8 30	0 30	99	" 15	Tu	4	12 45	8 45	0 45	88
" 16	F	4	1 0	9 0	1 0	96	Adjourned till Thursday, 17th May.						
" 19	M	4	12 45	8 45	0 45	117	" 17	Th	4	1 15	9 15	1 15	150
" 20	Tu	4	12 15	8 15	0 15	95	" 18	F	4	9 15	5 15	- - -	79
" 21	W	12	5 50	5 50	- - -	78	Adjourned till Thursday, 24th May.						
" 22	Th	4	1 15	9 15	1 15	110	" 24	Th	4	1 30	9 30	1 30	113
" 23	F	4	8 45	4 45	- - -	93	" 25	F	4	- - -	- - -	- - -	-
" 28	M	4	1 0	9 0	1 0	161	" 28	M	4	1 0	9 0	1 0	161
" 29	Tu	4	8 15	4 15	- - -	92	" 29	Tu	4	8 15	4 15	- - -	92
" 30	W	12	5 50	5 50	- - -	50	" 30	W	12	5 50	5 50	- - -	50
" 31	Th	4	2 15	10 15	2 15	104	" 31	Th	4	2 15	10 15	2 15	104
Total...	17	--	- -	132 25	11 15	1,497	Total...	19	--	- -	130 5	10 0	1,834

SITTINGS OF THE HOUSE, SESSION 1866.

Month.	Day.	House met.	House ad- journed.	Hours of Sitting.	Hours after Midnight.	Entries in Votes.	Month.	Day.	House met.	House ad- journed.	Hours of Sitting.	Hours after Midnight.	Entries in Votes.
1866			H. M.	H. M.	H. M.		1866		H. M.	H. M.	H. M.		
June 1	F	4	12 30	8 30	0 30	76	July 2	M	4 30	0 30	- -	- -	08
" 4	M	4	2 30	10 30	2 30	117	" 5	Th	4 5 15	1 15	- -	- -	124
" 5	Tu	4	7 45	3 45	- -	79	" 6	F	5 5 30	0 30	- -	- -	36
" 6	W	12	5 54	5 54	- -	61	" 9	M	4 7 15	3 15	- -	- -	59
" 7	Th	4	1 0	9 0	1 0	85	Adjourned till Monday, 16th July.						
" 8	F	4	1 0	9 0	1 0	74	" 16	M	4 1 15	9 15	1 15	- -	151
" 11	M	4	1 45	9 45	1 45	115	" 17	Tu	12 12 30	12 30	0 30	- -	100
" 12	Tu	4	1 15	9 15	1 15	86	" 18	W	12 5 58	5 58	- -	- -	56
" 13	W	12	5 50	5 50	- -	58	" 19	Th	4 2 30	10 30	2 30	- -	92
" 14	Th	4	12 30	8 30	0 30	89	" 20	F	4 1 30	9 30	1 30	- -	74
" 15	F	4	7 45	3 45	- -	69	" 23	M	4 1 45	9 45	1 45	- -	120
" 18	M	4	2 0	10 0	2 0	119	" 24	Tu	12 1 45	13 45	3 45	- -	73
" 19	Tu	4	6 30	2 30	- -	67	" 25	W	12 5 50	5 50	- -	- -	40
Adjourned till Monday, June 25th.							" 26	Th	12 2 30	14 30	2 30	- -	68
" 25	M	4	4 45	0 45	- -	156	" 27	F	12 1 45	13 45	1 45	- -	88
" 26	Tu	4	7 15	3 15	- -	145	" 30	W	4 2 0	10 0	2 0	- -	96
" 28	Th	4	5 30	1 30	- -	131	" 31	Tu	12 1 30	13 30	1 30	- -	70
" 29	F	4	4 15	0 15	- -	31	Total...	16	- -	- -	134 18	19 0	1,315
Aug.													
Aug. 1	W	12	5 45	5 45	- -	45	" 2	Th	4 1 45	9 45	1 45	- -	57
" 3	F	12	8 0	8 0	- -	62	" 4	S	12 1 45	1 45	- -	- -	30
" 6	M	4	8 0	4 0	- -	69	" 7	T	4 6 45	2 45	- -	- -	75
Adjourned till Friday, 10th August.													
" 10	F	1½	Prorogation		- -	64	Total...	7	- -	- -	32 0	1 45	402
Total...	17	- -	- -	101 59	10 30	1,558	Total...	7	- -	- -	32 0	1 45	402

SUMMARY.

Month.	Days of Sitting.	Hours of Sitting.	Hours after Midnight.	Entries in Votes.
February.....	22	H. M. 135 0	H. M. 10 15	2,024
March.....	17	132 25	11 15	1,497
April	16	138 47	18 45	1,692
May	19	130 5	10 0	1,834
June.....	17	101 59	10 30	1,558
July	16	134 18	19 0	1,315
August... ..	7	32 0	1 45	402
Total.....	114	804 34	81 30	10,322

Average Time of Sitting, 7 Hours, 3 Minutes, and ~~29~~ Seconds.

DIVISIONS OF THE HOUSE, SESSION 1866.

(PARL. PAPER 0·110.)

SUMMARY.

Number of Divisions on Public Business before Midnight	...	...	61
Ditto—After Midnight	...	...	14
Ditto—Private Business before Midnight	...	...	5
Total Number of Divisions in Session 1866	...	...	80

TABLE OF ALL THE STATUTES

PASSED IN THE FIRST SESSION OF

THE NINETEENTH PARLIAMENT OF THE UNITED KINGDOM

OF GREAT BRITAIN AND IRELAND.

29° & 30° VICT.

PUBLIC GENERAL ACTS.

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| <p>I. AN Act to empower the Lord Lieutenant or other Chief Governor or Governors of <i>Ireland</i> to apprehend, and detain for a limited Time, such Persons as he or they shall suspect of conspiring against Her Majesty's Person and Government.</p> <p>II. An Act to amend the Law relating to Contagious or Infectious Diseases in Cattle and other Animals.</p> <p>III. An Act to amend the Telegraph Act, 1863.</p> <p>IV. An Act to amend the Law relating to Contagious Diseases amongst Cattle and other Animals in <i>Ireland</i>.</p> <p>V. An Act for amending the Laws relating to the Investments on account of Savings Banks and Post Office Savings Banks.</p> <p>VI. An Act to apply the Sum of One million one hundred and thirty-seven thousand seven hundred and seventy-two Pounds out of the Consolidated Fund to the Service of the Year ending the Thirty-first Day of <i>March</i> One thousand eight hundred and sixty-six.</p> <p>VII. An Act to enable Her Majesty to settle an Annuity on Her Royal Highness the Princess <i>Helena Augusta Victoria</i>.</p> <p>VIII. An Act to enable Her Majesty to provide for the Support and Maintenance of His Royal Highness Prince <i>Alfred Ernest Albert</i> on his coming of Age.</p> <p>IX. An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.</p> | <p>X. An Act for the Regulation of Her Majesty's Royal Marine Forces while on shore.</p> <p>XI. An Act for the Cancellation of certain Capital Stocks of Annuities standing in the Names of the Commissioners for the Reduction of the National Debt.</p> <p>XII. An Act to make Provision for the Government of <i>Jamaica</i>.</p> <p>XIII. An Act to apply the Sum of Nineteen Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and sixty-six.</p> <p>XIV. An Act for the Abolition of the Offices of Treasurer and of High Bailiff of County Courts as Vacancies shall occur, and to provide for the Payment of future Registrars of County Courts.</p> <p>XV. An Act to amend the Act of the Eleventh and Twelfth Years of Her present Majesty, Chapter One hundred and seven, to prevent the spreading of contagious or infectious Disorders among Sheep, Cattle, and other Animals.</p> <p>XVI. An Act for facilitating the public Exhibition of Works of Art in certain Exhibitions.</p> <p>XVII. An Act to regulate the Inspection of Cattle Sheds, Cowhouses, and Byres within Burghs and populous Places in <i>Scotland</i>.</p> <p>XVIII. An Act to make Provision for the Transfer of the Assets, Liabilities, and Management of the <i>Bengal, Madras and Bombay</i> Military Funds, the <i>Bengal</i> Military Orphan Society,</p> |
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- and other Funds, to the Secretary of State for India in Council.
- XIX. An Act to amend the Law relating to Parliamentary Oaths.
- XX. An Act to indemnify *William Forsyth*, Esquire, One of Her Majesty's Counsel, from any penal Consequences which he may have incurred by sitting or voting as a Member of the House of Commons while holding the Office of Standing Counsel to the Secretary of State in Council of India.
- XXI. An Act to authorize the Commissioners of Her Majesty's Works and Public Buildings to acquire by compulsory Purchase or otherwise certain Lands, Houses, and Premises in the Parish of *Saint Margaret, Westminster*; and for other Purposes.
- XXII. An Act to render it unnecessary to make and subscribe certain Declarations as a Qualification for Offices and Employments; to indemnify such Persons as have omitted to qualify themselves for Office and Employment; and for other Purposes relating thereto.
- XXIII. An Act to alter certain Duties of Customs in the *Isle of Man*; and for other Purposes.
- XXIV. An Act to confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the Districts of *Winchester, Burton-upon-Trent, Longton, Accrington, Preston, Bangor, Elland, Halstead, Wadsworth, Canterbury, Dartmouth, Dukinfield, Stroud, and Bridlington*, and for other Purposes relative to certain Districts under the said Act.
- XXV. An Act to consolidate and amend the several Laws regulating the Preparation, Issue, and Payment of Exchequer Bills and Bonds.
- XXVI. An Act to secure the Repayment of Public Monies advanced for the Drainage and Improvement of Lands and other like Objects in *Ireland*.
- XXVII. An Act to amend The Dockyard Extensions Act, 1865.
- XXVIII. An Act to enable the Public Works Loan Commissioners to make Advances towards the Erection of Dwellings for the Labouring Classes.
- XXIX. An Act to authorize the Inclosure of certain Lands in pursuance of a Report of the Inclosure Commissioners for *England and Wales*.
- XXX. An Act to amend The Harbours and Passing Tolls, &c. Act, 1861.
- XXXI. An Act to provide for Superannuation Allowances to Officers of Vestries and other Boards within the Area of the Metropolis Local Management Act.
- XXXII. An Act further to amend the Procedure and Powers of the Court for Divorce and Matrimonial Causes.
- XXXIII. An Act to confirm a Provisional Order under "The Land Drainage Act, 1861."
- XXXIV. An Act to give further Facilities for the Establishment of Societies for the Assurance of Cattle and other Animals.
- XXXV. An Act for the better Prevention of Contagious Diseases at certain Naval and Military Stations.
- XXXVI. An Act to grant, alter, and repeal certain Duties of Customs and Inland Revenue, and for other Purposes relating thereto.
- XXXVII. An Act to amend an Act of the Fifty-fourth Year of King *George the Third*, Chapter One hundred and twenty-three, to prevent Frauds and Abuses in the Trade of Hops.
- XXXVIII. An Act to enable Boards of Guardians in *Ireland* to provide Coffins and Shrouds for the Burial of poor Persons who at the Time of their Death were not in receipt of Relief from the Poor Rates.
- XXXIX. An Act to consolidate the Duties of the Exchequer and Audit Departments, to regulate the Receipt, Custody, and Issue of Public Moneys, and to provide for the Audit of the Accounts thereof.
- XL. An Act to authorize a further Advance of Money for the Purposes of Improvement of Landed Property in *Ireland*.
- XLI. An Act to amend the Nuisances Removal and Diseases Prevention Act, 1860.
- XLII. An Act to amend the Law relating to Life Insurances in *Ireland*.
- XLIII. An Act for the Establishment and Regulation of Savings Banks for Seamen and Marines of the Royal Navy.
- XLIV. An Act to encourage the Establishment of Lodging Houses for the Labouring Classes in *Ireland*.
- XLV. An Act to extend the Provisions of the Acts for the Encouragement of the Sea Fisheries in *Ireland*, by promoting and aiding with Grants of Public Money the Construction of Piers, Harbours, and other Works.
- XLVI. An Act to authorize the Town Council of *Belfast* to levy and pay Charges in respect of extra Constabulary.
- XLVII. An Act to legalize the Payment and Distribution of *Indian Prize Money* by the Treasurer or Secretary of *Chelsea Hospital*, and to amend an Act for the consolidating and amending the Law relating to the Payment of Army Prize Money.
- XLVIII. An Act to enable Her Majesty to settle an Annuity on Her Royal Highness the Princess *Mary Adelaide Wilhelmina Elizabeth of Cambridge*.
- XLIX. An Act to provide for the better Maintenance of Works executed under the Acts for the Drainage of Lands in *Ireland*.
- L. An Act to revive Section Sixty-nine of "The Nuisances Removal (*Scotland*) Act, 1856," relating to Burials in Burghs.
- LI. An Act to amend the Acts relating to Lunacy in *Scotland*, and to make further Provision for the Care and Treatment of Lunatics.
- LII. An Act to extend the Law relating to the Expenses of Prosecutions, and to make Provision for Expenses on Charges of Felony and certain Misdemeanors before examining Magistrates.
- LIII. An Act to amend certain Provisions of the Sheriff Court Houses (*Scotland*) Act, 1860.
- LIV. An Act to amend the Law relating to the Qualifications of Revising Barristers.
- LV. An Act to enable the Postmaster General to sit in the House of Commons.
- LVI. An Act for confirming certain Provisional Orders made by the Board of Trade under The General Pier and Harbour Act, 1861, relating to *Clymder, Hastings, and Newlyn*.
- LVII. An Act to make further Provision for the Enrolment of certain Deeds, Assurances, and other Instruments relating to Charitable Trusts.
- LVIII. An Act for confirming certain Provisional Orders made by the Board of Trade under The General Pier and Harbour Act, 1861, relating

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- to *Ardglass, Blackpool (South), Cowes (West), Dawlish, Hopeman, Hornsea, Llandudno, Penzance, Plymouth (Hoe), Redcar, and Scarborough.*
- LIX. An Act to appoint additional Commissioners for executing the Acts for granting a Land Tax and other Rates and Taxes.
- LX. An Act to defray the Charge of the Pay, Clothing, and contingent and other expenses of the Disembodied Militia in *Great Britain and Ireland*; to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, and Surgeons Mates of the Militia; and to authorize the Employment of the Non-Commissioned Officers.
- LXI. An Act to confirm a Provisional Order under The Drainage and Improvement of Lands Act (*Ireland*), and the Acts amending the same.
- LXII. An Act to amend the Law relating to the Woods, Forests, and Land Revenues of the Crown.
- LXIII. An Act to amend the Acts relating to the intended Courts of Justice.
- LXIV. An Act to amend the Laws relating to the Inland Revenue.
- LXV. An Act to enable Her Majesty to declare Gold Coins to be issued from Her Majesty's Colonial Branch Mints a legal Tender for Payments; and for other Purposes relating thereto.
- LXVI. An Act to provide for the Relief of the Poor in the *New Forest*.
- LXVII. An Act for the Union of the Colony of *Vancouver Island* with the Colony of *British Columbia*.
- LXVIII. An Act to amend the Law relating to the granting of Pensions and Superannuation Allowances to Persons holding certain Offices connected with the Administration of Justice in *England*.
- LXIX. An Act for the Amendment of the Law with respect to the Carriage and Deposit of dangerous Goods.
- LXX. An Act to extend the Provisions of the Acts for the Inclosure, Exchange, and Improvement of Land to certain Portions of the *Forest of Dean* called *Walnmore Common* and *The Bearce Common*, and for authorizing Allotments in lieu of the Forestal Rights of Her Majesty in and over such Commons.
- LXXI. An Act to facilitate the letting on Lease, feuing, or selling Glebe Lands in *Scotland*.
- LXXII. An Act to authorize Advances of Money out of the Consolidated Fund for carrying on Public Works and Fisheries and for the Employment of the Poor; and for the Purposes of the Harbours and Passing Tolls Act, 1861, The Cattle Diseases Prevention Act, 1866, and The Labouring Classes Dwellings Act, 1866.
- LXXIII. An Act to authorize for a further Period the Application of Money for the Purposes of Loans for carrying on Public Works in *Ireland*.
- LXXIV. An Act to repeal part of an Act, intitled *An Act for the Government of New South Wales and Van Dieman's Land*.
- LXXV. An Act to amend and explain the Act of the Twenty-fifth and Twenty-sixth Years of *Victoria*, Chapter Fifty-eight, relating to Parochial Buildings in *Scotland*.
- LXXVI. An Act to provide for the Collection of Fees in Public Departments and Offices by means of Stamps.
- LXXVII. An Act to amend the Act of the Seventh and Eighth Years of *Victoria*, Chapter Forty-four, relating to the Erection of new Parishes *quoad sacra* in *Scotland*.
- LXXVIII. An Act for removing Doubts respecting the Assessment of County Rates.
- LXXIX. An Act to confirm a Provisional Order under "The Local Government Act, 1858," relating to the District of *Ventnor*, and for the Repeal of the *South Wales Highway Act* in *Briton Ferry* District.
- LXXX. An Act to confirm a Provisional Order under "The Land Drainage Act, 1861."
- LXXXI. An Act to amend the Law respecting Leases by Ecclesiastical Corporations, as far as relates to the *Isle of Man*.
- LXXXII. An Act to amend the Acts relating to the Standard Weights and Measures and to the Standard Trial Pieces of the Coin of the Realm.
- LXXXIII. An Act to provide for the Acquisition of a Site for the Enlargement of the National Gallery.
- LXXXIV. An Act to amend the Laws for the Regulation of the Profession of Attorneys and Solicitors in *Ireland*, and to assimilate them to those in *England*.
- LXXXV. An Act to facilitate the Establishment, Improvement, and Maintenance of Oyster and Mussel Fisheries in *Great Britain*.
- LXXXVI. An Act for vesting the Glebe Lands of the Vicarage of *Rochdale* in the County of *Lancaster* in the Ecclesiastical Commissioners for *England*, and for making Provision for the Endowment of the said Vicarage in lieu thereof; and for the Promotion of other Ecclesiastical Purposes connected therewith.
- LXXXVII. An Act to amend the Foreign Jurisdiction Act.
- LXXXVIII. An Act to validate certain Licences granted in *Ireland* for the Establishment of Oyster Beds.
- LXXXIX. An Act for vesting in the Conservators of the River *Thames* the Conservancy of the *Thames* and *Isis* from *Staines* in the County of *Middlesex* to *Cricklade* in the County of *Wilts*; and for other Purposes connected therewith.
- XC. An Act to amend the Law relating to the Public Health.
- XCI. An Act to apply a Sum out of the Consolidated Fund and the surplus of Ways and Means to the Service of the Year ending Thirty-first *March* One thousand eight hundred and sixty-seven, and to appropriate the Supplies granted in this Session of Parliament.
- XCII. An Act to confirm certain Provisional Orders made under an Act of the Fifteenth Year of Her present Majesty to facilitate Arrangements for the Relief of Turnpike Trusts.
- XCIII. An Act to confirm a Provisional Order under "The General Police and Improvement (*Scotland*) Act, 1862," relating to the Burgh of *Aberdeen*.
- XCIV. An Act to authorize the Inclosure of certain Lands in pursuance of a Report of the Inclosure Commissioners for *England* and *Wales*.
- XCV. An Act to enable the Public Works Loan Commissioners to make temporary Advances to Railway Companies in *Ireland*.

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- XCVI. An Act to amend the Bills of Sale Act, 1854.
- XCVII. An Act further to promote the Cultivation of Oysters in *Ireland*, and to amend the Acts for that Purpose.
- XCVIII. An Act to extend the Duration of the Dockyard Extensions Act (1865).
- CXIX. An Act to reduce the Number of Judges in the Landed Estates Court in *Ireland*, and to reduce the Duties payable under the Record of Title and Land Debentures Acts.
- C. An Act for the Amendment of the Laws relating to Prisons.
- CI. An Act to make further Provision respecting the Fees payable in the Superior Courts of Law at *Westminster*, and in the Offices belonging thereto, and respecting the Salaries of certain Officers of those Courts.
- CII. An Act to continue various expiring Acts.
- CIII. An Act to amend an Act to consolidate the Laws relating to the Constabulary Force in *Ireland*.
- CIV. An Act to guarantee the Liquidation of Bonds issued for the Repayment of Advances made out of Public Funds for the Service of the Colony of *New Zealand*.
- CV. An Act to continue certain Turnpike Acts in *Great Britain*, and to make further Provision concerning Turnpike Roads.
- CVI. An Act to confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the Districts of *West Hartlepool*, *Tormoham*, *Harrogate*, *St. Leonard*, *Wedgesfield*, *Aberdare*, *Bristol*, *Derby*, *Shrewsbury*, *Netherthong*, *Hove*, *New Windsor*, *Hanley*, *Burnley*, and *Accrington*; and for other Purposes relative to certain Districts under the said Act.
- CVII. An Act to confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the Districts of *Ramsgate*, *Leominster*, *Staleybridge*, *Lincoln*, *Maidstone*, *Banbury*, *Tunbridge Wells*, *Bedford* and *Southampton*; and for other Purposes relative to Districts under the said Act.
- CVIII. An Act to amend the Law relating to Securities issued by Railway Companies.
- CIX. An Act to make Provision for the Discipline of the Navy.
- CX. An Act to amend the Cattle Diseases Prevention Act.
- CXI. An Act to further amend the Acts relating to the Ecclesiastical Commissioners for *England*.
- CXII. An Act to make Provision in regard to the Mode of taking Evidence in Civil Causes in the Court of Session in *Scotland*.
- CXIII. An Act to amend the Act providing Superannuation Allowances to Officers of Unions and Parishes, and to make other Amendments in the Laws relating to the Relief of the Poor.
- CXIV. An Act to amend the Public Libraries Act.
- CXV. An Act to provide for the Government of the "Straits Settlements."
- CXVI. An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those Purposes respectively.
- CXVII. An Act to consolidate and amend the Acts relating to Reformatory Schools in *Great Britain*.
- CXVIII. An Act to consolidate and amend the Acts relating to Industrial Schools in *Great Britain*.
- CXIX. An Act to continue the Act of the Twentieth Year of the Reign of Her present Majesty, Chapter One, intituled *An Act to empower the Lord Lieutenant or other Chief Governor or Governors of Ireland to apprehend and detain for a limited Time such Persons as he or they shall suspect of conspiring against Her Majesty's Person and Government*.
- CXX. An Act to make Provision for the Administration of the Patriotic Fund.
- CXXI. An Act for the Amendment of the Law relating to Treaties of Extradition.
- CXXII. An Act to make Provision for the Improvement, Protection, and Management of Commons near the Metropolis.

LOCAL AND PERSONAL ACTS,

DECLARED PUBLIC,

AND TO BE JUDICIALLY NOTICED.

- i. **A**N Act to enable the Proprietors of the *Manchester* Royal Exchange to pull down and rebuild the same; and for other Purposes with respect to the said Exchange.
- ii. An Act for the Establishment and Regulation of a Market near *Columbia Square* in the Parish of *Saint Matthew, Bethnal Green*, in the County of *Middlesex*, and the opening of a new Street, and the Improvement of Streets adjoining or near to the Market Place; and for other Purposes.
- iii. An Act to extend the Time for the Completion of the *Central Wales Extension* Railway; and for other Purposes.
- iv. An Act to incorporate the *Banbury* Gaslight and Coke Company (Limited), and to make further Provision for lighting *Banbury* and Places in the Neighbourhood thereof in the Counties of *Oxford* and *Northampton* with Gas.
- v. An Act for the Amalgamation of the *Kidwelly and Burry Port* Railway Company and the *Burry Port* Company; and for other Purposes.
- vi. An Act for extending the Limits within which the *West Middlesex* Waterworks Company may supply Water, and for other Purposes.
- vii. An Act for repairing the Road from the *Gateshead and Hexham* Turnpike Road at or near to *Aswell Park Gate* on the River *Derwent* in the Township of *Winlaton* in the Parish of *Ryton* in the County of *Durham* to the Village of *Shotley Bridge* in the said County of *Durham*.
- viii. An Act to authorize the Construction of Waterworks for the Supply of Water to the Lunatic Asylum for the County of *Cornwall* situate at *Bodmin* in the said County; and for other Purposes connected therewith.
- ix. An Act to enable the *Heywood* Waterworks Company to raise additional Capital.
- x. An Act to enable the *North-eastern* Railway Company to construct a Railway from *Gilling* to *Helmstley* and *Pickering*; and for other Purposes.
- xi. An Act to enable the *North-eastern* Railway Company to construct Branch Railways and other Works in the County of *Durham*; and to acquire additional Lands; and for other Purposes.
- xii. An Act for extending the *Rathmines* and *Rathgar* Township so as to include therein the Townlands of *Cherry Orchard* in the Parish of *Saint Nicholas*, of *Argos*, *Harold's Cross*, *Mount Jerome*, *Rathland East*, and *Rathland West*, in the Parish of *Saint Catherine*, all in the Barony of *Upper Cross* and County of *Dublin*.
- xiii. An Act for better supplying with Water the Borough and Parish of *Bodmin* in the County of *Cornwall*.
- xiv. An Act for better supplying with Water the Parish of *Holyhead* in the County of *Anglesey*.
- xv. An Act to authorize the *Neath and Brecon* Railway Company to raise additional Capital; and for other Purposes.
- xvi. An Act for granting further Powers to "The *Croydon Commercial Gas and Coke Company*."
- xvii. An Act to authorize Arrangements of the Capital of the *Devon and Somerset* Railway Company.
- xviii. An Act to authorize the *Paisley* Water Commissioners to make and maintain additional Reservoirs and other Works, and to give an increased Supply of Water; and for other Purposes.
- xix. An Act for better supplying with Water the Towns of *Bromsgrove* and *Droitwich*, and certain Parishes and Places adjacent thereto in the County of *Worcester*.
- xx. An Act for the winding-up of the Affairs and the Dissolution of the *Thames Tunnel* Company.
- xxi. An Act to repeal an Act passed in the Seventh Year of the Reign of His Majesty King *William* the Fourth, intituled *An Act for improving and maintaining the Road from Drycrough through Shaw, New Hey, and Milnrow to Rochdale, and other Roads in the County of Lancaster*, and to grant more effectual Powers in lieu thereof; and for other Purposes.
- xxii. An Act to extend the Term and amend the Provisions of the "Act for more effectually repairing and improving the Road from *Butterton Moor End* to the Turnpike Road leading from *Buxton* to *Ashbourne*, and other Roads therein mentioned, in the Counties of *Stafford* and *Derby*, and for making several Diversions or new Lines of Road to communicate therewith."
- xxiii. An Act to enable the Lord Mayor, Aldermen, and Burgesses of *Dublin* to enlarge Portions of the *Dublin* Corporation Waterworks, to erect Telegraphic Poles and Wires, to borrow Money; and for other Purposes.
- xxiv. An Act for enabling the Corporation for preserving and improving the Port of *Dublin* to borrow further Sums of Money; for amending the Provisions of former Acts relating to the Supply of Ballast by the said Corporation; and for other Purposes.
- xxv. An Act for enabling the Corporation for

LOCAL AND PERSONAL ACTS—29 & 30 VICT.

- preserving and improving the Port of *Dublin* to purchase the Custom House Docks and Premises, the *Grand Canal Docks and Warehouses*, at *Dublin*; and for other Purposes.
- xxvi. An Act for empowering the Corporation of the Borough of *Leicester* to remove the Cattle Market of the Borough to another Site, and to erect a Town Hall and other Public Buildings, and for conferring other Powers on the said Corporation; and for other Purposes.
- xxvii. An Act for extending the Limits within which the *Leicester Waterworks Company* may supply Water, and for empowering the Company to construct further Works and to raise additional Capital, and for authorizing a further Arrangement between the Company and the Local Board of Health for the Borough of *Leicester*, and the raising of Money by the Local Board to effectuate that Arrangement; and for other Purposes.
- xxviii. An Act for more effectually maintaining and keeping in repair the Roads, Highways, and Bridges in the Counties of *Ross and Cromarty*; for making new Roads and Bridges in the said Counties; and for other Purposes.
- xxix. An Act for enabling the Mayor, Aldermen, and Citizens of the City of *Manchester* to erect a Town Hall, Police Court, and other Buildings; to acquire additional Lands; and for other Purposes.
- xxx. An Act to enable the *Morayshire Railway Company* to raise Capital by creating new Shares or Stock; and for other Purposes.
- xxxi. An Act to confer further Powers upon the *Newark Gas Company*, to authorize them to purchase additional Lands, to raise further Monies; and for other Purposes.
- xxxii. An Act to enable the *Stourbridge Gas Company* to raise additional Capital.
- xxxiii. An Act for incorporating and granting other Powers to the *Hornsey Gas Company Limited*.
- xxxiv. An Act to enable the *Midland Great Western Railway of Ireland Company* to acquire additional Lands; and for other Purposes.
- xxxv. An Act for forming a Pier, Harbour, and Railway in or adjoining the Parish of *Llanasa* in the County of *Flint* on and adjoining the *Talacre Estate*; and for other Purposes.
- xxxvi. An Act to enable the *Drayton Junction Railway Company* to raise additional Capital, and to divide their Shares; and for other Purposes.
- xxxvii. An Act to incorporate the *Frome Selwood Gas and Coke Company*, and to make further Provision for lighting with Gas the Town of *Frome Selwood* and certain Parishes and Places in the Neighbourhood thereof; and for other Purposes.
- xxxviii. An Act to enable the *Wrexham, Mold and Connal's Quay Railway Company* to raise additional Capital; and for other Purposes.
- xxxix. An Act for supplying with Water the Burgh of *Tain* and Places adjacent.
- xl. An Act for more effectually lighting *Briton Ferry* with Gas.
- xli. An Act to enable the *Buckley Railway Company* to carry Passengers upon their Railway, and to raise further Monies; and for other Purposes.
- xlii. An Act for authorizing the *Bury Improvement Commissioners* to raise a further Sum of Money for their Gasworks; and for other Purposes.
- xliii. An Act to extend the Time for the Construction of certain Railways authorized by "The *Lancashire and Yorkshire Railway (Dewsbury, &c. Branches) Act, 1861*," and "The *Lancashire and Yorkshire Railway (Additional Powers) Act, 1862*;" to empower the *Lancashire and Yorkshire Railway Company* to acquire additional Lands and to raise additional Capital; and for other Purposes.
- xliv. An Act to authorize the *Lancashire and Yorkshire Railway Company* to construct a Railway between *Blackburn* and *Padiham*.
- xlv. An Act to confer further Powers on the *Afon Valley Railway Company*.
- xlvi. An Act to enable the *Dagenham (Thames) Dock Company* to acquire additional Lands, and to enlarge their Undertaking, and to provide Abbatoirs and other Conveniences; to amend the *Dagenham (Thames) Dock Acts, 1855 and 1862*; and for other Purposes.
- xlvii. An Act for the Supply of the Town of *Ventnor* and its Vicinity in the *Isle of Wight* with Gas and Water.
- xlviii. An Act for amending the Lease of the *Dublin and Kingstown Railway* to the *Dublin, Wicklow and Wexford Railway Company*.
- xlix. An Act to authorize the *Newcastle and Gateshead Water Company* to construct additional Works; to extend the Time limited for completing and purchasing the Lands for certain Works; to amend the Act relating to the Company; and for other Purposes.
- i. An Act to amalgamate the Trusts of the *Stafford, Sandon, and Eccleshall Roads*, the *Stone, Stafford, and Penkridge Roads*, and the *Stafford, Churchbridge, Uttoxeter, and Newport Roads*; to authorize the Construction of a new Road; and for other Purposes.
 - ii. An Act for empowering the Corporation of *Tynemonth* to make new Streets; for amending the Rating Powers of the Corporation as the Local Board for the Borough; and for other Purposes.
 - iii. An Act for empowering the Corporation of the Borough of *Congleton* to purchase the Gasworks of the *Congleton Gaslight Company*, and to supply Gas within the Borough and its Neighbourhood in the County of *Chester*, and to pave and improve Streets and Highways in the Borough, and to improve and regulate Markets and Fairs in the Borough; and for other Purposes.
 - liii. An Act for converting the Estuary of *Barry Island* in the County of *Glamorgan* into a Tidal Harbour, and for constructing Works in connexion therewith; and for other Purposes.
 - liv. An Act to make further Provision for lighting with Gas the Town of *Ryde* and the Neighbourhood thereof in the *Isle of Wight*; to incorporate the *Ryde Gas and Coke Company*; and for other Purposes.
 - lv. An Act to authorize the *London Gaslight Company* to raise further Sums of Money; and for other Purposes.
 - lvi. An Act to extend the Term and amend the Provisions of an Act for repairing, amending, and maintaining the Road from *Congleton* in the County of *Chester* to a Branch of the *Leek Turnpike Road* at *Thatchmarsh Bottom* in the Parish of *Hartington* in the County of *Derby*, and from the *Lowe* to the *Havannah Mills* in the said County of *Chester*.
 - lvii. An Act to authorize the *Parsonstown and*

LOCAL AND PERSONAL ACTS—29 & 30 VICT.

- Portunna Bridge* Railway Company to extend the Time for Completion of their Works; to issue Preference Shares; to sell or lease their Undertaking to the *Great Southern and Western* Railway Company; to enable the *Great Southern and Western* Railway Company to purchase, lease, and subscribe to the Company's Undertaking; and for other Purposes.
- lviii. An Act for bringing the "*Wesleyan and General Assurance Society*" under the Operation of "*The Friendly Societies Discharge Act, 1854*;" and for removing Doubts with respect to the Validity of some of the Policies of the Society; and for other Purposes.
- lix. An Act to confer further Powers on the *South Staffordshire* Waterworks Company with reference to their Undertaking, and to enable them to extend their Works and District of Supply; and for other Purposes.
- lx. An Act to authorize certain Arrangements between the *Letterkenny* Railway Company and the *Londonderry and Lough Swilly* Railway Company, and the Lease of the Undertaking of the *Letterkenny* Railway Company; to extend the Time limited for the Completion of the authorized Railway of the *Letterkenny* Railway Company; and for other Purposes.
- lxi. An Act to remove Doubts as to the Validity of certain Resolutions of Meetings of the *Titanic Steel and Iron Company* (Limited); and for other Purposes.
- lxii. An Act to amend the Acts relating to the *Belfast* Gaslight Company, and to enable that Company to acquire additional Lands.
- lxiii. An Act for making and maintaining a Bridge across the River *Tyne* to connect the Boroughs of *Newcastle-upon-Tyne* and *Gateshead*, with Approaches thereto; and for other Purposes.
- lxiv. An Act for the Reclamation from the Sea of certain Lands near *Harwich*, and the Construction of a Pier and other Works in connexion with such Reclamation.
- lxv. An Act for more effectually lighting *Slough* and its Neighbourhood with Gas.
- lxvi. An Act to amend an Act for repressing Juvenile Delinquency in the City of *Glasgow*.
- lxvii. An Act for more effectually maintaining and keeping in repair the Roads, Highways, and Bridges in the County of *Banff*; for making new Roads in the said County; and for other Purposes.
- lxviii. An Act for supplying *Grange, Cartmel*, and other Places in *Lancashire*, and *Arnside* in *Westmoreland*, with Gas and Water.
- lxix. An Act for extending the Time for the Purchase of Lands, and the Completion of the Works authorized by the *South Essex Estuary* and Reclamation Act, 1852.
- lxx. An Act for extending the Powers of "*the New Milford Docks Company*."
- lxxi. An Act for conferring Powers on the *Lancashire and Yorkshire* Railway Company for the Construction of Branch Railways and Works and the Acquisition of Lands in the West Riding of the County of *York*; and for other Purposes.
- lxxii. An Act to incorporate the Proprietors of the *East Barnet* Gas and Water Company, Limited, and to confer on them further Powers for the Supply of Gas and Water; and for other Purposes.
- lxxiii. An Act for better supplying with Water *Ebbw Vale, Beaufort, Sirhowy, Victoria*, and the adjoining Districts, within the Parishes of *Bedwellty, Aberystwith, Llangattock*, and *Llan-gunnider*, in the Counties of *Monmouth* and *Brecon*; and for other Purposes.
- lxxiv. An Act to repeal an Act passed in the Third and Fourth Years of the Reign of His Majesty King *William the Fourth*, "for more effectually repairing the Road from the Canal Bridge in *Hurdsfield* in the County of *Chester* to the Turnpike Road at *Randle Carr Lane Head* in *Fernilee* in the County of *Derby*, leading to *Chapel-in-the-Frith* in the same County," and another Act passed in the same Year "to rectify a Mistake in the above-mentioned Act, and to make more effectual Provisions in lieu thereof."
- lxxv. An Act to incorporate a Company for making a Railway to be called "*the Merrybent and Darlington* Railway," and a Branch therefrom; to authorize Working and Traffic Arrangements with the *North-eastern* Railway Company; and for other Purposes.
- lxxvi. An Act to enable the Local Board for the District of *Nelson* in the County of *Lancaster* to provide a Supply of Water and Gas for the District and its Neighbourhood, and to purchase the Undertaking of the *Nelson* Gas Company, Limited; and for other Purposes.
- lxxvii. An Act to authorize the Dock Company at *Kingston-upon-Hull* to enlarge the Western Dock, and to raise further Sums of Money; to extend the Time for the Completion of the Works; and for other Purposes.
- lxxviii. An Act to enable the *Greenwich Hospital* Estate and the *North-eastern* Railway Company to aid in the Completion of the *Hexham and Allendale* Railway; and for other Purposes.
- lxxix. An Act for repairing and maintaining the Road from *Rochdale* to *Edenfield* in the County Palatine of *Lancaster*; and for other Purposes.
- lxxx. An Act for altering the Vestry of the Parish of *Saint George*, in the County of *Gloucester*, and for making further Provision as to the Election and Appointment of Overseers of the Poor and Churchwardens of the said Parish; and for other Purposes.
- lxxxi. An Act for extending the Limits of the District within which the *Cambridge University* and Town Waterworks Company may supply Water, and for empowering the Company to raise additional Capital; and for other Purposes.
- lxxxii. An Act to dissolve and re-incorporate the *Southgate and Colney Hatch* Gaslight and Coke Company (Limited), for the Increase and Regulation of their Capital, and for conferring upon the new Company additional Powers with reference to the Manufacture and Supply of Gas within prescribed Limits in the Counties of *Middlesex* and *Herts*.
- lxxxiii. An Act to authorize the Company of Proprietors of the *Birmingham* Waterworks to extend their Limits of Supply, to construct further Works, and to raise additional Capital; and for other Purposes.
- lxxxiv. An Act to enable the *Mersey* Docks and Harbour Board to improve their Docks at *Birkenhead* by converting the existing Low-water Basin and the *Morpeth* Basin into Wet Docks, and altering other Works connected therewith.

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- lxxxv. An Act for the Improvement of the City of *Glasgow*, and the Construction of new, and widening, altering, and diverting of existing Streets in the said City; and for other Purposes.
- lxxxvi. An Act to authorize the *South Yorkshire Railway* and River *Dun* Company to widen and improve a Portion of their Railway, and to abandon other Portions thereof; and for other Purposes relating to the same Railway.
- lxxxvii. An Act to vest in the *Great Western Railway Company* and the *London and North-western Railway Company* jointly a Portion of the *Wrexham and Minera Railway*; and for other Purposes.
- lxxxviii. An Act to authorize the *Bristol and Portishead Pier and Railway Company* to alter the Pier at *Portishead* and to construct other Works, to extend the Time for the Purchase of Lands and Completion of Works, to amend the Act relating to the Company; and for other Purposes.
- lxxxix. An Act for incorporating the *Colchester Gas Company*, and defining the Limits for the Supply of Gas by them, and regulating their Capital; and for other Purposes.
- xc. An Act for conferring additional Powers on the *Midland Railway Company* for the Acquisition of Lands and the Increase and Regulation of their Capital, for giving Effect to Arrangements with the *Great Western Railway Company* in reference to Lines and Stations at *Malvern*; and for other Purposes.
- xci. An Act to enable the *Tyne Improvement Commissioners* to borrow further Sums of Money for the Purposes of the Piers at the Mouth of the River *Tyne*, to alter the Pier Rates, to amend the Acts relating to those Commissioners; and for other Purposes.
- xcii. An Act for authorizing an Alteration in the Line and Levels of the *Barry Railway*; and for other Purposes.
- xciii. An Act to authorize the Trustees of the River *Weaver* Navigation to raise a Sum of Money for the Improvement of their Navigation, and for other Purposes relating to the said Navigation.
- xciv. An Act to confer further Powers on the *British and Canadian Telegraph Company*.
- xcv. An Act for granting further Powers to "The *Downs Dock Company*."
- xcvi. An Act to authorize the Transfer to the *Bristol and Exeter Railway Company* of the Undertaking of the *Bridgwater and Taunton Canal* and *Stolford Railway and Harbour Company*; and for other Purposes.
- xcvii. An Act for incorporating and granting certain Powers to the *Cleethorpes Gas Company*.
- xcviii. An Act to extend the Time limited by "The *Barnsley Local Board Act, 1862*," for the Completion of the Waterworks thereby authorized, and to enable the Local Board of Health for the District of the Township of *Barnsley* in the West Riding of the County of *York* to raise further Monies for the Purposes of that Act, to amend the Acts relating to the said District; and for other Purposes.
- xcix. An Act to enable the *Canterbury Gaslight and Coke Company* to raise further Sums of Money for their Gas and Water Undertakings; to construct and maintain a new System of Waterworks to supply the City of *Canterbury* and Suburbs and other Places, and to abandon their existing Waterworks; to change the Name of the Company, and to repeal, consolidate, and amend the Acts relating thereto; and for other Purposes.
- c. An Act to continue the *Huntley, Mitcheldean, and Elton Turnpike Roads Trust* in the Counties of *Gloucester* and *Hereford*; and for other Purposes.
- ci. An Act to incorporate the *Harborne Railway Company*, and to authorize the making and maintaining of a Railway, to be called "The *Harborne Railway*;" and for other Purposes.
- cii. An Act for the Construction of a Wet Dock at the Harbour of *Montrose*; and for other Purposes.
- ciii. An Act to confirm an Agreement entered into by "The *Mersey Docks and Harbour Board*" for the Purchase of certain Lands at *Birkenhead*; and for other Purposes incidental thereto.
- civ. An Act for erecting and maintaining a new Court House, Town House, County and Town Hall, Police, and other County and Municipal Buildings and Offices for the County and City of *Aberdeen*; and for other Purposes.
- cv. An Act to grant further Powers to the *Hull South Bridge Company*, and to facilitate the Completion of the Approaches and Tramway connected with the Bridge.
- cvi. An Act to amend "The *Stockton Gas Act, 1857*," and to authorize the *Stockton Municipal Corporation* to raise more Money for the Purposes of their Gas Supply.
- cvi. An Act to authorize the *Metropolitan and Saint John's Wood Railway Company* to raise further Capital.
- cvi. An Act for sanctioning the Construction of certain Deviations of the authorized Lines of the *Crofthead and Kilmarnock Extension Railway*, and of the *Glasgow and South-western (Kilmarnock Direct) Railway*; and for other Purposes.
- cix. An Act to repeal an Act passed in the Third Year of the Reign of His Majesty King *William* the Fourth, intitled *An Act for more effectually repairing and improving several Roads in the Counties of Cornwall and Devon leading to the Borough of Saltash in the County of Cornwall, and for making a new Branch and Deviations of Roads to communicate therewith*, and for granting more effectual Powers in lieu thereof.
- cx. An Act to repeal an Act passed in the Eleventh Year of the Reign of His Majesty King *George* the Fourth, intitled *An Act for amending and improving the Road from Tonbridge to Ightham and other Roads communicating therewith in the County of Kent*; and for granting more effectual Powers in lieu thereof.
- cx. An Act for the Division of the Parish and Vicarage of *Newchurch* in the *Isle of Wight* into Three distinct Parishes and Vicarages.
- cxii. An Act to extend the Term and amend the Provisions of the Act relating to the *Abercarn Turnpike Roads*.
- cxiii. An Act to facilitate the Establishment of a Burial Ground by the Town Council of the Borough of *Belfast* for the Use of the Inhabitants of the said Borough; and for other Purposes.
- cxiv. An Act for making a Railway in the West Riding of *Yorkshire* from *Bradford* through *Eccleshill* to *Idle*.

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cxv. An Act for enabling the *Bristol and Exeter* Railway Company to construct Railways and Works and purchase additional Lands in the Parish of *Bridgwater* in the County of *Somerset*, for transferring to the Company the Powers of constructing and working the *Brean Down* Railway; and for other Purposes.

cxvi. An Act for making and maintaining a new Road between *Combmartin* and *Ilfracombe*, both in the County of *Devon*.

cxvii. An Act for authorizing the *Llynvi Valley* Railway Company to make Extension Railways; to acquire additional Lands for their Undertaking; to raise further Monies; and for other Purposes.

cxviii. An Act to extend the Term and amend the Provisions of the Act relating to the Roads leading from *Swindon* to *Christian Malford Bridge*, from *Calne* to *Lynham Green*, and from the Direction Post in *Long Leaze Lane* near *Lydiard Marsh* to *Cricklade* in the County of *Wilts*.

cxix. An Act to alter and amend certain of the Provisions of "The *British Gaslight Company, Limited, (Staffordshire Potteries) Act, 1858.*"

cxx. An Act for the Amalgamation of the *Llynvi Valley* Railway Company and the *Ogmore Valley* Railways Company; and for other Purposes.

cxxi. An Act to amend certain of the Provisions of the *North Walsham and Dilham Canal Act*.

cxxi. An Act for continuing the Term and Provisions of the several Statutes relating to the *Greenwich and Woolwich* Turnpike Lower Road in the County of *Kent*.

cxxi. An Act for the *Harnham, Blandford, and Dorchester* Turnpike Road in the Counties of *Wilts* and *Dorset*.

cxxiv. An Act for the winding up of the Affairs and the Dissolution of the *Cork and Youghal* Railway Company; and for other Purposes.

cxv. An Act for better supplying with Gas the Inhabitants of *Longton*, and of certain Places in the Neighbourhood thereof, in the County of *Stafford*.

cxv. An Act to empower the Mayor, Aldermen, and Burgesses of the Borough of *Liverpool* to construct a Reservoir, Roads, and other Works, to obtain Water from the River *Roddlesworth*; and for other Purposes.

cxvii. An Act to confer additional Powers on the *Great Northern* Railway Company with respect to their Undertaking.

cxviii. An Act to incorporate a Company for the Establishment of Gasworks in the Parish of *Aldrington* in the County of *Sussex*, for more effectually lighting with Gas the Town of *Brighton* and various Parishes and Places in its Vicinity; and for other Purposes.

cxix. An Act for making Railways from *Bridgnorth* in *Shropshire* to *Wolverhampton* and other Districts in *Staffordshire*; and for other Purposes.

cxix. An Act for enabling the President, Vice-Presidents, Treasurer, and Governors of the *Magdalen Hospital* for the Reception of Penitent Prostitutes to sell and grant Leases of the present Site of the Hospital and other Lands belonging to them, to acquire a new Site for the Hospital, and to erect a Hospital thereon; and for other Purposes.

cxix. An Act to amend the Powers of the Commissioners for improving and preserving the

Port, Harbour, and River of *Cork* with respect to Rates and Dues; and for other Purposes.

cxix. An Act to empower the *Whitehaven and Furness Junction* Railway Company and the *Whitehaven, Cleator, and Egremont* Railway Company to make a Railway from *Egremont* to *Sellafield* in the County of *Cumberland*; to raise further Capital; and for other Purposes.

cxix. An Act to enable the *Dundee Water* Company to execute additional Works, and to raise a further Sum of Money; and for other Purposes.

cxix. An Act for conferring further Powers on the *South Staffordshire* Railway Company with respect to their Capital; and for other Purposes.

cxix. An Act to give Effect to an Arrangement between the *Amicable Society* for a Perpetual Assurance Office and the *Norwich Union Life Insurance Society*; and for other Purposes.

cxix. An Act for regulating the Powers of the *Eastern Bengal* Railway Company; and for other Purposes.

cxix. An Act for supplying the Town of *Wigton* and other Places in the County of *Cumberland* with Water; and for other Purposes.

cxix. An Act to extend the Time limited for the purchasing of Lands for and for completing the *Worcester, Bromyard, and Leominster* Railway; and for other Purposes.

cxix. An Act for the Construction of Railways whereby *Liverpool* will be connected with *Birkenhead*.

cxix. An Act to grant a further Term in certain Roads leading to and from *Bodmin*, and other Roads in the Neighbourhood thereof, all in the County of *Cornwall*; to alter and improve One of those Roads, and grant further Powers for the Management of the Trust; to alter the Rights of Creditors; to repeal the existing Act; and for other Purposes.

cxix. An Act for further extending the Time for the Purchase of Lands and the Completion of the *Uxbridge and Rickmansworth* Railway.

cxix. An Act to enable the *East and West Junction* Railway Company to raise further Money, and to create Preference Shares; and for other Purposes.

cxix. An Act to extend and alter the Boundaries of the Municipal Borough and District of *Middlesbrough* in the North Riding of the County of *York*; to extend the Time for the Completion of the Market Place; to construct additional Gasworks and light adjoining Townships; to authorize the compulsory Purchase of the Rights of the *North-eastern* Railway Company in the *Port Clarence* Landing Place, and the Construction of a Landing Place at *Newport*, and the Purchase of Lands for the same; to extend the Powers of the Burial Board, provide a public Park, an additional Burial Ground, and a Town Hall and Police Station; to improve certain Streets and Roads, and divert a public Footpath; to raise further Monies; to alter and amend the existing Acts relating to the Borough and District; and for other Purposes.

cxix. An Act to enable the *Great Southern and Western* Railway Company to make a Railway at *Cork* to connect their Railway with the *Cork and Youghal* Railway, and to raise Money for the Purchase and for the Purposes of the *Cork*

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- and *Youghal* Railway; and for other Purposes.
- cxlv. An Act for the Incorporation of the *Roach* River Oyster Fishery Company, and for authorizing them to establish and maintain an Oyster Fishery in the River *Roach* in the County of *Essex*; and for other Purposes.
- cxlvi. An Act to enable the *Glasgow and South-western* Railway Company to make and maintain certain Railways in the County of *Ayr*; and for other Purposes.
- cxlvii. An Act for conferring further Powers on the *Launceston and South Devon* Railway Company in relation to their Capital; and for other Purposes.
- cxlviii. An Act for making a Railway, Wharf, and Depôt in the City and County of *Bristol* to connect the existing Railways with the Floating Harbour; and for granting certain Powers to the *Great Western and Bristol and Exeter* Railway Companies, and to the Mayor, Aldermen, and Burgesses of the City of *Bristol*, with reference thereto.
- cxlix. An Act for better supplying with Water *Cefn* and Places adjacent in the County of *Denbigh*.
- cl. An Act to enable the Metropolitan Board of Works to make improvements in the Parish of *Saint Mary Abbots, Kensington*, in the County of *Middlesex*, by widening *High Street* and *King Street*, and forming new Lines of Streets connected therewith; and for other Purposes.
- cli. An Act for authorizing the Corporation of the Borough of *Leeds* to make certain Cuts and Drains for the Improvement of the Borough; and for other Purposes.
- clii. An Act for enabling the *Rockdale* Waterworks Company to furnish a better Supply of Water, and to execute further Works, and to raise further Monies; and for other Purposes.
- cliii. An Act to confer further Powers on the *South Devon* Railway Company for the Acquisition of Land and Construction of Works, and otherwise, in relation to their own Undertaking and the Undertakings of other Companies; and for other Purposes.
- cliv. An Act to authorize the *Berks and Hants Extension* Railway Company to extend their Railway to the *Wilts, Somerset, and Weymouth* Railway at *Westbury*.
- clv. An Act for lighting with Gas the Parish of *Llanelly*, and certain Parts of the Parishes of *Llangattock* and *Llangynider* in the County of *Brecon*, and the Parish of *Aberystwith* in the County of *Monmouth*.
- clvi. An Act to consolidate and amend the Acts relating to the Port and Harbours of *Greenock*; to authorize the Construction of a new Harbour and Graving Dock and other Works; and for other Purposes.
- clvii. An Act for amending the Acts for the Improvement of the Borough of *Leeds*, and for conferring further Powers on the Corporation of *Leeds* for the Improvement of the Borough; and for other Purposes.
- clviii. An Act for conferring additional Powers on the *Manchester, Sheffield, and Lincolnshire* Railway Company with respect to the widening of Part of their Main Line of Railway; and for other Purposes.
- clix. An Act for making a Railway from *Macclesfield* to *Knutsford* and *Warrington*; and for other Purposes.
- clx. An Act to confer additional Powers on the *Metropolitan* Railway Company; to enable such Company to alter and improve Portions of their authorized Works, and to acquire additional Lands; to authorize Agreements with other Parties; to extend the Time for completing certain Works; to amend the Acts relating to the Company; and for other Purposes.
- clxi. An Act for altering in some Particulars the authorized Mode of Construction of the *Sunningdale and Cambridge Town* Railway and its Extensions; and for other Purposes.
- clxii. An Act to transfer the *West Riding and Grimsby* Railway to the *Great Northern and Manchester, Sheffield and Lincolnshire* Railway Companies jointly; and for other Purposes with respect to the said Undertaking and Companies.
- clxiii. An Act to authorize the *Hatfield Chase* Warping and Improvement Company to make Railways in connection with their Works.
- clxiv. An Act for enabling the *London, Worcester, and South Wales* Railway Company to make Deviations and Alterations in their authorized Railway.
- clxv. An Act to enable the *Severn Junction* Railway Company to construct Branch Railways to the *South Wales* Railway and the *Forest of Dean Central* Railway; and for other Purposes.
- clxvi. An Act to authorize the *Great Northern* Railway Company to abandon the Construction of a short Line of Railway and other Works at *Barnet*.
- clxvii. An Act for authorizing the *Leven and East of Fife* Railway Company to make and maintain certain Branches in the Parishes of *Markinch* and *Wemyss* in the County of *Fife*; and for other Purposes.
- clxviii. An Act for enabling the *London and North-western* Railway Company to construct new Railways; and for other Purposes.
- clxix. An Act for the Improvement of *Stourbridge* in the County of *Worcester*, and for the Regulation of Markets there; and for other Purposes.
- clxx. An Act to continue the *Kingsbridge and Dartmouth* Turnpike Roads Trust in the County of *Devon*; and for other Purposes.
- clxxi. An Act to authorize the *North British* Railway Company to make a Railway between the Two several Points in their Main Line in the Parish of *South Leith*; and for other Purposes.
- clxxii. An Act to amalgamate the *Leadburn, Linton, and Dolphinton* Railway Company with the *North British* Railway Company.
- clxxiii. An Act to authorize the *North British* Railway Company to make several Railways in the Counties of *Lanark, Dumbarton, and Stirling* in connexion with the late *Edinburgh and Glasgow* and *Monklands* Railways; and for other Purposes.
- clxxiv. An Act for making a Railway from *Longton* through *Adderley Green* to *Bucknall*, with Branches, all in the County of *Stafford*; and for other Purposes.
- clxxv. An Act for authorizing the *Tottenham and Hampstead Junction* Railway Company to raise further Monies, and for making Provision with respect to a Lease, Sale, or Amalgamation of the Undertaking of the Company; and for other Purposes.

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- clxxvi. An Act for conferring additional Powers on the *Furness Railway Company* for the Construction of Works and otherwise in relation to their Undertaking ; and for other Purposes.
- clxxvii. An Act for making and maintaining a Subway from *Deptford* under the River *Thames* to the *Isle of Dogs* ; and for other Purposes.
- clxxviii. An Act to enable the *Metropolitan District Railway Company* to acquire additional Lands ; and for other Purposes relating to the Undertaking of the same Company.
- clxxix. An Act to extend the Period now limited for the Construction and Completion of the *Dublin and Antrim Junction Railway*, and to enable the *Dublin and Antrim Junction Railway Company* to create Preference Shares, and to enable the said Company to let their Undertaking to the *Belfast and Northern Counties* or the *Ulster Railway Companies* ; and for other Purposes.
- clxxx. An Act for conferring further Powers on the *East London Railway Company* for the Construction of Branch Railways and Works and the Acquisition of Lands ; and for other Purposes.
- clxxxi. An Act for making a Diversion of Part of the *Sutherland Railway* ; for relinquishing a Portion of the said Railway ; and for other Purposes.
- clxxxii. An Act to revive and extend the Time granted to the *Midland Counties and Shannon Junction Railway Company* for the Purchase of Lands and Execution of Works ; and for other Purposes relating to the said Company.
- clxxxiii. An Act to enable the *Beddgelert Railway Company* to extend their Railway to *Llyn-Gwynant* ; to make a Deviation in their authorized Railway ; and for other Purposes.
- clxxxiv. An Act for extending the Limits of the District within which the *Brighton and Hove General Gas Company* may supply Gas ; and for empowering the Company to raise additional Capital ; and for other Purposes.
- clxxxv. An Act for re-incorporating the *Economic Telegraph Company (Limited)*, and for extending to them the Powers of "The Telegraph Act, 1863."
- clxxxvi. An Act for the Extension of the *Hoylake Railway to Parkgate* ; and for other Purposes.
- clxxxvii. An Act for amalgamating the Undertaking of the *Hull and Hornsea Railway Company* with that of the *North-eastern Railway Company* ; and for other Purposes.
- clxxxviii. An Act for supplying with Water the Town of *Kilmarnock*, Suburbs thereof ; and Places adjacent.
- clxxxix. An Act for vesting the Undertaking of the *Cockermouth and Workington Railway Company* in the *London and North-western Railway Company* ; and for other Purposes.
- cx. An Act for vesting the Undertaking of the *Whitehaven Junction Railway Company* in the *London and North-western Railway Company* ; and for conferring upon the last-named Company Running Powers over a Portion of the *Whitehaven and Furness Junction Railway* ; and for other Purposes.
- cxci. An Act for constituting the *Great Northern and Midland Railway Companies* joint Owners of the Railway authorized by the *Manchester, Sheffield, and Lincolnshire Railway (Extension to Liverpool) Act, 1865* ; and for other Purposes.
- cxcii. An Act for empowering the *Manchester, Sheffield, and Lincolnshire Railway Company*, the *Great Northern Railway Company*, and the *Midland Railway Company* to make new Lines of Railway in connexion with the Railways authorized by the *Manchester, Sheffield, and Lincolnshire Railway (Extension to Liverpool) Act, 1865*, and to abandon and divert a Portion of the Line of Railway authorized by that Act, and to stop up and divert a Part of the Duke of *Bridgewater's Canal*.
- cxciii. An Act for extending the Limits of "The *Sheffield Gas Act, 1855*," and for authorizing "The *Sheffield United Gaslight Company*" to extend their Works and increase their Capital ; and for other Purposes.
- cxciv. An Act for making a Railway from the *Tendring Hundred Railway at Thorpe-le-Soken* to *Great Clacton*, and a Pier there, all in the County of *Essex* ; and for other Purposes.
- cxcv. An Act for making a Railway in the North Riding of the County of *York*, to be called, "The *Whitby, Redcar, and Middlesbrough Union Railway* ;" and for other Purposes.
- cxcvi. An Act for making a Railway from near *Beckford* to *Winchcomb* ; and for other Purposes.
- cxcvii. An Act to enable the *Cannock Chase and Wolverhampton Railway Company* to extend their Railway to *Hednesford* and to the *South Staffordshire Railway* in the County of *Stafford* ; and for other Purposes.
- cxcviii. An Act for making a Railway from the *Great Eastern Railway to Watton* in the County of *Norfolk*, to be called "The *Thetford and Watton Railway*."
- cxcix. An Act to determine the Powers of the *United General Gaslight Company* for the lighting *Dublin* and its Neighbourhood with Gas ; and for other Purposes connected with the same Company.
- cc. An Act for leasing the *Esk Valley Railway* to the *North British Railway Company* ; and for other Purposes.
- ccci. An Act to amalgamate the *Shrewsbury and North Wales and Shrewsbury and Potteries Junction Railway Companies*.
- ccii. An Act for conferring additional Powers on the *Glasgow and South-western Railway Company* for the Construction of Railways and Works, and otherwise in relation to their Undertaking ; and for other Purposes.
- cciii. An Act for re-constituting the *Aldershot Gas and Water Company*, and for enabling the Company the better to supply the Parish of *Aldershot* in the County of *Southampton* ; and for other Purposes.
- cciv. An Act to enable the *Salisbury and Yeovil Railway Company* to make a Railway to connect the *Salisbury and Yeovil Railway* with the *Somerset and Dorset Railway*, and to acquire additional Lands in the Parish of *Templecombe* ; and for other Purposes.
- ccv. An Act for incorporating "The *Alliance and Dublin Consumers Gas Company*," formed by the Amalgamation of "The *Alliance and Dublin Consumers Gas Company*" and "The *Commercial Gas Company of Ireland, Limited* ;" and for authorizing the Acquisition by the Company of Gasworks and Property of "The *United General Gas Company* ;" and for defining the Limits within which the Company may supply Gas ; and for other Purposes.

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- ccvi. An Act to authorize the *Edgware, Highgate, and London* Railway Company to extend their Railway to the Town of *Barnet* in *Hertfordshire*.
- ccvii. An Act for making a Railway from *Manchester* to *Stockport*.
- ccviii. An Act for the Construction of a Wet Dock and Railways at the Harbour of *Ayr*; and for other Purposes.
- ccix. An Act for making a Railway from the *Merthyr, Tredegar, and Abergavenny* Railway near the *Brynmawr* Station thereof to *Blaenavon*; and for other Purposes.
- ccx. An Act to enable the *Mid-Wales* Railway Company to raise further Sums of Money; and for other Purposes.
- ccxi. An Act to authorize the *Shrewsbury and Potteries Junction* Railway Company to deviate from and alter Parts of their authorized Works, and to make new Branch and Junction Railways and Diversions of Roads in connexion with their authorized Works; and to amend "The *Shrewsbury and Potteries Junction* Railway Act, 1865;" and to authorize the Admission of the said Company to participate in the Ownership of the *Wellington and Drayton* Railway; and for other Purposes.
- ccxii. An Act authorizing a Lease of the *Swansea Vale and Neath and Brecon Junction* Railway to the *Neath and Brecon* Railway Company.
- ccxiii. An Act to enable the *Wivenhoe and Brightlingsea* Railway Company to raise additional Capital; and for other Purposes.
- ccxiv. An Act to authorize the *East Gloucestershire* Railway Company to make Works and Deviations; and for other Purposes relating to the same Railway.
- ccxv. An Act to confer further Powers upon the *Hemel Hempsted and London and North-western* Railway Company; and for other Purposes.
- ccxvi. An Act for authorizing the *London and South-western* Railway Company to make and maintain the *Brentford Curve* and the *Kew Bridge Curve* and other Works; and for authorizing Arrangements between them and other Companies; and for authorizing a Lease or Transfer to them of the *Okchampton* Railway; and for the Increase of their Capital; and for other Purposes.
- ccxvii. An Act for authorizing the *London and South-western* Railway Company to construct Railways from their *Southampton and Dorchester* Railway to the *Poole and Bournemouth* Railway; and for other Purposes.
- ccxviii. An Act for granting certain Powers to the *Neath New Gas* Company.
- ccxix. An Act to authorize the *North British* Railway Company to make certain Railways in connexion with their System in the Counties of *Lanark, Linlithgow, and Stirling*, and a Deviation in the *Forth and Clyde* Canal; and for other Purposes.
- ccxx. An Act to enable the *Shrewsbury and North Wales* Railway Company to make a certain Railway, and also certain Deviations and Alterations in their authorized Line of Railway; and for other Purposes.
- ccxxi. An Act to authorize the *Stourbridge* Railway Company to construct a new Railway at *Stourbridge*; to raise additional Capital; and for other Purposes.
- ccxxii. An Act for authorizing the Mayor, Aldermen, and Burgesses of the Borough of *Bradford* in the County of *York* to acquire and to regulate the Markets and Fairs in the Borough, and to provide Places for holding the Markets and Fairs, and to take Tolls for the same; and for extending the Periods for the Completion of their Waterworks; and for authorizing them to acquire Lands and to raise further Monies; and for regulating their Borrowing Powers and Debt; and for other Purposes.
- ccxxiii. An Act for enabling the *Midland* Railway Company to construct Railways from *Settle* to *Hawes, Appleby, and Carlisle*; and for other Purposes.
- ccxxiv. An Act for making a Railway from *Bideford* to *Appledore*, with a Branch to *Westward Ho'*, in the County of *Devon*; and for other Purposes.
- ccxxv. An Act to enable the *Guardian* Fire and Life Assurance Company to reduce the Amount of their paid-up Subscription Capital; and to alter certain Provisions of their Deed of Settlement; and to amend "The *Guardian* Assurance Company's Act, 1850;" and to give further Powers to the Company and the Directors thereof.
- ccxxvi. An Act to enable the *Shrewsbury* Bridges Company to alter the Levels of a Portion of a Road, and to make certain new Roads, and to make a Bridge in lieu of a Bridge authorized by a former Act; and for other Purposes.
- ccxxvii. An Act for conferring further Powers upon the *South-eastern* Railway Company for the Construction of Works and the Acquisition of Lands, and otherwise in relation to their Undertaking; and for other Purposes.
- ccxxviii. An Act for making Docks on the River *Aze*, and a Road thereto, with a Bridge over that River, all in the County of *Somerset*; and for other Purposes.
- ccxxix. An Act to authorize the Construction of Docks on the West Side of the River *Medway* at *Rochester*, with a Railway to connect the same with the *London, Chatham, and Dover* Railway.
- ccxxx. An Act to enable the *New River* Company to raise a further sum of Money.
- ccxxxi. An Act for making a Railway from the *Great Western* Railway to *Wantage* in *Berkshire*.
- ccxxxii. An Act to enable the Justices of the County of *Lancaster* to erect a new Bridge over the River *Irwell* in the Townships of *Kearsley and Pilkington* in the Hundred of *Salford*, in lieu of an old Bridge there called *Ringley Bridge*; and for other Purposes.
- ccxxxiii. An Act to empower the *Lancashire Union* Railways Company to construct new Railways in the Townships of *Parr, Haydock, and Ashton-in-Makerfield*, in the County of *Lancaster*; and for other Purposes.
- ccxxxiv. An Act to enable the *London, Brighton, and South Coast* Railway Company to make new Railways in substitution for Portions of their *Saint Leonard's* Line, and other Works; and for other Purposes.
- ccxxxv. An Act for facilitating the carrying into effect of the Act for the Amalgamation of the Undertaking of the *Mid-Kent* Railway Company with the Undertaking of the *South-eastern* Railway Company.
- ccxxxvi. An Act for the Amalgamation of the

- Whitchaven and Furness Junction Railway Company with the Furness Railway Company; and for other Purposes.*
- ccxxxvii. An Act to extend for a further Period the Powers of the *Great Northern and Western (of Ireland) Railway Company* for the Construction of their Railways to *Westport* and *Ballina* respectively; and to enable the said Company to raise further Sums of Money; and for other Purposes.
- ccxxxviii. An Act to authorize the Construction of "*The West Bromwich and Walsall Railway.*"
- ccxxxix. An Act for authorizing the *East and West Junction Railway Company* in the Construction of their authorized Railway to divert, alter, and stop up certain Roads in the Parish of *Alderminster* and County of *Worcester*.
- ccxl. An Act to authorize the Mayor, Aldermen, and Burgesses of the Borough of *Aberavon*, as the Local Board for the District, to purchase the existing Gasworks of the *Aberavon Gas and Coal Consumers Company (Limited)*, and to supply Gas within the said District.
- ccxli. An Act for supplying with Water the Town of *Bridge of Allan* and Places adjacent.
- ccxlii. An Act to authorize the Construction of Railways between *Presteyn* and *Chun* and the *Craven Arms*; and for other Purposes relating to the Undertaking.
- ccxliii. An Act to enable the *Solway Junction Railway Company* to raise further Capital; and for other Purposes.
- ccxliv. An Act for incorporating the *Walker and Wallsend Union Gas Company*; for enabling them to supply Gas to the Parish of *Wallsend* and Parts of the Parish of *Long Benton* in *Northumberland*; and for other Purposes.
- ccxlv. An Act for defining and extending the Powers of the Trustees of the District and Harbour of *Maryport* in the County of *Cumberland*; and for enabling them to improve the Streets and Buildings within the District, and to sewer and drain the same; to establish Waterworks, Gasworks, and Police; and for other Purposes.
- ccxlii. An Act for enabling the *Caledonian Railway Company* to make Railways to the *Albert Harbour at Greenock*, and to *Gourock* in the County of *Renfrew*, with a Pier at *Gourock*, and to acquire the Undertaking of the *Gourock Harbour Company*; and for other Purposes.
- ccxlvii. An Act for the Conservancy and Improvement of the Port and Haven of *Great Yarmouth* and the Rivers connected therewith; for the levying and extinguishing of Tolls and Duties; and for other Purposes.
- ccxlviii. An Act to enable the *Llantrissant and Taff Vale Junction Railway Company* to make Railways to join the Railway of the *Penarth Harbour, Dock, and Railway Company*, and the *Ely Valley Railway*, and to form an additional Junction with their *Llantrissant Common Branch*; and for other Purposes.
- ccxlix. An Act for conferring additional Powers on the *London and North-western Railway Company* in relation to their own Undertaking and the Undertakings of other Companies; and for other Purposes.
- cccl. An Act to enable the *Mold and Denbigh Junction Railway Company* to make Branch Railways and a Deviation, and to alter their authorized Railway; and for other Purposes.
- cccli. An Act to enable the *North-eastern Railway Company* to construct Branch Railways and other Works in the County of *York*, and at and near the City of *York*; to acquire additional Lands; and for other Purposes.
- ccclii. An Act for authorizing the *Ogmore Valley Railways Company* to make Extension Railways; to raise additional Monies; and for other Purposes.
- cccliii. An Act for the better Drainage of the Valley of the River *Waveney* in the Counties of *Norfolk and Suffolk*; and for other Purposes.
- cccliv. An Act to confirm an Agreement for the Transfer of the *Wycombe Railway* to the *Great Western Railway Company*.
- ccclv. An Act to authorize the *Great Eastern Railway Company* to make certain Railways, and to purchase certain Lands and Buildings for Station Purposes, and to alter the Levels of their *Ramsey Branch* and Part of One of their Metropolitan Branches between *Hanger Lane* and *West Green Road*; and for other Purposes.
- ccclvi. An Act to authorize the Company of Proprietors of the *Forth and Clyde Navigation* to raise further Monies.
- ccclvii. An Act for making Railways, to be called the *Central Ireland Railways*; and for other Purposes.
- ccclviii. An Act to enable the *Swansea Harbour Trustees* to complete and maintain additional Works, and to raise a further Sum of Money for the Purposes of their Undertaking; and for other Purposes.
- ccclix. An Act for authorizing the *Rhymney Railway Company* to make and maintain certain new Lines of Railway in connexion with their Undertaking; and for other Purposes.
- ccclx. An Act for authorizing the *Bedford and Northampton Railway Company* to construct new Lines of Railway; to abandon Portions of their authorized Line; and for other Purposes.
- ccclxi. An Act for the Improvement of the Town and District of *Bray* in the Baronies of *Rathdown* and Counties of *Dublin* and *Wicklow*.
- ccclxii. An Act to authorize the *Bristol and North Somerset Railway Company* to raise additional Capital for the Purposes of their Undertaking.
- ccclxiii. An Act for the Construction of Fish Wharves and Tramways and for the Execution of other Works at *Great Yarmouth*; and for other Purposes.
- ccclxiv. An Act to enable the *Kingsbridge Railway Company* to make Deviations in and to alter the Levels of their authorized Railway; and for other Purposes.
- ccclxv. An Act to amalgamate the *Lynn and Sutton Bridge* and the *Spalding and Bourn Railway Companies*, and for a Lease of the *Norwich and Spalding Railway* to the amalgamated Company; and for other Purposes.
- ccclxvi. An Act to authorize the *North British Railway Company* to make several Railways and purchase Lands in various Counties; to extend the Times for Purchase of Land and Construction of Works with respect to Part of their Railway System across the *Frith of Forth*; to make certain Alterations in their Capital; to authorize Agreements with the Corporation of *Edinburgh* as to a Fruit and Vegetable Market at *Edinburgh*, and with the *Midland Railway*

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- Company as to a Goods Station at *Carlisle*; and for other Purposes.
- celxvii. An Act for authorizing the *Peterborough, Wisbeach, and Sutton* Railway Company to regulate their existing Share Capital.
- celxviii. An Act for authorizing the *Somerset and Dorset* Railway Company to acquire additional Lands, and to raise further Monies; and for other Purposes.
- celxix. An Act for authorizing the *South London Market* Company to raise further Monies; and for other Purposes.
- celxx. An Act for confirming certain Articles of Agreement between the *Buckley* Railway Company and the *Wrexham, Mold, and Connah's Quay* Railway Company.
- celxxi. An Act to empower the *Southern* Railway Company to make Deviation and Branch Railways; and for other Purposes.
- celxxii. An Act to authorize the *Waterford and Limerick* Railway Company to make working and other Agreements with the *Great Southern and Western* Railway Company and the *Great Western* Railway Company, or either of them.
- celxxiii. An Act to regulate the Police and Statute Labour of the City of *Glasgow*; and for other Purposes.
- celxxiv. An Act for facilitating the Traffic of the *Swansea Vale* Railway Company over the Railways of other Companies; and for other Purposes.
- celxxv. An Act to enable the *Wandsworth and Putney* Gaslight and Coke Company to raise further Capital; and for other Purposes.
- celxxvi. An Act to authorize the *Wolverhampton and Walsall* Railway Company to make a Deviation from their authorized Railway, and to construct a short Branch; and for other Purposes with respect to their Undertaking.
- celxxvii. An Act to authorize the Construction of Branch Railways from the *Devon Valley* Railway into the Mineral Districts of *Fife* and *Clackmannan*; and for other Purposes.
- celxxviii. An Act to authorize the *Berwickshire* Railway Company to raise additional Capital; and for other Purposes.
- celxxix. An Act to incorporate a Company for making a Railway from the *South Wales* Railway near to *Saint Clears* Station to *Laugharne* in the County of *Carmarthen*, to be called "*The Laugharne Railway*;" and for other Purposes.
- celxxx. An Act to authorize the *Metropolis Sewage and Essex* Reclamation Company to make a new Conduit in lieu of certain Portions of their authorized Conduits; and for other Purposes.
- celxxxi. An Act for defining the Undertaking and Railways of the *London, Brighton, and South Coast* Railway Company, and for defining and regulating their Capital and Mortgage Debt, and their Powers of raising Monies; and for authorizing them to make and maintain new Lines of Railway; and for other Purposes.
- celxxxii. An Act to authorize the *London, Chatham, and Dover* Railway Company to make a Branch Railway to *Chatham Dockyard*, and to make Arrangements with the Admiralty; and for other Purposes.
- celxxxiii. An Act to authorize the *London, Chatham, and Dover* Railway Company to execute Works in *Kent* and *Surrey*; to authorize the Acquisition of additional Lands in *London, Middlesex, Surrey, and Kent*, and of the Undertakings of the *Sittingbourne and Sheerness* Railway Company; to extend the Time for completing and purchasing Lands for Undertakings in *London, Surrey, and Kent*; to amend the Acts relating to the Company; and for other Purposes.
- celxxxiv. An Act for transferring to the *London and North-western* Railway Company the outstanding Estate or Interest in the *Merthyr, Tredegar, and Abergavenny* Railway.
- celxxxv. An Act to authorize the *North British* Railway Company to make Railways near *Glasgow*; and for other Purposes.
- celxxxvi. An Act to authorize the Company of Proprietors of the *Sheffield* Waterworks to construct further Works, to purchase additional Lands, and to raise additional Capital; and for other Purposes.
- celxxxvii. An Act to authorize the *Great Eastern* Railway Company to make a certain Railway to connect their System with the *Alexandra Palace* in the Parish of *Tottenham* in the County of *Middlesex*; and for other Purposes.
- celxxxviii. An Act to provide for the Sale or Lease to the *Great North of Scotland* Railway Company of the Undertakings of various neighbouring Companies, or the Amalgamation of those Companies with the *Great North of Scotland* Railway Company; to authorize the Abandonment of the Extensions of the *Banff, Macduff, and Turriff Extension* Railway to *Macduff*; to extend the Time for making the Extension of the *Banffshire* Railway to *Buckie*; and for other Purposes.
- celxxxix. An Act to authorize the *Llanelly* Railway and Dock Company to construct a Pier at the *Mumbles*; and for other Purposes.
- cxc. An Act to enable the *Muswell Hill* Estate Company (Limited) to make certain Railways over their Estate, for giving Access thereto from neighbouring Railways, and to enter into Arrangements for the Use thereof; and for other Purposes.
- cxcxi. An Act to authorize the *North British* Railway Company to make certain Railways in connexion with their System in the Counties of *Linlithgow, Stirling, and Edinburgh*; and for other Purposes.
- cxcxii. An Act to authorize the Construction of a Railway between *Wick* and *Thurso* in the County of *Caithness*, to be called "*The Caithness Railway*."
- cxcxiii. An Act for utilizing the Sewage of the Borough of *Liverpool*; and for other Purposes.
- cxcxiv. An Act for transferring to the *Manchester, Sheffield, and Lincolnshire*, the *Great Northern*, and the *Midland* Railway Companies the Powers of the *Liverpool Central Station* Railway Company; and for other Purposes.
- cxcxv. An Act to enable the *North-eastern* Railway Company to construct a Railway from their *Leeds and Selby* Branch at *Austhorpe* to their *Church Fenton* and *Harrogate* Branch at *Wetherby*; and for other Purposes.
- cxcxvi. An Act for conferring on the Trustees and others claiming under the Will of the late Marquess of *Bute* Powers with respect to the reclaiming of Mud Land, and the making and maintaining of a Dock or Basin and a Pier

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- and Railway and other Works at *Cardiff*; and for other Purposes.
- ccxcvii. An Act to separate the *Kidwelly* Branch and Extension from the rest of the Undertaking of the *Carmarthen and Cardigan* Railway Company, and to incorporate a Company for the Purposes of the said Branch and Extension.
- ccxcviii. An Act for enabling the *Midland* Railway Company to construct Branch Railways and other Works; for conferring Powers on them with reference to the Undertakings of other Companies; and for other Purposes.
- ccxcix. An Act for the Construction of Railways between the *Great Western* Railway near *Southall* and the River *Thames* near the *Victoria* Docks, to be called "The *North Metropolitan* Railway;" and for other Purposes.
- ccc. An Act for better supplying the *Weardale* and *Shildon* District and other Places in the County of *Durham* with Water; and for other Purposes.
- ccci. An Act to amend the *East India* Irrigation and Canal Act, 1861, with respect to the Cancellation and Surrender of Shares, and otherwise with respect to the Capital of the Company.
- cccii. An Act to amend the *Madras* Irrigation and Canal Acts in reference to the Cancellation and Surrender of Shares and the raising of Capital.
- ccci. An Act for making a Railway and Central Station and erecting Slaughter-houses at *Ryde* in the *Isle of Wight*; and for other Purposes.
- ccciv. An Act for making a Railway from the *Taff Vale* Railway at *Aberdare* to the *Neath and Brecon* Railway at *Capel Coelbren*, and a Branch to the *Vale of Neath* Railway; and for other Purposes.
- cccv. An Act for authorizing the Construction of a Railway in the County of *Kent*, to be called "The *New Romney* Railway."
- cccvi. An Act for extending the Powers of the *Brecon and Llandovery Junction* Railway Company.
- cccvii. An Act for conferring further Powers on the *Great Western* Railway Company in relation to their own Undertaking and the Undertakings of other Companies; and for other Purposes.
- cccviii. An Act for the Transfer to a Public Trust of the Waterworks and Property of the Board of Police of the Town of *Greenock* and of the *Shaws Water* Joint Stock Company; and for other Purposes.
- cccix. An Act for better supplying with Water the Town of *Greenock* and Suburbs thereof, and Districts and Places adjacent, by the Execution of additional Works; and for other Purposes.
- ccc. An Act to authorize the *Northampton and Banbury Junction* Railway Company to extend their Railway from *Blockley* to *Ross*; and for other Purposes.
- cccx. An Act for authorizing Arrangements between the *North-western* and *Charing Cross* Railway Company and the *London and North-western* Railway Company and the *South-eastern* Railway Company; and for other Purposes.
- cccxii. An Act to authorize the Mixed Gauge or the Broad Gauge only upon the *Tamar*, *Kit Hill*, and *Callington* Railway, and Arrangements between the *Tamar*, *Kit Hill*, and *Callington* Railway Company and the *Saltash and Callington* and other Railway Companies; and for other Purposes.
- cccxiii. An Act to enable the *Vale of Crickhowell* Railway Company to extend their Railway to the Town of *Brecon*; and for other Purposes.
- cccxiv. An Act for the Construction of a Railway in connexion with the *East London* Railway, to be called "The *East London Eastern Extension* Railway;" and for other Purposes.
- cccxv. An Act for enabling the *Midland* Railway Company to construct Railways for improving the Communication between *Ashby-de-la-Zouch* and *Nuneaton* and other Places; and for other Purposes.
- cccxvi. An Act for making a Railway from *Cantebury* to *Hythe* in the County of *Kent*, with Branches to join the *London*, *Chatham*, and *Dover* and *South-eastern* Railways.
- cccxvii. An Act to enable the *Halesowen and Bromsgrove Branch* Railways Company to make certain Branch Lines of Railway in the County of *Worcester*; and for other Purposes.
- cccxviii. An Act for making Railways from the *South-eastern* and *London*, *Chatham*, and *Dover* Railways to various Districts and Places in *Kent*, *Surry*, and *Sussex*, and to the Towns of *Lewes* and *Brighton*; and for other Purposes.
- cccxix. An Act for the Purification of the River *Thames* by the Diversion therefrom of the Sewage of *Oxford*, *Abingdon*, *Reading*, *Kington*, *Richmond*, *Twickenham*, *Isleworth*, and *Brentford*; and for the Collection and Utilization of that Sewage; and for other Purposes.
- cccx. An Act to enable the *Anglesey Central* Railway Company to transfer their Undertaking; and for other Purposes.
- cccx. An Act to authorize the Construction of a Railway from the *Dublin*, *Wicklow*, and *Wexford* Railway near *Bray* to the Town of *Enniskerry*; and for other Purposes.
- cccxii. An Act to amend an Act of the Seventeenth Year of the Reign of Her present Majesty, Cap. 20, and to enable the Justices of the Division of *Manchester* in the County of *Lancaster* to provide Courts and other necessary Buildings, and to increase the Rate authorized to be levied by the said Act of the Seventeenth Year of Her present Majesty, and to increase the Remuneration of the Stipendiary Justice for the said Division; and for other Purposes.
- cccxiii. An Act to authorize the *Millwall* Canal Company to raise more Money.
- cccxiv. An Act for improving the Harbour and making a Dock and other Works at *Burntisland*; and for other Purposes.
- cccxv. An Act for enabling the *Caledonian* Railway Company to alter the Terminus of their Railway at *Edinburgh*, to enlarge and improve their Station there, and to erect a Hotel in connexion therewith; and for other Purposes.
- cccxvi. An Act to authorize the *Devon Valley* Railway Company to raise additional Share Capital, and to confirm an Agreement and make Provision for an Amalgamation with the *North British* Railway Company; and for other Purposes.
- cccxvii. An Act to consolidate and amend the Acts relating to the Bridges over the River *Clyde* at *Glasgow*; to provide for the Union of

- the Trusts and the rebuilding of the *Hutchinsontown Bridge*; and for other Purposes.
- cccxxviii. An Act to authorize the Commissioners of the *Glasgow Corporation Water-works* to construct Reservoirs and other Works, and to take Water from the River *Clyde*; to provide for the Removal of the Weir across the said River; and for other Purposes.
- cccxxix. An Act for making a Railway from the *North British Railway to Newport*; and for other Purposes.
- cccxxx. An Act to enable the *Pembroke and Tenby Railway Company* to extend their Railway to *Caermarthen* and to *Milford Haven*; to lease their Undertaking; and for other Purposes.
- cccxxxi. An Act to provide for the Re-erection of the Workhouse and Offices of *Saint Martin-in-the-Fields* in the City of *Westminster* upon new Sites.
- cccxxxii. An Act for authorizing the Extension of Time for the compulsory Purchase of Lands and Completion of Works by the *Putney and Fulham Bridge Company*; and for other Purposes.
- cccxxxiii. An Act for enabling the *Barry Railway Company* to connect their Railway with the Railway of the *Penarth Harbour, Dock, and Railway Company*; and for other Purposes.
- cccxxxiv. An Act for empowering the *Cambrian Railways Company* to deviate a Portion of their authorized Railway; to construct other Works in connexion with their Undertaking; and for other Purposes.
- cccxxxv. An Act for making a Railway from *Ellesmere* to *Llansaintffraid Glyn Ceiriog*; and for other Purposes.
- cccxxxvi. An Act for making a Railway from the *Acton and Brentford Railway to Hounslow*; and for other Purposes.
- cccxxxvii. An Act for making and maintaining a Harbour in *Ardmore Bay* in the *Firth of Clyde*.
- cccxxxviii. An Act to authorize the Construction of a new Road from *Eaton Square* to *Brompton Road*, and Improvements connected therewith.
- cccxxxix. An Act for enabling the *Limerick and Castle Connell Railway Company* to extend their Railway to the River *Shannon*; and for other Purposes.
- cccxl. An Act to enable the *South Essex Railway Company* to make a Railway to the *London, Tilbury, and Southend Railway at Pitsea*.
- cccxli. An Act for making a Railway from the *North British Railway to Boness and Grange-mouth*; and for other Purposes.
- cccxlii. An Act for enabling the *Caledonian Railway Company* to make certain Branch Railways in the Counties of *Lanark* and *Midlothian*; and for other Purposes.
- cccxliii. An Act for making Railways from the *Great Western Railway* at or near *West Drayton* in the County of *Middlesex* to *Colnbrook*, and to the *Windsor Branch of the London and South-western Railway at Staines*, in the County of *Middlesex*; and for other Purposes.
- cccxliv. An Act for making a Railway in *Lincolnshire* from *Louth* to the *Five Mile House Station of the Great Northern Railway (Loop Line)*, to be called "*The Louth and Lincoln Railway*."
- cccxlv. An Act for making a Railway from *Worcester* to *Tenbury*, to be called "*The Teme Valley Railway*."
- cccxlvi. An Act to incorporate a Company for the Construction of Works and Reclamation of Lands in and near *Pagham Harbour* in the County of *Sussex*; and for other Purposes.
- cccxlvii. An Act to incorporate a Company for making a Railway from *Delabole* to *Bossiney*, with an Extension to *Bossiney Harbour* and other Works there, and a Branch near *Tre-warmet*, in the County of *Cornwall*; and for other Purposes.
- cccxlviii. An Act for incorporating the *Waterford, New Ross, and Wexford Junction Railway Company*, and for authorizing them to purchase the *Bagenalstown and Wexford Railway*, and to make Branch Railways; and for other Purposes.
- cccxlix. An Act for making a Railway from the *North British (Border Union) Railway* near *Longtown* to *Brampton*; and for other Purposes.
- cccl. An Act for authorizing the Amalgamation of the *Scottish North-eastern Railway Company* with the *Caledonian Railway Company*; and for other Purposes.
- cccli. An Act for granting to the *Great Northern Railway Company* Running Powers over a Portion of the *Newton and Compstall Branch Railway of the Manchester, Sheffield, and Lincolnshire Railway Company*; and for authorizing the said Two Companies and the *Midland Railway Company* to execute certain Works, and for authorizing the *Great Northern Railway Company* and the *Midland Railway Company* to become joint Owners with the *Manchester, Sheffield, and Lincolnshire Railway Company* of that Company's *Godley and Woodley Branch Railway*; and for transferring to the said Three Companies certain Powers of the *Chester and West Cheshire Junction Railway Company*; and for other Purposes.
- ccclii. An Act to authorize the *Imperial Gaslight and Coke Company* to raise more Money.
- cccliii. An Act for making a Railway from *Maidstone* to *Ashford*; and for other Purposes.
- cccliv. An Act to authorize the *Newport Pagnell Railway Company* to extend their Railway to the *Northampton and Peterborough Line of the London and North-western Railway Company*, and to the authorized *Bedford and Northampton Railway*; and for other Purposes.
- ccclv. An Act to enable the *North British Railway Company* to make Branch Railways at *Dundee*; and for other Purposes.
- ccclvi. An Act for the Amalgamation of the *Vale of Nenth Railway Company* with the *Great Western Railway Company*; and for other Purposes.
- ccclvii. An Act for making Railways from the *South Wales Line of the Great Western Railway* to the *Coleford, Monmouth, Usk, and Pontypool Railway*, and to the authorized Line of the *South Wales and Great Western Direct Railway*; and for other Purposes.
- ccclviii. An Act for the Extension of the *Wrexham, Mold, and Connah's Quay Railway* to *Buckley*; and for other Purposes.
- ccclix. An Act to enable the *Wrexham, Mold, and Connah's Quay Railway Company* to extend their Railway to *Connah's Quay*; to make a Deviation in their authorized Railway; and for other Purposes.

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ccclx. An Act to renew and extend the Powers of the *Sligo and Ballaghaderreen Junction* Railway Company; and for other Purposes.
 ccclxi. An Act to incorporate the *Brighton West* Pier Company; and to enable them to construct a Pier at *Brighton* in the County of *Sussex*; and for other Purposes.
 ccclxii. An Act to authorize the Construction of a Railway from *Downpatrick* through *Dundrum* to *Newcastle* in the County of *Down*.

ccclxiii. An Act to authorize the *London, Chatham, and Dover* Railway Company to make new Streets and Alterations of Streets for improving the Access to their *Ludgate* Station; to authorize the *Kent Coast* Railway Company to make a new Road at *Ramsgate*; and to confer Powers and impose Obligations on the Corporation of the City of *London* with respect to the new and altered Streets; and for other Purposes.

PRIVATE ACTS,

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AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN EVIDENCE.

1. AN Act to authorize the Sale of the Entailed Estate of *Arden* in the County of *Dumbarton*, and to apply the Prices to be received for the same in the Purchase of other Lands in *Scotland* to be entailed in lieu thereof.
2. An Act for the better Regulation of Doctor *Blythe's* Benefaction to *Clare College, Cambridge*.
3. An Act to authorize a Sale of Part of the Estates of the late *Joseph Taylor* of *Gledhow Mount* in the Parish of *Leeds* in the West Riding of the County of *York*, Esquire.
4. An Act for authorizing the Trustees of the Will of the Reverend *Edward Berkeley Troyte*, Doctor of Laws, deceased, to pull down the existing Family Mansion of *Huntsham Court*, and to build a new Family Mansion on a fresh Site on Part of the Estates subject to the Limitations of the same Will, situate in the Parish of *Huntsham* in the County of *Devon*; and for other Purposes.
5. An Act for authorizing a Lease to the Mayor, Aldermen, and Burgesses of the Borough of *Bradford* in the County of *York* of Part of the Settled Estates devised by the Will of *Benjamin Rawson* Esquire, deceased.
6. An Act for authorizing Leases and Sales of Estates in the West Riding of the County of *York* which are subject to the Limitations of the Will of *Ann Walker* deceased.
7. An Act to confirm an Agreement with respect to the Estate of the late *Agnes Hamilton*, and to provide for the Administration of the Funds left by her for the Payment of Annuities.
8. An Act for the better Regulation of *Market Bosworth School*.
9. An Act for amending "*Charles Shiels' Alms-houses Charity Act, 1864.*"
10. An Act for the Partition or Division of certain Estates in the Counties of *Flint* and *Denbigh* formerly Property of *Dorothea Lloyd* and others.
11. An Act to authorize the Wardens and Commonalty of the Mystery of Grocers of the City of *London*, as Trustees under the Will of Dame *Margaret Slaney* deceased, to consent to the Union of the Benefices of *Allhallows Staining* and *Saint Catherine Coleman* in the City of *London*, and for enabling the Trustees to carry into more complete Effect the Trusts of the Will.

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12. An Act to dissolve the Marriage of *Rowan Francis Cashel*, Doctor of Medicine, with *Emily Harriett* his now Wife, and to enable him to marry again; and for other Purposes.
13. An Act to naturalize *Francis William Lowther*, Esquire, a Lieutenant in Her Majesty's Royal Navy, and to grant to and confer upon him all the Rights, Privileges, and Capabilities of a natural-born Subject of Her Majesty the Queen.
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EXPLANATION OF THE ABBREVIATIONS.

It being a principal object of this Index, that the proceedings on each Motion shall be completely recorded, some abbreviations of forms were necessary. Those who are accustomed to the proceedings of Parliament will readily fill up the voids. Those who are not so familiar, may find the following explanation useful, but will find the whole *formulae* set out at length in the "Contents."

The names which immediately follow the title of a Bill are those of the Peers or hon. Members who have charge of the Bill.

The numbers which are added at stages of Bills are the official numbers of the prints and reprints ordered at each stage, and, with the Statute, will enable the reader to follow all the changes the Bill has undergone.

The entries—Moved, "That the Bill be now read 2^a;" Amendt. "this day six months;" Question put, "That 'now,' &c."—indicate the usual form of raising the issue—namely, "That the word 'now' stand part of the Question."

"*The Ballot*, Amendt. on Committee of Supply" indicates that the Question was raised by means of an Amendment moved on the Motion (after the Order of the Day for the House to go into Committee of Supply had been read), "That Mr. Speaker do now leave the Chair." In this case the issue is formally raised by the Motion "To leave out from the word 'That' to the end of the Question, in order to add" other words. The decision is taken on the Question, "That the words proposed to be left out stand part of the Question."

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In Bills, Read 1°, 2°, 3°, or 1^a, 2^a, 3^a, Read the First, Second, or Third Time.—In Speeches, 1R., 2R., 3R., Speech delivered on the First, Second, or Third Reading.—*Amendt.*, Amendment.—*Res.*, Resolution.—*Comm.*, Committee.—*Re-Comm.*, Re-Committal.—*Rep.*, Report.—*Consid.*, Consideration.—*Adj.*, Adjournment or Adjourned.—*cl.*, Clause.—*add. cl.*, Additional Clause.—*neg.*, Negated.—*M. Q.*, Main Question.—*O. Q.*, Original Question.—*O. M.*, Original Motion.—*P. Q.*, Previous Question.—*R. p.*, Report Progress.—*A.*, Ayes.—*N.*, Noes.—*M.*, Majority.—*1st. Div.*, *2nd. Div.*, First or Second Division.—*l.*, Lords.—*c.*, Commons.

When in this Index a * is added to the Reading of a Bill, it indicates that no Debate took place upon that stage of the measure.

When in the Text or in the Index a Speech is marked thus*, it indicates that the Speech is reprinted from a Pamphlet or some authorized Report.

When in the Index a † is prefixed to a Name or an Office (the Member having accepted or vacated office during the Session) and to Subjects of Debate thereunder, it indicates that the Speeches on those Subjects were delivered in the speaker's private or official character, as the case may be.

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- Select Committee appointed "to inquire into the operation of the Art Union Laws" (Lord Robert Montagu) Mar 20, [182] 649
- And, on April 30, Committee nominated as follows:—Lord Robert Montagu, Sir Michael Hicks-Beach, Mr. Blake, Mr. Schreiber, Mr. Beresford Hope, Sir William Stirling-Maxwell, Mr. Bentinck, General Dunne, Mr. Monsell, Mr. Bazley, Sir Wentworth Dilke, The O'Connor Don, Mr. Francis Leveson Gower, Mr. Graham, and Mr. Torrens
- Report—(Parl P. No. 332, 332-I)

Artizans' and Labourers' Dwellings Bill
(Mr. M^cC. Torrens, Mr. Locke, Mr. Kinnaird)

- c. Motion for Leave (Mr. M^cC. Torrens), [181] 818
- Bill ordered, after debate; read 1^o Feb 20
Read 2^o Mar 12 [Bill 27]
Referred to a Select Committee Mar 12
- And, on March 15, Committee nominated as follows:—Mr. M^cCullagh Torrens, Mr.

[cont.]

Artizans' and Labourers' Dwellings Bill—cont.

Goschen, Mr. Kinnaird, Mr. Locke, Mr. Knatchbull-Hugessen, Sir Colman O'Loughlen, Mr. McLaren, Mr. Akroyd, Mr. John Abel Smith, Mr. Henley, Lord Robert Montagu, Mr. Adderley, [Sir Minto Farquhar, Mr. Graves, and Mr. Greene
Report * June 18 [Bill 194]
Bill withdrawn July 31

ARUNDELL OF WARDOUR, Lord

Parliamentary Oaths Amendment, 2R. [182] 1351, 1352

Ashford, Mary, Execution of

Question, Mr. Kekewich; Answer, Mr. W. Ewart April 17, [182] 1508

Atlantic Cable, Completion of

Question, Mr. Hunt; Answer, Mr. Childers July 27, [184] 1652

ATTORNEY GENERAL, The (Sir Roundell Palmer), *Richmond*

Bankruptcy Law, [181] 1809
Bankruptcy Law Amendment, 2R. [183] 673, 708
Bribery at Elections, Res. [183] 1457
Chancery, Court of, [184] 646
Convicts' Property, Comm. [183] 427
Courts of Justice, Res. [182] 792, 1507
Crown Lands, Comm. cl. 6, Amendt. [183] 426; cl. 7, *ib.*
Devonport Election, [181] 1310, 1314, 1513
Edmunds, Mr., Proceedings against, [183] 708
Elective Franchise, 2R. [183] 1523
International Maritime Law, Motion for an Address, [181] 1462
Ireland—King's County Return, [181] 352
Leeds Bankruptcy Court, [181] 450; [182] 281
Legal Pensions, Leave, [181] 427
Marriage with a Deceased Wife's Sister, 2R. [183] 321
Parliamentary Oaths Amendment, Comm. cl. 1, [182] 301; 3R. 516
Patents, Specification of, [183] 961
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Real Estate Intestacy, 2R. [183] 1989
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Representation of the People, Comm. [183] 1335, 1650
Statutes, Obsolete, [181] 1808
Sunday Lectures on Scientific and Religious subjects, [182] 288
Supply—Public Record Repository, [182] 931; —Patent Office, 940, 950, 957

ATTORNEY GENERAL, The (Sir H. M. Cairns), *Belfast*

Bankruptcy Law Amendment, [184] 820; Comm. Amendt. 917
Courts of Law, The New, [184] 1846
Extradition Treaties Act Amendment, 2R. [184] 2019; Comm. *add. cl.* 2109, 2118
Helson Election, Report, [184] 1542
Insolvent Estates, Winding-up of, [184] 1897
Ireland—The Queen's University, [184] 875, 876, 879, 884
Jamaica—Disturbances in, Res. [184] 1816

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ATTORNEY GENERAL, The—cont.

Judges, Increase of the, [184] 2075
Landed Estates Court (Ireland), 2R. [184] 916; Comm. cl. 2, 1635, 1640; cl. 6, 1641, 1642; *add. cl.* 1643
Railways (Ireland) Temporary Advances, Comm. cl. 6, [184] 1633, 1634
Reformatory Schools, Comm. cl. 14, Amendt. [184] 1691

Attorneys and Solicitors (Ireland), 1866, Bill [H.L.] (*The Lord Chelmsford*)

l. Presented; read 1st Mar 22 (No. 60)
Moved, "That the Bill be now read 2nd" (*Lord Chelmsford*) April 12, [182] 1114
Read 2nd and committed, after short debate
Moved, "That the House do now resolve itself into a Committee" May 14, [183] 852; after debate, agreed to; considered in Committee
Report * May 15
Read 3rd * May 17
Commons Amendments [Bill 265]
c. Read 1st * June 1 [Bill 172]
Read 2nd * June 12
Committee *; Report July 24
Considered as amended * July 31
Read 3rd * August 1
Royal Assent August 6 [29 & 30 Vict. c. 84]

Australia—The Ministerial "Dead Lock" in Victoria

Question, Lord Robert Montagu; Answer, Mr. Cardwell May 24, [183] 1197

Austria, Prussia, and Italy

Alleged Treaty of Alliance between Prussia and Italy, Question, Mr. W. B. Beaumont; Answer, Mr. Layard April 17, [182] 1506
Treaty of Vienna, Question, Sir Harry Verney; Answer, Mr. Layard April 19, [182] 1645
Alleged Raid on Austrian Territory, Question, Mr. Henry Seymour; Answer, Mr. Layard April 26, [182] 2076
Observations, Mr. Darby Griffith; Reply, Mr. White May 4, [183] 473; Question, Earl Cadogan; Answer, The Earl of Clarendon May 8, 569
Immunity of Merchant Ships, Question, Mr. Gregory; Answer, Mr. Layard May 31, [183] 1551
Gastein Convention, The, Question, Mr. Watkin; Answer, Mr. Layard May 31, [183] 1553
Letter of Emperor of the French June 14, [184] 381
Preliminaries of Peace, Question, Lord Ravensworth; Answer, Earl Russell June 25, [184] 650
Cession of Venetia, Question, Mr. Baillie Cochrane; Answer, Mr. Layard July 5, [184] 719
Hanover and Prussia, Question, Mr. Grenfell; Answer, Lord Stanley July 17, [184] 941
Foreign Policy of England, Questions, Mr. Laing, Mr. Horsman; Answer, Lord Stanley; long debate thereon July 20, [184] 1217
Frankfort, Prussian Requisitions on, Question, Mr. Goschen; Answer, Lord Stanley July 26, [184] 1535

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Austria, Prussia, and Italy—cont.

Prolongation of the Armistice, Question, Mr. Oliphant; Answer, Lord Stanley July 27, [184] 1616
Rhine Provinces, The, Question, Sir George Bowyer; Answer, Lord Stanley August 10, [184] 2163
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AYRTON, Mr. A. S., *Tower Hamlets*

Bankruptcy Law Amendment, 2R. [183] 701
Cattle Diseases Leave, [181] 419; 2R. 497; Comm. cl. 13, 519; cl. 14, 551; cl. 21, 567; cl. 31, Amendt. 608; cl. 48, 634; cl. 3, 639; cl. 11, 651; add. cl. 657
Cattle Plague, Comm. cl. 16, [181] 778; cl. 17, 782; cl. 28, 800; Motion for Adjournment, 801; cl. 35, 856; add. cl. Motion for Adjournment, 856; cl. 31, 931; cl. 30, 940, 949, 950; Lords Amendts. [182] 266
Cholera, The, [184] 2101
Colonial Bishops, 2R. [184] 916
Commons (Metropolis), 2R. Motion for Adjournment, [183] 1281, 1282, 1288
Contagious Diseases, 2R. [182] 815; Comm. cl. 15, Amendt. 2177
Courts of Justice, The New, [183] 1182
Crown Lands, Comm. [183] 423; cl. 26, 426; 3R. Amendt. 921
Crown Lands Acts, Comm. Res. 4, [182] 962, 963, 964, 965
East India communications, Motion for a Committee, [181] 1233
East India Revenue Accounts, Comm. [184] 1130
Elections (Returning Officers), 2R. [183] 1289
Exchequer and Audit Departments, Comm. cl. 1, [182] 1863; cl. 15, 2009
Extradition Treaties Act Amendment, Comm. add. cl. [184] 2122
Finsbury Estate, Leave, [182] 1070; 2R. [183] 2135; Comm. [184] 1464
Gas Light and Coke Company, Consid. [184] 227
Heston Election, Report, [184] 1542
Imperial Gas Company, 2R. [183] 582
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Ireland—King's County Return, [181] 345, 355;—Cholera in Cork Harbour, [183] 360
Jamaica—Disturbances in, Res. [184] 1837
Labouring Classes' Dwellings, 2R. [182] 118; Comm. cl. 4, 809, 810; Amendt. 812; cl. 8, 814
London (City) Corporation Gas, 2R. [181] 1611, 1613
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London Gas, 3R. Amendt. [183] 1434
"London," Loss of the, [182] 551
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Marine Mutiny, Comm. cl. 39, [181] 1785
Metropolitan Board of Works, Motion for a Commission, [183] 1959
Metropolitan Local Government, Motion for a Committee, [181] 1203, 1211, 1216
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Navy Estimates—Dockyard Salaries, [181] 1876;—Half Pay, [182] 560, 563
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Neutrality Law, Inadequacy of our, [181] 1007
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Public Health, Comm. [184] 1378; cl. 5, 1383; cl. 20, 1646; cl. 23, 1648, 1649, 1651, 1652, 1680; cl. 28, 1682; cl. 30, 1683, 1684; Consid. add. cl. 1905; cl. 16, Amendt. 1906; cl. 19, Amendt. 1906, 1907; cl. 25, Amendt. 1907; cl. 39, 1907; cl. 47, Amendt. 1908
Public Libraries Act Amendment, Comm. add. cl. [184] 1454
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Thames Navigation, 2R. [182] 1613; Comm. [184] 725; Amendt. 757, 764; cl. 3, Motion for Adjournment, 765, 767, 768, 769; cl. 6, 933, 934; cl. 53, 935; cl. 63, 1137, 1138; cl. 68, Amendt. 1140; cl. 77, *ib*; cl. 83, 1141; cl. 84, *ib*; cl. 85, *ib*; cl. 89, Amendt. 1142
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AYTOUN, Mr. R. S., *Kirkcaldy*

Ireland—Queen's University, [182] 1506
Scotland—Postal Arrangements in Fifeshire, Res. [183] 775
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BAGGALLAY, Mr. R., *Hereford*

Poor Persons' Burial (Ireland), Comm. [182] 1578

BAGGE, Mr. W., *Norfolk, W.*

Representation of the People, Comm. cl. 4, Motion for Adjournment, [184] 203

BAGNALL, Mr. C., *Whitby*

Holderness Embankment, &c. 2R. [183] 1974
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[181] 816
Railway Travelling (Ireland), 2R. [182] 252
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2R. Motion for Adjournment, [183] 1123

BAILLIE, Mr. H. J., *Inverness-shire*

Army Estimates—Manufacturing Departments,
[184] 1341
Army—Rifled Ordnance, [182] 16 ;—12-ton
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Continental Affairs, State of, [183] 483
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Ireland—Escape of Stephens, Motion for
Papers, [182] 774 ;—Chief Justice Lefroy,
[183] 356
Navy Estimates—Men and Boys, [181] 1167
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[183] 527
Scotland—Poor Law Board, Edinburgh, [182]
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Supply—Public Buildings, [182] 902 ;—Uni-
versity of London, [183] 185

BAINES, Mr. E., *Leeds*

Cattle Plague, Comm. add. cl. [181] 854 ;
cl. 30, 951
Compulsory Church Rate Abolition, Leave,
[183] 633
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2R. [183] 56

Ballard, Emily Jane—*Case of*

Question, Mr. Sherriff; Answer Sir George
Grey Mar 23, [182] 845 ; Question, Mr.
Sherriff; Answer, Sir George Grey May 2,
[183] 283

Ballot, *The*

Question, Mr. Monk; Answer, Mr. H. Berkeley
May 11, [183] 770
Moved, That, having regard to the failure of
all direct legislation against corrupt practices
at Parliamentary Elections, it is expedient to
make experiment of the system of taking the
votes at such Elections anonymously, ac-

[cont.]

Ballot, *The*—cont.

cording to the Laws now in force in other
parts of Her Majesty's Dominions” (Mr. H.
Berkeley) July 17, [184] 971; after long
debate, A. 110, N. 197; M. 87

Banbury Election

House informed, that the Committee had de-
termined, That Bernhard Samuelson, es-
quire, is duly elected a Burgess to serve in
this present Parliament for the Borough of
Banbury. And the said determination was
ordered to be entered in the Journals of this
House. House further informed, That the
Committee had agreed to the following Re-
solution:—That Bernhard Samuelson, es-
quire, was not disqualified to be elected and
returned to sit in Parliament by reason of
his being an alien April 30, [183] 159

BANDON, Earl of

Ireland—Daunt's Rock, [182] 1986
Tenure (Ireland), 2R. [183] 753

BANGOR, Viscount

Post Office Clerks, [183] 765

Bank Charter Act

Question, Mr. Samuelson; Answer, The Chan-
cellor of the Exchequer Feb 18, [181] 448

Bank Notes (Ireland) Bill

(Sir C. O'Loughlen, Mr. O'Beirne)

c. Resolution in Committee; Bill ordered, after
short debate; read 1^o Feb 20, [181] 848
[Bill 29]

Moved, “That the Bill be now read 2^o” (Sir
C. O'Loughlen) April 18, [182] 1599; after
debate, Motion withdrawn; Bill withdrawn

**Bank of England rate of Interest—Issue
of Notes—Monetary Crisis**

Panic in the City, Question, Mr. Disraeli;
Answer, The Chancellor of the Exchequer
May 11, [183] 772

Bank Charter Act, Suspension of the, Question,
Mr. Bazley; Answer, The Chancellor of the
Exchequer May 11, [183] 840

Bank Advances, Question, Captain Gridley;
Answer, The Chancellor of the Exchequer
May 17, [183] 1050

Bank of England Issues, Question, Mr. Wyld;
Answer, The Chancellor of the Exchequer
May 18, [183] 1148

Bank Rate of Interest, Question, Mr. Akroyd;
Answer, The Chancellor of the Exchequer
May 29, [183] 1439; Question, Mr. Grant;
Answer, The Chancellor of the Exchequer
June 15, [184] 467; Observations, Mr.
Watkin July 2, 712; Question, Mr. Watkin;
Answer, The Chancellor of the Exchequer
July 5, 717; Question, Mr. Alderman Salo-
mons; Answer, The Chancellor of the Ex-
chequer August 6, 2097

Bank Failures, Question, Mr. Hodgkinson;
Answer, Mr. Milner Gibson June 15, [184] 467

*Pressure in the Money Market—Currency and
Banking*, Motion for a Royal Commission
(Mr. Watkin) postponed July 20, [184] 1258

Letter, Over-issues, *Parl. P.* . . [3632]
Issues 1860 to 1866 . . . 105, 510

Bankruptcy Law

Question, Mr. Thomas Chambers; Answer, The Attorney General *Mar 9*, [181] 1809

Bankruptcy Law Amendment, &c. Bill

(*Mr. Attorney General, Mr. Solicitor General, Sir G. Grey*)

c. Ordered; read 1^o * *April 16* [Bill 106]
 Moved, "That the Bill be now read 2^o " (*Mr. Attorney General May 10*, [183] 673; after long debate, Read 2^o
 Question, Mr. Crawford; Answer, The Attorney General *July 16*, [184] 820
 Committee deferred till Monday, 30th July, *July 16*, 917
 Committee*; Report *July 30* [Bill 254]
 Bill re-committed for this day month

BARCLAY, Mr. A. C., Taunton

Sugar Duties, The, [184] 476

BARING, Hon. T. G. (*Secretary to the Home Department, afterwards † Secretary to the Admiralty), *Penryn & Falmouth*

* Address in Answer to the Speech, [181] 153
 * Cattle Diseases, Comm. *cl. 13*, [181] 542; *cl. 14*, [181] 550; *cl. 31*, Amendt. 624, 625, 626; *cl. 33*, Amendt. 627, 628; *cl. 40*, Amendt. 629, 630; *cl. 41*, 631; *cl. 48*, 633; Amendt. 634; *cl. 50*, 635, 636; *cl. 3*, Amendt. 637; *cl. 6*, Amendt. 643; *cl. 10*, Amendt. 645, 646, 648, 649; *cl. 11*, 650, 651, 652, 653; *add. cl. 655*, 656, 657; Consid. *cl. 21*, 729; *cl. 41*, Amendt. 860; *cl. 3*, Amendt. 860, 861; *add. cl. 866*, 901
 * Cattle, Insurance of, [182] 732
 * Cattle Plague, Comm. *cl. 16*, [181] 777; *cl. 17*, 788; *add. cl. 852*; *cl. 35*, 854; *cl. 28*, 929, 930; *cl. 30*, 931, 948; *add. cl. 953*; Consid. *add. cl. 1057*, 1058; Lords Amendts. [182] 263, 268, 270, 272, 498
 * Cattle Plague—Experiments, [181] 1316;—The Commission, 1501;—Removal of Hides, 1619, 1711; [182] 287
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 † Dockyard Voters, Disfranchisement of, [183] 482

* Drivers of Hackney Carriages, [182] 840
 * Fisheries (Scotland) Act (1862), Motion for a Committee, [182] 589
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* Manure and Offal, Removal of, from the Metropolis, [182] 577

† Navy—Commodore De Courcey, [183] 1145;—The "Bellerophon," 1437;—Chaplain of the "Black Prince," 1441;—The "Royal Sovereign," [184] 25;—Medical Officers, 115;—*State of the, 1198;—Royal Dockyards, Res. 1521, 1528

† North America—Armed Ships on the Coast of, [183] 1940

* River Commission, [182] 732
 † Spain and Chile—War between, [183] 985
 * Supply—University of London, [183] 189
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Motion for Papers, Mr. J. Stuart Mill; Reply, Mr. Walpole *August 10*, [184] 2165

BARRON, Sir H. W., Waterford City

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BARROW, Mr. W. H., Nottinghamshire, S.

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BARRY, Mr. C. R., Dungarvan

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BARRX, Mr. G. R., Cork Co.

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BARTLEOT, Colonel W. B., Sussex, W.

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BASS, Mr. M. T., *Derby*

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Beer, Sale of

Question, Sir FitzRoy Kelly; Answer, The Chancellor of the Exchequer *Mar 6*, [181] 1618

Belfast Constabulary Bill

(*Mr. Solicitor General for Ireland, Mr. Attorney General for Ireland*)

c. Ordered; read 1^o * *May 14* [Bill 159]
Read 2^o * *May 17*
Committee*; Report *May 28*
Read 3^o * *May 30*
l. Read 1^a * (*The Lord Dufferin*) *May 31*
Read 2^a * *June 12* (No. 133)
Committee*; Report *June 14*
Read 3^a * *June 18*
Royal Assent *June 28* [29 & 30 *Vict. c. 46*]

BELMORE, Earl of († Under Secretary of State for the Home Department)

Cattle Diseases (Ireland), 2R. [181] 1495
Ireland—State of, Motion for a Committee, [182] 406;—Record of Title Office, Motion for Papers, 718, 721;—Record of Title (Ireland) Act, &c. Motion for Returns, [183] 3

BELMORE, Earl of—*cont.*

- Land Tenure and Improvement (Ireland), 1R. [182] 836
 † Landed Estates Court (Ireland), 2R. [184] 1998
 † Oyster and Mussel Fisheries, 2R. [184] 1497
 Poor Persons' Burial (Ireland), 2R. [182] 2069; Commons Amendts. [183] 1791
 † Railway Accidents, Motion for Returns, [184] 1602
 Railway Companies' Borrowing Powers, [181] 335
 † Railway Companies' Securities, 2R. [184] 170
 Railway Reform (Ireland), Motion for a Paper, [181] 1591
 Railways, Finance of, [183] 869
 † Railways (Ireland) Temporary Advances, 2R. [184] 1997
 † Standards of Weights, Measures, and Coinage, 2R. [184] 816
 † Standing Orders No. 184, [184] 1595
 † Suburban Commons (*now* Metropolitan Commons), Comm. [184] 1703, 1704
 Tenure (Ireland), 2R. [183] 755

BELPER, Lord

- Exchequer and Audit Departments, 2R. [183] 1682; Comm. Amendt. [184] 16
 Law of Capital Punishment Amendment, 2R. [183] 256

BENTINCK, Mr. G. Cavendish, *Whitehaven*

- Army Estimates—Pay and Allowances, Motion for Adjournment, [181] 1587
 Courts of Justice, The New, [181] 17, 501, 813; Res. [182] 775, 783, 784; [183] 180, 1178
 Europe—State of, [184] 155, 240
 Fellows of Colleges Declaration, 3R. [183] 2018
 • National Gallery Enlargement, 2R. [183] 741
 National Gallery, The, [182] 17
 Royal Academy, Site of the, Motion for Papers, [184] 66
 South Kensington and the British Museum, [181] 814
 182] Supply—Public Buildings, 894, 896, 902;
 —Furniture, Public Offices, 910; —Westminster Bridge, 929; —Patent Office, 940, 954;
 . Report, 1074; —University of London, [183] 191, 192; —Chapter House, Westminster, 193, 194; —Quarantine Establishment, 203, 206; —Public Education, 721; Motion for Adjournment, 722; —Governors of Colonies, 724, 726; —Orange River Territory, 727, 728; —Suppression of Slave Trade, 733, 739; —Ancient Laws, &c. (Ireland), 835; —British Museum, 1558, 1559, 1565; —Science and Art Department, 1567, 1574
 Westminster, Dean and Chapter of, [181] 1283
 Westminster School, [181] 1804

BERESFORD, Mr. D. W. PACK-, *Carlow Co.*

- Ireland—Medical Superintendents, [184] 1070;
 —Carlow Lunatic Asylum, 1530

BERKELEY, Hon. F. H. F., *Bristol*

- Ballot, The, [183] 770; Res. [184] 971, 983, 985, 995
 Navy—Naval Coast Volunteers, [184] 2138, 2139
 Reform Bill, The, [181] 305

BERNERS, Lord

- Cattle Plague, 2R. [181] 1183
 Cattle Plague—Slaughter of Cattle, [181] 1274

BIDDULPH, Mr. M., *Herefordshire*

- Cattle Plague—Losses from the Rinderpest, [184] 2188
 Clerks of Roads, [182] 489
 Monetary Crisis—Panic in the City, [183] 772

Bills of Sale Act (1854) Amendment Bill

- (*Mr. Hunt, Mr. Chancellor of the Exchequer, Mr. Attorney General*)

- c. Ordered; read 1^o * July 23
 Read 2^o * July 26 [Bill 235]
 Committee *; Report July 30
 Read 3^o * July 31
 l. Read 1^o * (*The Earl of Belmore*) August 2
 Read 2^o * August 3 (No. 256)
 Committee *; Report August 6
 Read 3^o * August 7
 Royal Assent August 10 [29 & 30 Vict. c. 96]

Bills of Sale Act (1854) Amendment

[*Stamps*]

- Considered in Committee July 27

BINGHAM Lord, *Mayo Co.*

- Poor Law Amendment, Comm. add. cl. [184] 1582

Blackwater (*Youghal*) Wooden Bridge Bill

- c. Read 1^o * Feb 12; read 2^o * Feb 19
 Moved, "That the Bill be now read 3^o" (*Mr. McKenna*) June 28, [184] 695; after short debate, the Queen's consent not being signified, Mr. Speaker declined to put the Question

BLAKE, Mr. J. A., *Waterford City*

- Address in Answer to the Speech, [181] 206, 215
 Charitable Donations and Bequests (Ireland), 2R. [184] 1466
 Fisheries (Scotland) Act (1862), Motion for a Committee, [182] 590
 Ireland—Fisheries, [181] 1710, 1837; [184] 1072; —Fenian Prisoners in Waterford, [182] 440; —Suspension of the Habeas Corpus Act, Res. [183] 445; —Imprisonments in, Res. [184] 495; —Tenure and Improvement of Land, 531
 Outdoor Customs' Officers, [182] 140
 Oyster Fisheries, Deep Sea, [181] 977
 Railway Travelling (Ireland), 2R. Amendt. [182] 247
 Railways (Ireland) Temporary Advances, Comm. [184] 1632
 Sea Coast Fisheries (Ireland), 2R. [184] 1458

Board of Trade—*Meteorological Department*

- Question, Colonel Sykes; Answer, Sir Stafford Northcote July 30, [184] 1660

Board of Trade Returns—Exports and Imports

Question, Sir James Fergusson; Answer, Mr. Milner Gibson *June 14*, [184] 378

BONHAM-CARTER, Mr. J., Winchester

Capital Punishments within Prisons, Leave, [181] 1627

Cattle Diseases, Comm. *cl.* 13, [181] 544; *cl.* 7, 644; *cl.* 10, 647

Cattle Inspectors, Payment of, [183] 771

Cattle Plague, Comm. *cl.* 18, Amendt. [181] 790

Book of Common Prayer

Petitions for a Royal Commission (*The Earl of Chichester*) *June 11*, [184] 94

Boston Election

Report of the Select Committee *Mar 21*, that Thomas Parry, esquire, is not duly elected a Burgess to serve in this present Parliament for the Borough of Boston. That Meaburn Staniland, esquire, is duly elected, and ought to have been returned a Burgess to serve in this present Parliament for the Borough of Boston

Clerk of the Crown to amend the Return, [182] 715; Return amended *Mar 22*

BOUVIERIE, Right Hon. E. P., Kilmar-nock, &c.

Act of Uniformity, Leave, [181] 847

Address in Answer to the Speech, Report, [181] 327

Cattle Diseases, Comm. *cl.* 21, Motion for Adjournment, [181] 577

Cattle Plague, Comm. *cl.* 2, [181] 774

Crown Lands, Comm. [183] 427

Day of Humiliation—Committees, [182] 498, 507, 508

Exchequer and Audit Departments, Leave, [181] 276

Fellows of Colleges Declaration, 2R. [181] 1257, 1264; Comm. [182] 2013, 2023, 2059; 3R. [183] 2008, 2011

Lunacy Acts (Scotland) Amendment, Comm. *add. cl.* [183] 842, 843

Prince Alfred, Provision for, Comm. Res. [181] 907

Public Money—Standing Orders, [182] 602

Re-distribution of Seats, Leave, [183] 508

Reform Bill Statistics, [181] 1098

Reigate Election, Motion for a Joint Address, [183] 277

Representation of the People, 2R. [182] 2173; [183] 167; Comm. Res. 1319, 1320, 1945; *cl.* 4, [184] 206, 441, 445

Totnes Election, Motion for a Joint Address, [183] 260

Whitsuntide Recess, [183] 484

BOVILL, Sir W., (see also SOLICITOR GENERAL, The) Guildford

Cattle Plague, Comm. *cl.* 18, [181] 793; Amendt. 795, 796

Representation of the People, Comm. [184] 83

Supply—Furniture, Public Offices, [182] 910; —Public Record Repository, 930; —Patent Office, 931, 952, 956; Motion for Adjournment, 987

BOWYER, Sir G., Dundalk

Bribery at Elections, Res. [183] 1471

Coal, Motion for a Commission, [184] 289

Commons (Metropolis), Leave, [182] 639

Courts of Justice, The New, Res. [182] 788 [183] 1178

Electoral Statistics, [182] 871, 872

Europe—State of, [184] 137, 153

Exchequer and Audit Departments, 2R. [181] 1373; Comm. *cl.* 1, [182] 1862; *cl.* 8, Amendt. 1864; *cl.* 9, Motion for Adjournment, *ib.*; Consid. *cl.* 4, [183] 422

Extradition Treaties Act Amendment, 2R. [184] 2030; Comm. *add. cl.* 2122

Foreign Policy, [184] 1235, 1244

France—Convention of Paris, [182] 1872

Habeas Corpus Suspension (Ireland) Act Continuance, Leave, [184] 1843; 2R. 1947

Inns of Court, 2R. [182] 1092

Ireland—The Irish Bench, [183] 805

Italy—Monastery of Monte Cassino, Motion for Papers, [184] 1841

Prince Alfred, Provision for, Comm. Res. [181] 909

Public Money—Standing Orders, [182] 600

Reformatory Schools, Comm. *cl.* 14, [184] 1691

Rhine Provinces, The, [184] 2163

Royal Academy, Site of the, Motion for Papers, [184] 69

Sittings in the House, [184] 469

Supply—Public Buildings, [182] 901; —New Houses of Parliament, 915

Tenure and Improvement of Land (Ireland), 2R. [184] 1488

Thames Navigation, Comm. *cl.* 3, [184] 765, 768; *cl.* 6, 934; *cl.* 62, 936, 937; *cl.* 84, 1141; *cl.* 85, 1141, 1142

Transubstantiation, &c. Declaration Abolition, Comm. [184] 88

BRADY, Mr. J., Leitrim Co.

Army—Medical Officers, Motion for Papers, [183] 588

Emigrant Ships and the Cholera, [184] 1625

Government Property, Rates on, Res. [182] 1997

Imperial Gas Company, 2R. [183] 582

Ireland—Irish Society, Motion for Papers, [183] 609; —Medical Officers, Res. 1955

Landed Estates Court (Ireland), Comm. *cl.* 6, Motion for Adjournment, [184] 1642

Public Health, Comm. *cl.* 20, [184] 1645

Reigate Election, Motion for a Joint Address, [183] 276

Representation of the People (Ireland), Leave, [183] 539

Supply—Quarantine Establishment, [183] 206; —Probate and Divorce, &c. Courts, 210; —Metropolitan Police, 211, 212

Tenure and Improvement of Land (Ireland), 2R. [184] 1482

Totnes Election, Motion for a Joint Address, [183] 268

BRETT, Mr. W. B., Helston

Elections (Returning Officers), Comm. [184] 1018

BRIDGES, Sir B. W., *Kent, E.*

Cattle Plague—National Fast, [181] 867
 Hop Trade, 2R. [182] 1590
 Manchester, Sheffield and Lincolnshire Railway,
 Consider. *add. cl.* [183] 1939
 Supply — Lunacy Commission, &c. [183]
 200; — Charity Commission, 202

Bridgnorth Election

Report of the Select Committee *Mar* 22, that Sir John Emerick Dalberg Acton, baronet, is not duly elected a Burgess to serve in this present Parliament for the Borough of Bridgnorth. That Henry Whitmore, esquire, is duly elected, and ought to have been returned a Burgess to serve in this present Parliament for the Borough of Bridgnorth.
 Clerk of the Crown to amend the Return; Return amended accordingly, [182] 729

Bridgwater Election

House informed, That Henry Westropp, esquire, is not duly elected a Burgess to serve in this present Parliament for the Borough of Bridgwater. That Alexander William Kinglake, esquire, is duly elected a Burgess to serve in this present Parliament for the Borough of Horsham. That the last Election for the said Borough, so far as regards the Return of Henry Westropp, esquire, is a void Election *April* 25, [182] 2066

Motion, "That Mr. Speaker do issue his Warrant to the Clerk of the Crown to make out a New Writ for the electing of a Burgess to serve in this Present Parliament for the borough of Bridgwater, in the room of Henry Westropp, esquire, whose election has been determined to be void" (*Colonel Taylor*) *May* 31, [183] 1666

Amend. to leave out "That" and add "an humble Address be presented to Her Majesty, &c." (*Sir Harry Verney*); after short debate, Question, "That the words, &c.;" A. 123, N. 12; M. 111; main Question agreed to
 Question, Sir Harry Verney; Answer, Mr. Baxter *June* 4, 1797

Bright, Mr., and the Reform League

Personal Explanation, Mr. Baillie Cochrane
July 30, [184] 1666

BRIGHT, Mr. J., *Birmingham*

Address in Answer to the Speech, Report, [181] 315, 320
 Cattle Diseases, Leave, [181] 382; 2R. 472; Comm. *cl.* 13, Amendt. 520, 529, 530, 537, 546; *cl.* 14, Amendt. 550, 552; *cl.* 16, Amendt. 554, 556, 557, 558, 564, 598, 599
 Church Rates, [182] 2073
 Church Rates Abolition, 2R. [181] 1673, 1684
 Compulsory Church Rate Abolition, Leave, [183] 635
 Day of Humiliation—Committees, [182] 502
 Elective Franchise, 2R. [183] 1511, 1523
 Habeas Corpus Suspension (Ireland), Leave, [181] 685, 698, 699, 701
 Jamaica—Mr. Gordon's Trial, [181] 900, 901; —The Commission, 1500, 1501
 Parliamentary Oaths Amendment, 2R. [181] 1720

BRIGHT, Mr. J.—*cont.*

Real Estate Intestacy, 2R. [183] 1992, 2003
 Representation of the People, Leave, [182] 34, 150, 153, 209; 2R. 1173, 1377, 1412, 1419, 1679; Motion for Adjournment, 1860, 1874, 1907; [183] 16, 17, 83; Comm. 1339; *cl.* 4, 2063, 2105; [184] 197, 440, 441; *cl.* 5, 607
 Speaker, Choice of a, [181] 8
 Sugar Duties, The, [184] 482

BRIGHT, Sir C. T., *Greenwich*

East India communications, Motion for a Committee, [181] 1230
 Navy Estimates — Dockyard Salaries, [181] 1861

BRISCOE, Mr. J. I., *Surrey, W.*

Vaccination, Comm. [182] 1112

British Columbia Bill

(*Mr. William Edward Forster, Mr. Secretary Cardwell*)

a. Ordered; read 1^o * *June* 11

Read 2^o * *July* 16 [Bill 186]

Committee*; Report *July* 17

Considered as amended * *July* 19

Read 3^o * *July* 20

l. Read 1^a * (*The Earl of Carnarvon*) *July* 23

Read 2^a * *July* 26 (No. 213)

Committee*; Report *July* 27

Read 3^a * *July* 30

Royal Assent *August* 6 [29 & 30 *Vict. c.* 67]

British Museum

Constitution of, Question, Lord Houghton; Answer, Earl Russell *Feb* 12, [181] 339—*South Kensington and the British Museum*, Question, Mr. C. Bentinck; Answer, The Chancellor of the Exchequer *Feb* 20, 814; Question, Lord Henry Lennox; Answer, The Chancellor of the Exchequer *Mar* 22, [182] 730—*Drawings of the Old Masters*, Question, Mr. Gregory; Answer, Mr. Walpole *July* 24, [184] 1385

British North America, Fishermen on the Coast of

Question, Colonel Annesley; Answer, Mr. Cardwell *April* 12, [182] 1122
Fenians, The, and the British American Colonies, Question, Lord Dunkellin; Answer, Mr. Cardwell *April* 24, [182] 1990

British North American Provinces, Confederation of the

Question, Mr. Adderley; Answer, Mr. Cardwell *May* 1, [183] 259; Question, Lord Lyveden; Answer, The Earl of Carnarvon *July* 31, [184] 1700

British White Herring Fishery Act

Petition, The Duke of Argyll *Mar* 6, [181] 1538

BROMLEY, Mr. W. DAVENPORT-, *Warwickshire, N.*

Houseless Poor, [184] 1332
 Metropolitan Workhouses, [184] 683
 Representation of the People, 2R. [182] 2135

BROUGHAM, Lord
 Bishopsrics of Cape Town, Adelaide, and British Columbia, [184] 513
 Europe—State of, [184] 714
 Gas Light and Coke Company, 2R. [184] 708
 Lancaster Election, Motion for a Commission, [184] 13
 Law of Capital Punishment Amendment, Comm. [183] 2021
 Ministerial Crisis, [184] 706, 751

BROWNE, Lord J. T., Mayo Co.
 Ireland—Oyster Fisheries, [183] 441;—Revaluation of Property, 669;—Cattle Plague, 965
 Poor Persons' Burial (Ireland), Comm. [182] 1577

BRUCE, Right Hon. Lord E. A. C. B. Marlborough
 Theatres, &c., Regulation of, [184] 1663

BRUCE, Rt. Hon. H. A., (Vice President of the Committee of Council on Education) Merthyr Tydvil
 Cattle Diseases, Comm. cl. 21, [181] 570; cl. 50, 365; cl. 7, 644
 Cattle Inspectors, Payment of, [183] 771
 Cattle Plague—Statistics, [181] 898, 1096, 1394; [183] 1049;—Rinderpest in the Isle of Man, 2037; [184] 227;—Pleuro-Pneumonia, 115;—Infection from the, 533;—Rinderpest in Holland, 647
 Cholera, The—Emigration Agents, [183] 960, 987;—at Liverpool, 1147
 Education—The Revised Code, [181] 1393, 1394; [183] 1794
 Finsbury Estate, 2R. [183] 2136
 German Emigrant Ship "Hertha," [182] 1770
 Liverpool, Nuisances at, [184] 696
 Prosecution Expenses, Comm. [182] 1610
 Public Health 2R. [184] 306; Comm. 1376, 1377; cl. 10, 1384; cl. 14, 1644; cl. 20, 1647; cl. 23, 1648, 1650, 1651, 1679; cl. 28, 1682; cl. 29, 1683; cl. 30, 1684; cl. 34, 1685; cl. 36, 1686
 Public Health Acts, [182] 1771
 Reformatory Schools, Comm. cl. 14, [184] 1693
 Sheep, Diseases in, [181] 899;—Rinderpest among, [182] 15, 137, 138
 Supply—Public Education, Great Britain, [184] 1351;—British Museum, 1559;—Science and Art Department, 1569, 1571, 1573, 1574
 Swine, Disease among, [181] 961
 Vaccination, Comm. [182] 1093, 1103, 1106, 1112
 Veterinary Surgeons, 2R. [183] 656

BRUCE, Sir H. H., Coleraine
 Cholera, The, [182] 1644
 County Infirmarys (Ireland), 2R. [182] 243
 Ireland—Irish Society, Motion for Papers, [183] 607;—Medical Officers and Workhouse Schools, [184] 822
 Poor Persons' Burial (Ireland), Comm. [182] 1577, 1578

BRUCE, Mr. C. L. CUMMING-, Elgin & Nairnshire
 Cattle Diseases, Leave, [181] 406; Comm. cl. 5, 513, 515; cl. 21, 573; Consid. add. cl. 728
 Cattle Plague, Comm. cl. 17, Amendt. [181] 785; cl. 31, 931; Lords Amendts. [182] 265
 Fisheries (Scotland) Act (1862), Motion for a Committee, [182] 588
 Scotland—Sheriffs' Substitute, [183] 361

BRUEN, Mr. H., Carlow Co.
 Ireland—Carlow Lunatic Asylum, [184] 711

BRYAN, Mr. G. L., Kilkenny Co.
 Ireland—Chief Justice Lefroy, [183] 353, 358;—The Irish Bench, 778, 785, 794

BUCCLEUCH, Duke of
 Cattle Diseases, 2R. [181] 733; Comm. cl. 5, 739, 741, 744; cl. 12, 750; cl. 21, 756; Schedule, 757, 809;—Orders in Council, 888
 Cattle Plague, [181] 805;—Slaughter of Cattle, 1272
 Crown Lands, 2R. [183] 2025
 Scotland—Sheep Disease in, [184] 1704

BUCKINGHAM, Duke of († Lord President of the Council)
 Cattle Diseases, Comm. cl. 10, [181] 746;—Orders in Council, 889
 Cattle Diseases Act, [182] 1760
 Cattle Plague, 2R. [181] 1186
 † Hundred Bridges, 2R. [184] 1600
 † National Gallery Enlargement, 2R. [184] 924
 † Public Companies, 2R. [184] 929
 † Public Health, 2R. [184] 2070
 † Railway Traffic Protection, Comm. [184] 1603
 † Scotland—Sheep Disease in, [184] 1705
 † Vaccination, [184] 1369

BULLER, Sir A. W., Lisheard
 Corrupt Practices at Elections, [182] 579

BULLER, Sir E. M., Staffordshire, N.
 Cattle Diseases, Comm. cl. 15, Amendt. [181] 553; Consid. cl. 15, Proviso, 728
 Cattle Plague, Comm. cl. 18, [181] 791, 794; cl. 20, Amendt. 797; cl. 30, 802; cl. 3, 861; add. cl. 863
 Malt Duty, Res. [182] 1534
 National Debt Acts, Comm. Res. [183] 556
 Representation of the People, Comm. cl. 4, [183] 2090, 2091, 2106

BURGHLEY, Lord, Northamptonshire, N.
 Army—Indian Reliefs, [184] 377
 Army Estimates—Land Forces, [181] 1580
 Cattle Diseases, Leave, [181] 426; cl. 16, 558
 Cattle Plague, Comm. cl. 18, [181] 791; cl. 35, 857; add. cl. 864
 Clerkenwell Workhouse—Casual Poor, [182] 846
 Electoral Statistics, [182] 1644
 German Emigrant Ship "Hertha," [182] 1769

Burials in Burghs (Scotland) Bill

(Mr. Baxter, Mr. Carnegie)

- c. Ordered; read 1^o * May 2 [Bill 132]
 Read 2^o * May 9
 Committee*; Report May 10
 Read 3^o * May 11
 l. Read 1^a * (The Earl of Airlie) May 14
 Read 2^a * June 5 (No. 112)
 Committee*; Report June 7
 Read 3^a * June 8
 Royal Assent July 16 [29 & 30 Vict. c. 50]

BURRELL, Sir P., *New Shoreham*

- Fenian Conspiracy, Motion for a Committee,
 Motion for Adjournment, [183] 1696
 Habeas Corpus Suspension (Ireland), Leave,
 [181] 710
 Oyster Fisheries, Deep Sea, [181] 976
 Poor Law—Outdoor Relief, [181] 1499

BUTLER, Mr. C. S., *Tower Hamlets*

- Dogs, Registration of, [184] 378
 Gas Light and Coke Company, Consid. [184]
 229

BUTLER-JOHNSTONE, Mr. H. A., *Canterbury*

- Address in Answer to the Speech, Report,
 [181] 324
 Representation of the People, 2R. [182] 1972;
 [183] 31
 Tests Abolition (Oxford), 2R. [182] 689

BUXTON, Mr. C., *Surrey, E.*

- Bribery at Elections, Res. [183] 1445
 Caterham Junction, Collision at the, [183]
 1439
 Commons (Metropolis), 2R. [183] 1287
 International Maritime Law, Motion for an
 Address, [181] 1437
 Jamaica Government, 2R. [181] 927
 Jamaica—Mr. Gordon's Trial, [181] 900;—
 Disturbances in, Res. [184] 1763, 1765,
 1787, 1796, 1836, 1839, 1840
 Malt Duty, Res. [182] 1546
 Marriage with a Deceased Wife's Sister, 2R.
 [183] 311
 Reigate Election, Motion for a Joint Address,
 [183] 275
 Tests Abolition (Oxford), 2R. [182] 682

CADOGAN, Earl

- Austria, Prussia, and Italy, [183] 569, 572
 Wellington Monument in St. Paul's Cathedral,
 [182] 725

CAIRNS, Sir H. M. (see also ATTORNEY GENERAL, The) *Belfast*

- Court of Chancery (Ireland), 2R. [183] 927
 Devonport Election, [181] 1297, 1299
 Ireland—Catholic University, [181] 1615;—
 Queen's University, [182] 138;—Tenants'
 Improvements, [183] 769;—The Irish Bench,
 783;—National Education, Motion for a
 Committee, 1029
 Parliamentary Oaths Amendment, 2R. [181]
 1725; Comm. [182] 290; cl. 1, 303
 Railway Travelling (Ireland), 2R. [182] 254
 Re-distribution of Seats, Leave, [183] 512

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CAIRNS, Sir H. M.—cont.

- Reform Bills, The, [183] 1795
 Representation of the People, 2R. [182] 1459,
 1477; Comm. [183] 1323, 1402; Motion for
 Adjournment, 1666, 1697, 1762; cl. 4, [184]
 199, 439, 444; cl. 5, 536, 562, 588, 616
 Representation of the People (Ireland), Leave,
 [183] 534

CAITHNESS, Earl of

- Gas Light and Coke Company, 2R. [184] 709

Cambridge Borough Election

- House informed, that the Committee had
 determined, That William Forsyth, esquire,
 is not duly elected a Burgess to serve in
 this present Parliament for the Borough
 of Cambridge. That the last Election for
 the said Borough, so far as regards the Re-
 turn of the said William Forsyth, esquire, is
 a void Election April 16, [182] 1357

**CAMBRIDGE, Duke of (Field Marshal Com-
manding-in-Chief)**

- Army—Breech-loading Rifles, [184] 785

**Cambridge, Princess Mary of, *Marriage
of the***

- 183] Lords—Message from the Queen June 5,
 1933
 . Lords—Her Majesty's Message considered; and
 an humble Address thereon agreed to *nemine
dissentiente* June 7, 2020
 . Commons—Message from Her Majesty brought
 up, and read by Mr. Speaker June 5, 1969
 . Queen's Message [5th June] considered in
 Committee June 7, 2038; after short debate,
 Resolved, That the annual sum of Two
 Thousand Pounds be granted to Her Ma-
 jesty out of the Consolidated Fund of Great
 Britain and Ireland, the said Annuity to be
 settled on Her Royal Highness the Princess
 Mary Adelaide Wilhelmina Elizabeth, younger
 daughter of his late Royal Highness the Duke
 of Cambridge, for her life in such manner as
 Her Majesty shall think proper, and to com-
 mence from the date of the marriage of Her
 Royal Highness with his Serene Highness
 Francis Paul Louis Alexander, Prince of
 Teck, such Annuity to be in addition to the
 Annuity now enjoyed by Her Royal Highness
 under the Act of the thirteenth and fourteenth
 years of Her present Majesty, cap. 77

CAMOYS, Lord

- Parliamentary Oaths Amendment, Comm. cl. 6,
 [182] 1623

**CAMPBELL, Lord (see STRATHEDEN AND
CAMPBELL, Lord)****Canada, *Invasion of—The Fenians***

- Question, Mr. J. Lowther; Answer, Mr.
 Cardwell June 14, [184] 380; Question, Mr.
 Peel Dawson; Answer, Mr. Cardwell June 18,
 533

CANDLISH, Mr. J., *Sunderland*

Compulsory Church Rate Abolition, Leave, [183] 627
Holderness Embankment, &c. 2R. [183] 1975
Poor Law Amendment, Comm. *add. cl.* [184] 1585
Public Health, Comm. [184] 1381
Reformatory Schools, Comm. *cl.* 12, [184] 1609, 1611; *cl.* 14, 1693
Representation of the People, Comm. [183] 1624
Supply — Quarantine Establishment, [183] 204; — Metropolitan Police, 212; — Clergy, North America, 724; — Orange River Territory, 727; — Embassies, &c. 735; — Non-conforming, &c. Ministers, 833
Thames Navigation, Comm. [184] 76; *cl.* 77, 1140

CANTERBURY, Archbishop of

Bishoprics of Cape Town, Adelaide, and British Columbia, [184] 513
Ecclesiastical Commission, Comm. *cl.* 1, [184] 366
Education, Minute of Council on — The Conscience Clause, [183] 847, 850
Established Church — Revision of the Lectinary, Motion for a Commission, [184] 98
Selling and Hawking Goods on Sunday, 2R. [183] 343

Cape Town, Adelaide, and British Columbia, Bishoprics of

Petition (*The Bishop of London*) June 18, [184] 503; after long debate, Petition ordered to lie on the table
Notice of The Archbishop of York withdrawn July 13
Moved, "That an humble Address be presented to Her Majesty, that there may be laid on the Table of the House, Copies of all Documents, Declarations of Trust, Correspondence, and Acts of Colonial Legislation relating to the Endowment by Miss Burdett Coutts of several Colonial Bishoprics, with a view to show to whom the several Sums advanced by Miss Burdett Coutts for the Establishment of Colonial Bishops were paid, and under whose Authority and on what Trusts, or upon what Conditions, and how and by whom, the same were applied, and in the Purchase of what Property or in the Investment of what Funds the same are now vested, and in whose Names the same now stand or are vested, and upon what Trusts, either declared by the Colonial Bishops and others for whose Benefit the Money was advanced or by the Act of any of the Colonial Legislatures or any other Authority" (*The Lord St. Leonards*), [184] 787; after long debate, resolved in the negative

Cape Town Railway

Moved, "That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to withhold Her Royal Assent from the Act of the Colonial Legislature of the Cape of Good Hope, No. 34, of 1864, whereby the Wynberg Railway Company obtained running powers over the Cape Town and Wellington Railway, in vio-

[*cont.*]

Cape Town Railway—cont.

lation of the contract between the Cape Town Railway and Dock Company and the Government of the Colony" (*Mr. Thomas Chambers*) June 15, [184] 501 [House counted out]

Capital Punishments within Prisons Bill
(*Mr. Hibbert, Mr. Bonham-Carter, Mr. Tollemache, Mr. Mitford*)

c. Motion for Leave (*Mr. Hibbert*), [181] 1621
Ordered, after debate; read 1^o Mar 6 [Bill 54]
Bill withdrawn* July 19

CARDIGAN, Earl of

Law of Capital Punishment Amendment, 2R. [183] 256

CARDWELL, Right Hon. E. (Secretary of State for the Colonies), *Oxford City*

Address in Answer to the Speech, Report, [181] 325
British North America—Fishermen on the Coast of, [182] 1122
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Colonial Bishops, Leave, [183] 1032, 1198; 2R. [184] 916
Colonial Governors (Retiring Pensions) Act Amendment, Leave, [181] 1202
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Emigrant Ships and the Cholera, [184] 1623
Fenians, The, and the British American Colonies, [182] 1990; — Invasion of Canada, [184] 380, 533, 534
India—Singapore—The Straits Settlements, [181] 895
Jamaica Government, Leave, [181] 581, 583, 599; 2R. 924; Consid. *cl.* 1, 1177; 3R. 1269
Jamaica—Government of, [181] 450; — Mr. Gordon's Trial, 900; — The Commission, [183] 364; [184] 26; — Bill of Indemnity, [183] 873; — Legislative Assembly, [184] 376; — Disturbances in, Res. 1819
New Zealand—Bishopric of Nelson, [182] 1988, 1989; — Division of, 1989
Re-distribution of Seats, 2R. [183] 901
Representation of the People, Comm. [183] 1404, 1946
Supply—Governors of Colonies, [183] 724, 726; — Justices, West Indies, 726; — Western Coast of Africa, 727; — St. Helena, *ib.*; — Orange River Territory, *ib.* 728; — Labuan, *ib.*; — Emigration, 729, 730; — Special Missions, 736
United States and Canada — The Reciprocity Treaty, [183] 1177
Victoria—Colony of, Motion for Papers, [182] 617; — Ministerial "Dead Lock" in, [183] 1197
West African Committee, [181] 195

CARLISLE, Bishop of

Ecclesiastical Commission, Comm. *cl.* 28, [184] 372
Established Church — Romish Ceremonials, [184] 217
Selling and Hawking Goods on Sunday, Comm. [183] 940

CARNARVON, Earl of († Secretary of State for the Colonies)

Address in Answer to the Speech, [181] 62

† Bishoptics of Cape Town, Adelaide, and British Columbia, Motion for an Address, [184] 802

† British North American Provinces—Confederation of the, [184] 1700

Cattle Diseases, Comm. cl. 10, [181] 746; cl. 34, 757;—Orders in Council, 890

Cattle Diseases Act—Extension of Time, [182] 572, 1762

Cattle Plague—Day of Humiliation, [181] 188, 445

Cattle Plague Returns, [182] 119

Cholera among German Emigrants, Motion for Papers, [183] 950, 954

† Colonial and Foreign Bishoptics, Motion for Returns, [184] 811

Criminals imprisoned for Life, Motion for Returns, [183] 344

Education, Minute of Council on—The Conscience Clause, [183] 851

Established Church—Romish Ceremonials, [184] 221

Gas Light and Coke Company, 2R. [184] 709

Ireland—State of, Motion for a Committee, [182] 404

† Jamaica—Condition of, [184] 1889, 1895

Law of Capital Punishment Amendment, Comm. cl. 29, [184] 463

Metropolitan Workhouse Infirmaries, [183] 1143

† Norfolk Island—Registry of, [184] 1277

Poor Law—Strand Union Workhouse, [182] 1868

Prisons Act (1865), [181] 435, 436; Motion for Papers, 505

Prosecution Expenses, 2R. [183] 478

† Public Health, 2R. [184] 2073

Railway Bills affecting the City of London, [182] 1640

Railways in the Metropolis, [181] 1275

Sheep, Small Pox in, [181] 1179

† Straits Settlements, Report, [184] 1994

West Middlesex Water, Comm. [182] 1979

Carriage and Deposit of Dangerous Goods Bill—cont.

Committee * July 16; Report * July 17

Read 3^a * July 19

Royal Assent August 6 [29 & 30 Vict. c. 69]

CASHEL, Bishop of

Established Church—Romish Ceremonials, [184] 216

Caterham Junction, Collision at the

Question, Mr. Buxton; Answer, Mr. Milner

Gibson May 29, [183] 1439

Cattle Assurance Bill

(Mr. Baring, Sir George Grey)

c. Ordered; read 1^a * Mar 22 [Bill 90]Read 2^a * April 9

Committee *; Report April 19

Considered as amended * April 20

Read 3^a * April 23l. Read 1^a * (The Lord President) April 24Read 2^a * May 17 (No. 83)

Committee *; Report May 18

Read 3^a * May 28

Royal Assent June 11 [29 Vict. c. 34]

*Cattle Disease***LORDS—***Cattle Diseases Prevention Act*, Question, The Earl of Granard; Answer, Earl Granville; discussion thereon Feb 9, [181] 279; Notice of Question, The Duke of Buccleuch Feb 20, 809*Cattle Pestilence and Cholera, Prayer against the*, Question, Lord Ebury; Answer, The Earl of Derby July 30, [184] 1653*Compensation for Slaughtered Cattle*, Question, The Earl of Winchelsea; Answer, The Lord Chancellor; debate thereon Feb 13, [181] 436*Conference at St. James' Hall, Deputation from the*, Question, Lord Bateman; Answer, Earl Russell; long debate thereon Feb 9, [181] 292*Day of Fasting and Humiliation*, Question, The Earl of Carnarvon; Answer, Earl Russell Feb 8, [181] 188*Disease in Scotland*, Motion for "Copy of a Memorial to the Privy Council from the Proprietors and Tenant Farmers of Kincardineshire" (The Earl of Airlie) Feb 27, [181] 1188; after short debate, Motion agreed to—(Parl. P. No. 35)*Experiments*, Report of Professor Simonds read by Earl Granville Feb 16, [181] 584; Mar 6, 1589*Extension of Time for Slaughter of Diseased Animals*, Question, The Duke of Montrose; Answer, Earl Granville; debate thereon Mar 20, [182] 569*Fresh Outbreak in London*, Question, The Earl of Lichfield; Answer, Earl Granville Mar 22, [182] 727*Illegal Removal of Cattle*, Questions, Lord Wharnccliffe, The Earl of Airlie; Answer, Earl Granville Feb 23, [181] 957*Importation of Diseased Cattle*, Address for "Copy of Instructions, &c." (The Marquess of Salisbury) Feb 15, [181] 503; Motion agreed to—(Parl. P. No. 37)**CARNEGIE, Hon. C., Forfarshire**

Address in Answer to the Speech, [181] 146

Army Estimates—Clothing Establishments, [181] 1755

Cattle Diseases, Leave, [181] 413; Comm. cl. 5, Amendt. 514; cl. 15, 553; cl. 16, 561; cl. 31, Amendt. 607, 614, 623, 624; cl. 44, 633; cl. 11, 650

Cattle Plague, Comm. cl. 35, [181] 859; cl. 41, 860

Hares and Rabbits (Scotland), 2R. [184] 1261

Scotland—Law of Hypothec, [181] 305

Carriage and Deposit of Dangerous Goods Bill (Mr. Milner Gibson, Mr. Monsell)

c. Resolution in Committee; Bill ordered * May 29

Read 1^a * May 30

[Bill 168]

Read 2^a * June 8

Committee *; Report June 12

Read 3^a * June 13l. Read 1^a * (The Earl of Balmore) June 14Read 2^a * July 13

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Cattle Disease—LORDS—cont.

Address for "Copies of all Orders made by Courts of Quarter Sessions, &c., to the Cattle Plague since the Order in Council of 16th December, 1865, and other Papers" (*The Duke of Marlborough*) Feb 15, 505; Motion agreed to

Orders in Council, Question, The Earl of Airlie; Answer, Lord Denman Feb 16, [181] 595; Question, The Duke of Buccleuch; Answer, The Duke of Argyll Feb 22, 888; Question, The Earl of Ellenborough; Answer, The Lord Chancellor Mar 15, [182] 277; Observations, The Earl of Lichfield; Reply, Earl Granville Mar 16, 357; Observations, The Earl of Derby; Reply, Earl Granville April 23, 1865

Questions (various), Question, The Earl of Ellenborough; Answer, Earl Granville Feb 20, [181] 803; Observations, The Duke of Buccleuch and The Duke of Marlborough Feb 20, 805; Question, The Earl of Derby; Answer, Earl Granville Feb 23, 956

Removal of Cattle by Sea—Petition, Observations, The Duke of Buccleuch; Reply, The Earl of Lichfield Mar 1, [181] 1272

Returns, Observations, Earl Stanhope; Reply, Earl Granville Feb 20, [181] 804; Observations, The Earl of Carnarvon; Reply, Earl Granville Mar 13, [182] 119

Treatment of Diseased Animals, Questions, The Duke of Buckingham; Answer, Earl Granville April 20, [182] 1760

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Cattle-Carrying Vessels, Question, Sir Matthew Ridley; Answer, Mr. Milner Gibson Mar 6, [181] 1614

Cattle Diseases Prevention Act, Postponement of Question, Mr. Waldegrave-Leslie Feb 9, [181] 305

Cattle, Insurance of, Question, Lord George Manners; Answer, Mr. Baring Mar 22, [182] 732

Cattle Plague Commission, Report of, Question, Mr. Newdegate; Answer, Sir George Grey Feb 9, [181] 312—*Dr. Angus Smith*, Question, Mr. W. Miller; Answer, Mr. Baring Mar 5, 1501

Compensation for Slaughtered Cattle, Question, Sir Robert Anstruther; Answer, Sir 181 George Grey Feb 15, 509; Question, Mr. Dent; Answer, The Chancellor of 182 the Exchequer Mar 15, 283; Questions, Lord Robert Montagu; Answer, Sir George Grey April 10, 973; Question, Mr. Cheetham; Answer, Sir George Grey May 1, 183 259; Question, Lord Robert Montagu; Answer, Sir George Grey May 4, 437; Question, Sir William Stirling-Maxwell; Answer, Sir George Grey May 11, 812; Question, Colonel Gilpin; Answer, Sir 184 George Grey July 23, 1281; Question, Mr. Biddulph; Answer, Mr. Walpole August 7, 2138

Day of Fasting and Humiliation, Question, Sir Brook Bridges; Answer, Sir George Grey Feb 21, [181] 867

Disease in the Isle of Man, Question, Sir Andrew Agnew; Answer, Mr. Bruce June 7, [183] 2037; Observations, Mr. H. A. Bruce June 8, [184] 27

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Cattle Disease—COMMONS—cont.

Disease in the North, Question, Mr. Trevelyan; Answer, Mr. Walpole July 23, [184] 1283

Experiments, Question, Mr. Sandford; Answer, Mr. Baring Mar 1, [181] 1315

Extension of Time for Slaughter of Diseased Animals, Question, Mr. Read; Answer, Sir George Grey April 9, [182] 891; Question, Mr. Read; Answer, Sir George Grey May 3, [183] 360; Question, Mr. Read; Answer, Mr. Walpole July 24, [184] 1384

Foreign Cattle—The Order in Council, Question, Mr. Freville-Surtees; Answer, Mr. Corry July 20, [184] 1164

Hides and Skins, Removal of, Question, Mr. Freville-Surtees; Answer, Mr. Baring Mar 15, [182] 286—*The Tanning Trade*, Question, Colonel Edwards; Answer, Mr. Baring Mar 6, [181] 1619

Holland, Cattle and Sheep Disease in, Question, Mr. Bazley; Answer, Mr. Corry August 2, [184] 1901—*Rinderpest in*, Question, Mr. Norwood; Answer, Mr. Bruce June 19, 647

Importation of Diseased Dutch Cattle, Question, Mr. DuCane; Answer, Sir George Grey April 13, [182] 1227; Question, Mr. Harvey Lewis; Answer, Sir George Grey April 27, [183] 5

Infection by Forage for the Army, Question, Mr. Beach; Answer, Mr. Headlam June 1, [183] 1689

Infection to Persons from Cattle Disease, Question, Sir Jervoise Jervoise; Answer, Mr. Bruce June 18, [184] 533

(*Ireland*)—Motion for "Copy of the Report of the Committee convened by the Lord Lieutenant of Ireland to consider the measures that might be adopted for arresting the progress of the Cattle Plague, in case of its appearance in Ireland" (*Lord Naas*) Feb 13, [181] 451; after short debate, Motion agreed to

Orders in Council, Question, Mr. Tollemache; Answer, Sir George Grey Feb 13, [181] 449; Question, Lord Robert Montagu; Answer, Mr. Baring Feb 22, 901; Question, Mr. Hunt; Answer, Sir George Grey; discussion thereon Mar 19, [182] 492

Payment of Inspectors, Observations, Mr. Bonham-Carter; Reply, Mr. H. A. Bruce May 11, [183] 771

Pleuro-Pneumonia, Question, Sir Jervoise Jervoise; Answer, Mr. Bruce June 11, [184] 115

Questions (various), Question, Mr. Bright; Answer, The Chancellor of the Exchequer 181 Feb 16, 598; Question, Mr. Hunt; Answer, Sir George Grey Feb 23, 968; Questions, Viscount Hamilton; Answer, Sir George Grey Feb 26, 1095; Question, Sir Andrew Agnew; Answer, Sir George Grey Feb 27, 1198; Question, Mr. Banks Stanhope; Answer, Mr. H. A. Bruce Mar 2, 1394; Questions, Mr. Hunt; Answer, Sir George Grey Mar 8, 1710; Question, Mr. Maguire; Answer, The Attorney General for Ireland Mar 9, 1805; Question, Mr. Graves; Answer, Sir George Grey Mar 9, 1808; Question, Colonel Edwards; Answer, Sir George Grey Mar 15, 285; Question, Mr. Gathorne Hardy; Answer, Sir George Grey; short debate thereon Mar

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- 182] 23, 848; Question, Mr. McLagan; Answer, Sir George Grey *April* 12, 1121; Observations, Sir George Grey *April* 16, 1359; Question, Mr. Leslie; Answer, The Lord Advocate *April* 17, 1507; Question, Mr. Acland; 183] Answer, Sir George Grey *May* 3, 363; Question, Sir Jervoise Jervoise; Answer, Mr. H. A. Bruce *May* 17, 1049; Question, Mr. Gore Langton; Answer, Sir George Grey *June* 1, 1686; Question, Sir Jervoise 184] Jervoise; Answer, Mr. Corry *July* 30, 1663

Removal of Cattle, Question, Admiral Duncombe; Answer, Sir George Grey *Mar* 15, [182] 283; Question, Mr. Read; Answer, Sir George Grey *Mar* 20, 580

Sales of Cattle at Markets and Fairs, Question, Mr. Read; Answer, Sir George Grey *May* 10, [183] 672; Question, Mr. Read; Answer, Sir George Grey *May* 18, 1144—*Cattle Trade Restrictions*, Question, Mr. Dodson; Answer, Mr. Corry *August* 1, [184] 1845

(*Scotland*)—*Meeting of Scotch Members*, Question, Lord Elcho; Answer, The Lord Advocate *Feb* 15, [181] 510

Statistics, Question, Colonel Wilson Patten; Answer, Mr. Milner Gibson *Feb* 19, [181] 761; Question, Mr. Owen Stanley; Answer, Mr. H. A. Bruce *Feb* 22, 898; Question, Mr. Read; Answer, Mr. Milner Gibson *Feb* 23, 963; Question, Admiral Duncombe; Answer, Mr. Milner Gibson *Mar* 12, [182] 15
(See *Sheep, Diseases in*)

Parl. Papers, LORDS—

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Second Do. Do.	[2002]
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Report on Origin of	[2052]
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Cattle Disease—COMMONS—cont.*Scotland*—

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Do. (Poland)	[3599], [3611]
Do. (India)	28

Cattle Diseases Bill

(*Sir G. Grey, Mr. Chancellor of the Exchequer, Mr. Baring*)

- 181] c. Order to consider *Cattle Diseases Act* in Committee read; Moved, "That Mr. Speaker do now leave the Chair" (*Sir G. Grey*) *Feb* 12, 355
Act considered in Committee, after long debate; a Resolution agreed to, and reported
Bill ordered; read 1^o * *Feb* 12 [Bill 6]
Moved, "That the Bill be now read 2^o" (*Sir G. Grey*) *Feb* 14, 460
Read 2^o after long debate *Feb* 14
Considered in Committee, after short debate *Feb* 15, 510; Comm. a.p.
Committee; Report *Feb* 16, 600
Considered as amended in respect of Clauses 35, 37, and the last clause *Feb* 17, 727
Committee; Report *Feb* 17, 727 [Bill 22]
Read 3^o * *Feb* 17
l. Read 1^o * (*The Lord President*) *Feb* 17
Moved, "That the Bill be now read 2^a" *Feb* 19, 731 (No. 14)
Read 2^a after debate *Feb* 19
Standing Orders dispensed with
Committee; Report *Feb* 19, 738
Read 3^a after long debate *Feb* 19
Royal Assent *Feb* 20 [29 Vict. c. 2]

Cattle Diseases (Ireland) Bill

(*Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland, Sir G. Grey*)

- 181] c. Resolution in Committee; Bill ordered; read 1^o * *Feb* 23 [Bill 37]
Moved, "That the Bill be now read 2^o" (*Mr. Attorney General for Ireland*) *Feb* 26, 1177
Read 2^o after short debate *Feb* 26
Committee; Report *Feb* 27, 1235
Considered as amended * *Feb* 28
Read 3^o * *Mar* 1
l. Read 1^o * (*The Lord President*) *Mar* 2
Moved, "That the Bill be now read 2^a" *Mar* 5, 1494; read 2^a after short debate (No. 30)
Standing Orders Nos. 37 and 38 dispensed with; Committee negatived
Read 3^a * *Mar* 5
Royal Assent *Mar* 6 [29 Vict. c. 4]

*Cattle Diseases Prevention Act (1866)*Bill (*Earl Grosvenor, Mr. Tollemache,**Mr. J. B. Smith, Mr. Laird, Mr. Hunt*)

- c. Resolution in Committee *June* 26
Ordered; read 1^o * *June* 28 [Bill 200]
Bill withdrawn * *July* 30

Cattle Diseases Prevention Act Amendment (No. 2) Bill

(*Mr. Secretary Walpole, Mr. Chancellor of the Exchequer, Mr. Hunt*)

- c. Acts read; considered in Committee; Bill ordered; read 1^o * *July 27* [Bill 251]
 Read 2^o * *July 30*
 Committee; Report *July 31, [184] 1844*
 Considered as amended * *August 1*
 Read 3^o * *August 1*
- l. Read 1^a * (*The Lord President*) *August 2*
 Read 2^a * *August 3* (No. 262)
 Committee * *August 4* (No. 274)
 Report * *August 6*
 Read 3^a * *August 7*
 Royal Assent *August 10 [29 & 30 Vict. c. 110]*

Cattle, &c. Contagious Diseases Bill

(*Sir George Grey, Mr. Baring*)

- c. Ordered; read 1^o * *Mar 21* [Bill 86]
 Read 2^o * *April 9*
 Committee *; Report *April 10*
 Committee *; Report *April 11* [Bill 96]
 Considered as amended * *April 12*
 Read 3^o * *April 13*
- l. Read 1^a * (*The Lord President*) *April 16*
 Read 2^a * *April 17* (No. 70)
 Committee *; Report *April 19*
 Read 3^a * *April 19*
 Royal Assent *April 23 [29 Vict. c. 15]*

Cattle Plague Bill

(*Mr. Hunt, Mr. Holland, Mr. Banks Stanhope, Sir James Fergusson*)

- 181] c. Considered in Committee; Bill ordered; read 1^o * *Feb 12* [Bill 7]
 Read 2^o * *Feb 14*
 Committee; Report *Feb 16, 658* [Bill 20]
 Committee (*on re-comm.*)—R.P. *Feb 17, 730* [Bills 7 & 24]
 Committee (*on re-comm.*)—R.P. *Feb 19, 763*
 Committee (*on re-comm.*); Report *Feb 20, 849* [Bills 7, 24, & 32]
 Committee (*on re-comm.*); Report *Feb 22, 928*
 Considered as amended; after short debate, Read 3^o *Feb 23, 1056* [Bill 34]
 Lords Amendments [Bill 55]
 l. Read 1^a (*The Lord President*) *Feb 26, 1060* (No. 27)
 Moved, "That the Bill be now read 2^a" *Feb 27, 1179*; after short debate, read 2^a, and referred to a Select Committee; Committee nominated as follows:—His Royal Highness The Prince of Wales, Ld. President, Ld. Privy Seal, D. Richmond, D. Marlborough, D. Buckingham and Chandos, M. Salisbury, E. Doncaster, E. Airlie, E. Cowper, E. Spencer, E. Carnarvon, E. Grey, L. Berners, L. Stanley of Alderley, L. Lyveden
 Committee *; Report *Mar 5*
 Considered in Committee *Mar 8, 1695* (Nos. 27, 33, & 33 *)
 Standing Orders No. 37 and 38 dispensed with; Amendts. reported; read 3^a *Mar 8* (No. 43)
- 182] c. Consideration of Lords' Amendments—Moved, "That the said Amendments be now taken into consideration" (*Mr. Hunt*) *Mar 14, 263*
 Amendt. to leave out "now," and add "upon this day six months" (*Sir George Grey*)

[cont.]

Cattle Plague Bill—cont.

After long debate, Question, "That 'now,' &c.," negatived; words added; main Question, as amended, agreed to; consideration of Lords' Amendments, put off for six months

Cattle Sheds in Burghs (Scotland) Bill

(*Mr. Waldegrave-Leslie, Mr. M'Laren, Sir G. Montgomery, Mr. M'Lagan*)

- c. Ordered; read 1^o *Mar 15, [182] 356* [Bill 72]
 Read 2^o * *Mar 20*
 Committee *; Report *April 11*
 Considered as amended * *April 12*
 Read 3^o * *April 13*
- l. Read 1^a * (*The Lord President*) *April 16*
 Read 2^a * *April 17* (No. 71)
 Committee *; Report *April 19*
 Read 3^a * *April 19*
 Royal Assent *April 30 [29 Vict. c. 17]*

CAVE, Rt. Hon. S. († Paymaster of the Forces and Vice President of the Board of Trade), *New Shoreham*

- Cattle Disease—Orders in Council, [182] 850
 Clerks to Justices, 2R. [183] 648
 Jamaica Government, Leave, [181] 583; 2R. 926; Consid. *cl. 1, 1176; 3R. 1264*
 Mines Assessment, Leave, [183] 279
 Mines and Woods, Rating of, [181] 1394, 1407
 National Debt, [183] 486
 † Navy — Collision of the "Amazon" and "Osprey," [184] 1529
 New Palace Yard, Works in, [181] 1525
 † Oyster Fisheries, Comm. *cl. 14*, Amendt. [184] 915
 Oyster Fisheries, Deep Sea, [181] 970; [182] 2075
 † Public Health, Comm. [184] 1378; *cl. 30*, 1684
 † Reformatory Schools, Comm. *cl. 10*, [184] 1607
 Representation of the People, Comm. *cl. 5*, [184] 546
 Sugar Duties, The, [184] 484
 † Thames Navigation, Comm. *cl. 6*, [184] 934; *cl. 15, 935; cl. 43, ib*

CAVE, Mr. T., *Barnstaple*

Army Estimates—Martial Law, [181] 1765

CAVENDISH, Lord F. C., *Yorkshire, W.R.*—N.

Address in Answer to the Speech, [181] 107
 Representation of the People, Comm. [183] 1611

CAVENDISH, Lord G. H., *Derbyshire, N.*

Cattle Plague, Comm. *cl. 18*, [181] 791, 793

CECIL, Lord E. H. B. G., *Essex, S.*

Army—Royal Military College, Motion for a Commission, [182] 423;—Prussian Cartridge Pouches, [184] 1661
 Post Office Savings Banks and Annuity Offices, [183] 777, 1438
 Thames Navigation, Comm. [184] 763; *cl. 3*, 768

Ceylon, Survey of Coast of

Question, Mr. Marsh; Answer, Sir John Pa-
kington July 20, [184] 1164

CHAMBERS, Mr. M., *Devonport*

Elective Franchise, 2R. [183] 1543

CHAMBERS, Mr. T., *Marylebone*

Bankruptcy Law, [181] 1809

Cape Town Railway, Motion for an Address,
[184] 501

Cattle Plague, [181] 1711

Compulsory Church Rate Abolition, Leave,
[183] 629; 2R. [184] 1860

Fellows of Colleges Declaration, Comm. [182]
2054

Finchley Road Estate, 2R. [184] 755

Legitimacy Declaration, &c. 2R. [184] 1002

Manure and Offal, Removal of, from the
Metropolis, [182] 577

Marriage with a Deceased Wife's Sister, 2R.
[183] 284, 327

Mid-London Railway, 2R. [181] 1595

Parliamentary Oaths Amendment, 2R. [181]
1736; Comm. [182] 294; *cl.* 1, 300

Public Health, Comm. *cl.* 20, [184] 1645;
Consid. *add. cl.* 1905; *cl.* 39, 1908; *cl.* 47,
Amendt. 1909

Religious Rights in Workhouses, [182] 1643

Superannuation (Officers Metropolitan Ves-
tries, &c.) 2R. [182] 1076

Transubstantiation, &c. Declaration Abolition,
Comm. *add. cl.* [184] 90

**CHANCELLOR, The LORD (see also CRAN-
WORTH, LORD)**

Administration of Justice Chancery Amend-
ment, 1R. [184] 644

Attorneys and Solicitors (Ireland), 2R. [182]
1115; Comm. [183] 852, 856

Cattle Diseases, Comm. *cl.* 5, [181] 742, 744

Cattle Plague, [181] 437, 446;—Orders in
Council, [182] 278, 279

County Courts, 2R. [182] 1115, 1117; Comm.
1355, 1356

Criminals imprisoned for Life, Motion for Re-
turns, [183] 349

Crown Lands, 2R. [183] 2026

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Divorce and Matrimonial Causes, 2R. [181]
1493

Established Church—Romish Ceremonials,
[184] 222

Gas Light and Coke Company, 2R. [184] 708

Imprisonment for Debt, [182] 485

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Charitable Donations and Bequests (Ire-
land Bill (Mr. Blake, Mr. Synan)

c. Ordered; read 1^o * June 28 [Bill 201]
 Moved, "That the Bill be now read 2^o" (Mr.
 Blake) July 25, [184] 1466; after short de-
 bate, Motion withdrawn; Bill withdrawn

Charitable Trusts Deeds Enrolment Bill

[H.L.] (The Lord Chancellor)

l. Presented; read 1^a * June 7 (No. 146)
 Read 2^a * June 11
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 Report * June 14
 Read 3^a * June 15

[*cont.*]Charitable Trusts Deeds Enrolment Bill—*cont.*

c. Read 1^o * June 26 [Bill 199]
 Read 2^o * July 16
 Committee *; Report July 17
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 Read 3^o * July 19
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 [183] 335; Comm. 479, 480, 481, 937; *cl.* 2,
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House informed, that the Committee had de-
 termined, That Charles Schreiber, esquire,
 is duly elected a Burgess to serve in this pre-
 sent Parliament for the Borough of Chelten-
 ham. And the said Determination was or-
 dered to be entered in the Journals of this
 House. House further informed of certain
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- † Annuities—Exchequer Bills, [183] 2036
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- † County Courts, Leave, [181] 1480
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- † Crown Lands, Comm. [183] 425 ; *cl. 4*, 426, 427
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- † Drainage Maintenance (Ireland), Leave, [182] 966
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- † Fishery Piers and Harbours (Ireland), Leave, [182] 965 ; 2R. [183] 739
- † Game Laws, Infraction of the—William Rowe, [182] 1118
- † Government Property, Rates on, Res. [182] 1995
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- † Labouring Classes' Dwellings, Leave, [181] 428 ; 2R. [182] 115 ; Comm. *cl. 4*, 809, 811, 812, 813 ; *cl. 8*, 813, 814
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- Railways, Motion for a Commission, [184] 1545
- Railways (Ireland) Temporary Advances, 2R. [184] 1362 ; Comm. 1627 ; *cl. 4*, 1633 ; *cl. 6*, 1634
- † Records of Great Britain and Ireland, [183] 1192
- † Representation of the People, 2R. [182] 2155
- † Saturday Half-Holiday, [183] 173, 177
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- † Solicitor to the Treasury, 2R. [183] 844
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- † Terminable Annuities, 2R. [183] 1269, 1271
- † Thames Navigation, Comm. *cl. 85*, [184] 1142 ; *add. cl. ib*
- † Victoria—Colony of, Motion for Papers, [182] 612
- † Ways and Means—Financial Statement, Comm. Res. 1, [183] 412
- † Weights and Measures, [181] 900, 963 ; [182] 550

Children, Employment of—The Factory Acts

Question, Lord John Manners ; Answer, Sir George Grey *April 16*, [182] 1359 ; Question, The Earl of Shaftesbury ; Answer, Earl Russell *April 17*, 1503 ; Question, Mr. Fawcett ; Answer, Sir George Grey *April 17*, 1505

Children in Manufacturing Towns, Education and Employment of

Question, Mr. Fawcett; Answer, Sir George Grey *Feb* 13, [181] 448
Fifth Report of Commission, 1862. [3678]

Children in Mines, Employment of

Question, Mr. Akroyd; Answer, Sir George Grey *Mar* 5, [181] 1497

China

Alleged Conflict at Newchang, Question, Colonel Sykes; Answer, Mr. Layard *June* 12, [184] 236

Chinese Visitors, Question, Colonel Sykes; Answer, Mr. Layard *May* 31, [183] 1552

Mortality of Troops in, Moved, That a Select Committee be appointed "to inquire into the mortality in the Troops in China, the causes which led to it, and into the conduct of those Departments of the Government whose duty it has been to administer to the wants of those troops" (*Colonel North*) *Mar* 20, [182] 644; after debate, Motion agreed to

And, on April 10, Committee nominated as follows:—Colonel North, The Marquess of Hartington, Lord Hotham, Mr. Baxter, Mr. Adderley, Lord Frederick Cavendish, Mr. Roebuck (disch. *May* 7), Colonel Percy Herbert, Mr. Dalglish, Lord Henry Percy, Mr. Calthorpe, Major Anson, Lord John Hay, Mr. Trevelyan, and Major O'Reilly; April 12, General Dunne, Sir Harry Verney *May* 7, Mr. F. Stanley added

Report of Select Committee *July* 24 [442], [442-1]

Correspondence *Parl. P.* [58]
Parl. P. [59], [60], [93], [149], [181], [182]

Rebels in, Question, Colonel Sykes; Answer, Mr. Layard *April* 12, [182] 1119; Amendt. on Committee of Supply *May* 11, to leave out from "That," and add "an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House Copies of the Official Notification and Address of Consul Meadows at Newchang to the Foreign Community, dated the 4th October 1865, respecting the danger to life and property from the proximity of rebels; also of the Official Notification and Address of Consul Medhurst of Hankow to the foreign community, dated 21st January 1866, to devise measures against an expected attack from a body of revolted Imperial Troops, and the advance of the Nienfee rebels" (*Colonel Sykes*), [183] 814; after short debate, Question, "That the words, &c.," put, and agreed to

Transit Duties, Question, Colonel Sykes; Answer, Lord Stanley *August* 2, [184] 1898

Cholera, The

Question, Sir Jervoise Jervoise; Answer, Mr. H. A. Bruce *April* 19, [182] 1644; Question, Mr. Sandford; Answer, Mr. H. A. Bruce *May* 15, [183] 986; Observations, Mr. J. A. Smith *August* 6, [184] 2100

Advances to Boards of Guardians, Question, Mr. Neate; Answer, Mr. Gathorne Hardy *August* 3, [184] 2034 [cont.]

Cholera, The—cont.

At Liverpool, Question, Mr. Laird; Answer, Mr. H. A. Bruce *May* 18, [183] 1146

Conference—Constantinople, Question, Sir Jervoise Jervoise; Answer, Mr. Layard *June* 11, [184] 116

Cork Harbour, Cholera in, Observations, Mr. Maguire; Reply, Sir George Grey *May* 3, [183] 353—*Quarantine*, Question, Mr. Maguire; Answer, Sir George Grey *May* 4, 436

Emigration Agents, Question, Sir Andrew Agnew; Answer, Mr. H. A. Bruce *May* 15, [183] 960

German Emigrant Ship "Hertha," Question, Lord Burghley; Answer, Mr. Bruce *April* 20, [182] 1769

German Emigrants, Cholera among, Motion for Papers (*The Earl of Carnarvon*) *May* 15, [183] 950; after short debate, Motion agreed to—(*Parl. P.* No. 198)

Orders in Council, Question, Captain Vivian; Answer, Mr. Walpole *August* 2, [184] 1901

Church Rate Returns

Question, Mr. Read; Answer, Sir George Grey *Mar* 16, [182] 419

Church Rates Abolition Bill

(*Mr. Harcastle, Mr. Dillwyn, Mr. Baines*)

c. Ordered; read 1^o * *Feb* 13 [Bill 11]

Question, Mr. Walpole; Answer, Mr. Beresford Hope *Mar* 5, [181] 1503

Moved, "That the Bill be now read 2^o" (*Mr. Harcastle*) *Mar* 7, 1632

Amendt. to leave out "now," and add "upon this day six months" (*Mr. Walpole*); Question, "That 'now,' &c.," after long debate, A. 285, N. 252; M. 33; main Question put, and agreed to; Read 2^o *Mar* 7, and committed; Division List, Ayes and Noes, 1691

Question, Mr. Beresford Hope; Answer, The Chancellor of the Exchequer *Mar* 15, [182] 283; Question, Lord John Manners; Answer, The Chancellor of the Exchequer *April* 26, 2072; Question, Lord John Manners; Answer, Mr. Harcastle *May* 4, [183] 438

Order for Committee read, and after short debate discharged; Bill withdrawn *August* 1, [184] 1885

Church Rates Amendment Bill

(*Mr. Bovill, Mr. Beresford Hope*)

c. Ordered; read 1^o * *June* 11 [Bill 187]

Bill withdrawn * *August* 1

Church Rates Commutation Bill

(*Mr. Newdegate, Lord R. Montagu*)

c. Ordered; read 1^o * *Feb* 13 [Bill 12]

Bill withdrawn * *Feb* 20

Church Rates Commutation (No. 2) Bill

(*Mr. Newdegate, Mr. Bovill*)

c. Ordered; read 1^o * *Feb* 20 [Bill 30]

Order for 2^o read, and after short debate discharged; Bill withdrawn *August* 1, [184] 1885

(See *Compulsory Church Rate Abolition Bill*)

Church Temporalities Acts (Ireland) Bill
(*Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland*)

- c. Ordered* *May* 1
Read 1^o *May* 2 [Bill 184]
Bill withdrawn* *July* 23

Civil Service, Saturday Half-Holiday

Question, Mr. O'Reilly; Answer, Mr. Childers
April 30, [183] 172

CLANCARTY, Earl of

Established Church — Romish Ceremonials,
[184] 218
Tenure (Ireland), 2R. [183] 753

CLANRICARDE, Marquess of

Attorneys and Solicitors (Ireland), 2R. [182] 1115

Dogs, 2R. [184] 812, 814; Comm. 929
Foreign Policy—War in Germany, [184] 1269
Habeas Corpus Suspension (Ireland) Act Continuance, 2R. [184] 2085, 2086

India—Rights of Occupancy in Oude, Motion for Papers, [184] 1992, 1994

Ireland—State of, Motion for a Committee, [182] 405;—Court of Queen's Bench, 1628, 1629, 1635, 1637;—Chief Justice Lefroy, Explanation, 1761;—Cattle Disease, [183] 928;—Fenian Conspiracy, 1672

Land Tenure and Improvement (Ireland), 1R. [182] 831

London, Chatham, and Dover Railway (New Lines, &c.) 3R. [184] 2126

Poor Persons' Burial (Ireland), 2R. [182] 2070

Private Bills — Standing Order No. 184, Amendt. [183] 1781, 1791; [184] 1594, 1597

Railway Accidents, Motion for Returns, [184] 1600

Railway Reform (Ireland), Motion for a Paper, [181] 1591

Railways, Finance of, [183] 865

Railways (Ireland) Temporary Advances, 2R. [184] 1997

Record of Title (Ireland) Act, Motion for Returns, [183] 1

Roman Catholic Church (Ireland), Motion for Returns, [181] 1076, 1077

Sea Fisheries, Report of Commissioners, [182] 1753, 1757

Selling and Hawking Goods on Sunday, 3R. Motion for Adjournment, [183] 1142

Tenure (Ireland), 2R. [183] 745, 752, 755, 764
Tenure (Ireland) (No. 2), 2R. [184] 919

Transubstantiation, &c. Declaration Abolition, 2R. [184] 815

CLARENDON, Earl of († Secretary of State for Foreign Affairs)

† Abyssinia—Imprisonment of British Subjects, [181] 27, 287, 288, 289, 1788; [182] 1867

† Austria, Prussia, and Italy, [183] 571, 572, 577
† Congress of Paris, Explanation, [183] 1921

† Europe—State of, [183] 1133

Extradition Treaties Act Amendment, 1R. [184] 1058

† Persia—Nestorians in, [183] 565

† Public Schools, 2R. [183] 1408, 1415; Comm. cl. 4, 1924; cl. 5, 1926, 1928; cl. 16, 1929; cl. 17, 1930; Amendt. 1932; cl. 21, 1933; 3R. cl. 15, Amendt. [184] 526

CLAY, Mr. J., Kingston-upon-Hull

Elective Franchise, Leave, [181] 825; 2R. [183] 1483, 1485, 1486; [184] 1003

Holderness Embankment, &c. 2R. [183] 1971, 1972

Representation of the People, Comm. [183] 1325

Clerk of the Parliaments, Office of the, and Office of the Gentleman Usher of the Black Rod

On March 16, Committee appointed as follows:

—Ld. Chancellor, Ld. President, D. Richmond, M. Lansdowne, M. Salisbury, M. Bath, E. Devon, E. Carnarvon, E. Malmesbury, E. Chichester, Ld. Chamberlain, V. Eversley, L. Steward, L. Colville of Culross, L. Foley, L. Redesdale, L. Colchester, L. Wynford, L. Stanley of Alderley, L. Chelmsford

Clerks of Customs—Salaries

Question, Mr. Seely; Answer, Mr. Childers
Feb 27, [181] 1197; Question, Mr. Torrens;

Answer, Mr. Childers *Mar* 9, 1806; Question, Mr. Treeby; Answer, Mr. Childers
Mar 16, [182] 420

Clerks of Roads

Question, Mr. Biddulph; Answer, Mr. Baring
Mar 14, [182] 489

Clerks to Justices Bill

(*Mr. Colville, Sir Henry Hoare*)

c. Ordered; read 1^o *Mar* 6, [181] 1620 [Bill 53]
Moved, "That the Bill be now read 2^o" (*Mr. Colville*) *May* 9, [183] 644

Amendt. to leave out "now," and add "upon this day six months" (*Mr. Goldney*); after short debate, Question, "That 'now,' &c.," put, and negatived; words added; main Question agreed to; Bill put off for six months

CLEVELAND, Duke of

Private Bills—Standing Order No. 184, [183] 1790

Railway Companies—Financial Arrangements, [182] 829

Selling and Hawking Goods on Sunday, 3R. [183] 1139

CLIFTON, Sir R. J., Nottingham

Army—Barracks at Nottingham, [182] 16

Marine Mutiny, Comm. cl. 39, [181] 1786

Mutiny, Comm. cl. 26, [181] 1883

CLIVE, Mr. G., Hereford

Elective Franchise, 2R. [183] 1493

Mines, [181] 962; [184] 1762

Tenure and Improvement of Land (Ireland), 2R. [184] 1479

Turnpike Roads, 2R. [182] 2065

Coal

Moved, "That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to issue a Royal Commission to investigate the probable quantity of Coal contained in the Coal fields of the United Kingdom, and to report on the quantity of such Coal which may be reasonably expected to be available for use :

"Whether it is probable that Coal exists at workable depths under the Permian, New Red Sandstone, and other superincumbent strata :

"To inquire as to the quantity of Coal at present consumed in the various branches of manufacture, for steam navigation, and for domestic purposes, as well as the quantity exported, and how far and to what extent such consumption and export may be expected to increase :

"And, whether there is reason to believe that Coal is wasted either by bad working or by carelessness or neglect of proper appliances for its economical consumption" (*Mr. Hussey Vivian*) June 12, [184] 241

Amendt. to leave out from "That," and add "a Special Report as to the extent, quality, and cost of working Coal in the United Kingdom be directed to be made by the persons charged with the conduct of the Geological Survey, and that the same be laid before Parliament with the least possible delay" (*Mr. M. Cullagh Torrens*), 281 ; Question, "That the words, &c.," after long debate, Amendt. withdrawn ; main Question agreed to

Answer to Address [12th June] reported June 25, 652

Coal Commission, Question, Colonel Sykes ; Answer, Mr. Walpole July 19, [184] 1069 ; Question, Mr. Gladstone ; Answer, Mr. Walpole July 19, 1073 ; Question, General Dunne ; Answer, Mr. Walpole July 27, 1615

Coal Fields, Duration of the—The Geological Survey, Question, Mr. Liddell ; Answer, Sir George Grey April 20, [182] 1768 ; Question, Mr. Liddell ; Answer, Sir George Grey April 23, 1873

Coal Fields of the United Kingdom, Question, Sir Robert Peel ; Answer, Sir George Grey May 10, [183] 672

COCHRANE, Mr. A. D. Baillie, *Horiton*

Abyssinia—Prisoners in, [184] 2163
Austria and Prussia—Cession of Venetia, [184] 719

Bright, Mr., and the Reform League—Explanation, [184] 1666, 1667, 1668

Business, Order of, [182] 839 ; [183] 1312

Business, Public, [184] 646

Cattle Diseases, Leave, [181] 380 ; Comm. *cl. 5*, 513 ; *cl. 13*, 541 ; *cl. 31*, 610

Colonial Governors (Retiring Pensions) Act Amendment, Leave, [181] 1200

Coolie Emigration, [181] 1707, 1708 ;—to the French Colonies, [182] 1989

Courts of Justice, Res. [182] 792

Devonport Election, [181] 1513

Europe—State of, [184] 133

Foreign Policy, [184] 1257

International Maritime Law, Motion for an Address, [181] 1430

[*cont.*]

COCHRANE, Mr. A. D. Baillie—*cont.*

Jamaica—Disturbances in, Res. [184] 1813

Jamaica Government, Leave, [181] 582, 599

Metropolitan Board of Works, Motion for a Commission, [183] 1955

Navy Estimates—Half Pay, [182] 559

Public Boards and Metropolitan Improvements, Motion for a Commission, [183] 1194

Reform Meeting in Hyde Park, [184] 1399

Representation of the People, 2R. [182] 1221 ;

Comm. [183] 1404, 1405, 1731

"St. Abbs," Wreck of the Ship, [182] 969, 970

Sheep, Disease in, [182] 581, 582

Spain and Chile—War between, [183] 983

Supply—Public Buildings, [182] 897, 898 ;—

University of London, [183] 189

Whitehall Yard, Intended Meeting in, [184] 696

Coffee—*Duty on*

Question, Mr. Marsh ; Answer, The Chancellor of the Exchequer Feb 23, [181] 963

COGAN, Mr. W. H. F., *Kildare Co.*

Army Estimates—Barrack Establishment, [181] 1759

Cattle Disease—Importation of Sheep into Ireland, [182] 421

Ireland—Fatal Riot at the Election for Monaghan, [182] 461 ;—Chief Justice Lefroy, [183] 355

Representation of the People (Ireland), Leave, [183] 537

Supply—Non-conforming, &c. Ministers, [183] 833

Transubstantiation, &c. Declaration Abolition, Leave, [182] 642 ; 2R. [183] 636 ; Comm.

add. cl. [184] 90

Coinage Bill—see *Colonial Branch Mints Bill***Coinage, *International***

Question, Mr. Watkin ; Answer, The Chancellor of the Exchequer Mar 23, [182] 840

COLEBROOKE, Sir T. E., *Lanarkshire*

Cattle Diseases, Comm. *cl. 5*, Amendt. [181] 513, 515 ; *cl. 13*, 533 ; *cl. 7*, 644

Cattle Plague, Comm. *cl. 18*, [181] 795 ; *add. cl.* 953

Fortifications (Provisions for Expenses), 2R. [184] 1676

Hares and Rabbits (Scotland), 2R. [184] 1262

Lunacy Acts (Scotland) Amendment, Comm. *add. cl.* [183] 843

Representation of the People, Comm. *cl. 4*, [184] 417, 438

Representation of the People (Scotland), Leave, [183] 524

COLERIDGE, Mr. J. D., *Exeter*

Marriage with a Deceased Wife's Sister, 2R. [183] 317

Representation of the People, 2R. [182] 1830 ; Comm. [183] 1858

Tests Abolition (Oxford), 2R. [182] 659, 711, 715 ; Comm. *cl. 1*, [184] 317, 339, 465

Collection of Taxes

Question, Mr. C. Forster; Answer, The Chancellor of the Exchequer *Feb 9*, [181] 308

COLLIER, Sir R. P., (see also SOLICITOR GENERAL, The)

Extradition Treaties Act Amendment, 2R. [184] 2016

Public Health, Comm. *cl. 5*, [184] 1383, 1384; *cl. 23*, 1651; *Consid. cl. 50*, 1909

Colonial and Foreign Bishoprics

Motion for Returns (*The Bishop of London*) *July 15*, [184] 811; Motion withdrawn

Colonial Bishoprics

Question, Lord St. Leonards; Answer, The Earl of Derby *July 17*, [184] 917
Natal, Bishopric of—Dr. Colenso, Question, Mr. Hubbard; Answer, Mr. Adderley *August 3*, [184] 2035

Colonial Bishops Bill

(*Mr. Secretary Cardwell, Mr. Attorney General, Mr. W. E. Forster*)

c. Ordered, after debate; read 1^o *May 15*, [183] 1032 [Bill 160]

Question, Mr. Walpole; Answer, Mr. Cardwell *May 24*, 1198

Moved, "That the Order for second reading be discharged" (*Mr. Adderley*) *July 16*, [184] 916; after short debate, Order discharged; Bill withdrawn

Colonial Branch Mints Bill

(*Mr. Hunt, Mr. Adderley*)

c. Ordered; read 1^o *July 17* [Bill 215]

Read 2^o, and committed *July 23*, [184] 1363

Committee*; Report *July 24* [Bill 220]

Read 3^o *July 25*

l. Read 1^a * (*The Earl of Belmore*) *July 26*

Read 2^a * *July 27* (No. 227)

Committee*; Report *July 30*

Read 3^a * *July 31*

Royal Assent *August 6* [29 & 30 *Vict. c. 65*]

Colonial Clergy Disabilities Bill

(*The Lord Bishop of London*)

l. Read 1^a * *July 19* (No. 120)

Colonial Governors (Retiring Pensions) Act Amendment Bill

(*Mr. B. Cochrane, Mr. S. Cave*)

c. Ordered *Feb 27*, [181] 1200

Read 1^o *Mar 5* [Bill 49]

COLVILLE, Mr. C. R., Derbyshire, S.

Clerks to Justices, Leave, [181] 1620; 2R. [183] 644, 654

Mines Assessment, Leave, [183] 279

Common Law Courts (Fees and Salaries) Bill

(*Mr. Dodson, Mr. Solicitor General, Mr. Hunt*)

c. Ordered; read 1^o * *July 24* [Bill 240]

Read 2^o * *July 27*

Committee*; Report *July 30*

Common Law Courts (Fees and Salaries) Bill—cont.

Considered as amended * *August 2*

Read 3^o * *August 3*

l. Read 1^a * (*The Earl of Belmore*) *August 3*

Read 2^a * *August 4* (No. 271)

Committee*; Report *August 6*

Read 3^a * *August 7*

Royal Assent *August 10* [29 & 30 *Vict. c. 101*]

Common Law Courts (Ireland) Bill

(*Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland*)

c. Ordered; read 1^o * *Feb 15* [Bill 18]

Bill withdrawn * *July 23*

Commons and Open Spaces (Metropolis)

Question, Mr. Doulton; Answer, Mr. Cowper *Feb 13*, [181] 447—(See *Metropolis*)

Commons (Metropolis) Bill

**Commons (Suburban and Metropolitan) }
 Bill (Mr. Cowper, Mr. Childers)**

182] c. Motion for Leave (*Mr. Cowper*), 623

Ordered, after long debate *Mar 20*

Read 1^o * *Mar 21* [Bill 84]

183] Question, Sir William Jolliffe; Answer, Mr. Cowper *May 7*, 483

. Moved, "That the Bill be now read 2^o" (*Mr. Cowper*) *May 24*, 1278

Moved, "That the debate be now adjourned" (*Mr. Ayrton*); after short debate, Motion withdrawn

. Amendt. to leave out from "That," and add "it is inexpedient to transfer the duty with which the Metropolitan Board is by Law invested to an irresponsible Board, having power to incur expenditure and to charge the same on the ratepayers of the Metropolis; but it is desirable to amend the Inclosure Acts so as to enable the Metropolitan Board and local authorities in towns, with the aid of the Inclosure Commissioners, to acquire, by purchase or gift, rights in Commons, in order that the same may be kept open for the recreation of the inhabitants of the Metropolis and such towns" (*Mr. Ayrton*); Question, "That the words, &c.;" after debate, Amendt. withdrawn; main Question agreed to; Bill committed to a Select Committee; Instruction to the Committee *May 24*, 1283

And, on June 4, Committee nominated as follows:—Mr. William Cowper, Sir William Jolliffe, Mr. Ayrton, Mr. Sandford, Mr. Loeke, Mr. Shaw Lefevre, Mr. Powell, Mr. Russell Gurney, Mr. Leeman, Mr. Buxton, Mr. Acland, Mr. Adderley, Mr. Doulton, Mr. Knight, and Mr. Lawrence

Report of Select Committee *July 16* [Bill 211]

Committee*; Report *July 19*

Read 3^o * *July 23*

l. Read 1^a * (*The Earl of Belmore*) *July 24*

Read 2^a * *July 27* (No. 222)

184] Committee *July 31*, 1703 (No. 250)

Report * *August 2*

Read 3^a * *August 6*

. c. Lords Amendments considered, and agreed to *August 7*, 2151

Royal Assent *August 10* [29 & 30 *Vict. c. 122*]

[cont.]

Companies' Act (1862) Amendment Bill

(Mr. M. Gibson, Mr. Monsell, Mr. Brand)

c. Considered in Committee; Bill ordered *
May 3Read 1^o * May 7

[Bill 139]

Read 2^o * May 14

Committee*; Report May 17

Read 3^o * May 24l. Read 1^a * (The Lord Stanley of Alderley)
May 28 (No. 124)Read 2^a * May 31

Order for Committee read; Moved, "That the House do now resolve itself into a Committee" June 7, [183] 2028

Amendt. to leave out ("now,") and insert ("this day three months") (Earl Grey); after debate, on Question, "That ('now,') &c.," Cont. 14, Not-Cont. 17; M. 3; resolved in the negative, and House to be in Committee this day three months; Division List, Cont. and Not-Cont., 2035

Compulsory Church Rate Abolition Bill

(Mr. Chancellor of the Exchequer, Sir George Grey, Mr. M. Gibson, Mr. Attorney General)

[183] c. Motion for Leave (Mr. Chancellor of the Exchequer), 619

Bill ordered, after long debate; read 1^o May 8

. The Second Reading, Question, Lord John Manners; Answer, The Chancellor of the Exchequer May 18, 1150; Question, Viscount Galway; Answer, The Chancellor of the Exchequer June 5, 1941

. Vicar of Stockton-on-Tees, Question, Mr. Freville-Surtees; Answer, The Chancellor of the Exchequer May 31, 1553

[184] Moved, "That the Bill be now read 2^o" (Mr. Gladstone) July 18, 1029; after short debate, Amendt. to leave out from "That," and add "no scheme for the total, or partial, or absolute, or qualified abolition of Church Rates will be satisfactory to this House which does not contain some legal and certain provision for supplying any deficiency which may ensue from such scheme, in the funds applicable to the maintenance of the fabric of Church" (Mr. Neate), 1036; Question, "That the words, &c.;" after further debate, it being a quarter to Six of the Clock, Debate adjourned; Question, Mr. Henley; Answer, Mr. Gladstone July 20, 1166; adjourned debate resumed July 24, 1444; after short debate, Moved, "That the debate be now adjourned" (Mr. Henley); Question put, A. 64, N. 108; M. 44; Question again proposed; Moved, "That this House do now adjourn" (Colonel North); after further debate, Motion withdrawn; Debate further adjourned; Question, Mr. Jasper More; Answer, Mr. Neate July 26, 1536; adjourned debate resumed August 1, 1847; after long debate, Question put, and agreed to; main Question put, and agreed to; Bill read 2^o, and committed [Bill 143]

. Question, Mr. Neate; Answer, Mr. Gladstone July 23, 1284

CONOLLY, Mr. T., Donegal Co.

Habeas Corpus Suspension (Ireland), Leave, [181] 707

Consecration of Churchyards Bill [H.L.]

(The Lord Redesdale)

l. Presented; read 1^a * May 3 (No. 97)
Bill withdrawn * July 16**Consecration of Churchyards (No. 2) Bill**

(The Lord Redesdale)

[184] l. Presented; read 1^a July 16, 812 (No. 193). Moved, "That the Bill be now read 2^a" July24, 1365; after short debate, Bill read 2^a

. Order for the House to be put into Committee read July 26, 1495; after short debate, House in Committee; Bill reported without Amendment (No. 231)

. Moved, "That the Order of the Day for 3^a be discharged" July 30, 1654; after short debate, Cont. 28, Not-Cont. 19; M. 9; resolved in the affirmative; Order discharged**Consolidated Fund (£1,137,772) Bill**c. Ordered; read 1^o * Mar 2Read 2^o * Mar 5

Committee*; Report Mar 6

Read 3^o * Mar 7l. Read 1^a * Mar 8Read 2^a * Mar 9Read 3^a * Mar 12

Royal Assent Mar 13 [29 Vict. c. 6]

Consolidated Fund (£19,000,000) Billc. Ordered; read 1^o * Mar 15Read 2^o * Mar 16

Committee*; Report Mar 19

Read 3^o * Mar 20l. Read 1^a * (The Earl Russell) Mar 20Read 2^a * Mar 22Read 3^a * Mar 22

Royal Assent Mar 23 [29 Vict. c. 13]

Consolidated Fund (Appropriation) Bill

(Mr. Dodson, Mr. Chancellor of the Exchequer, Mr. Hunt)

c. Ordered; read 1^o * July 27Read 2^o and committed after short debate

July 30, [184] 1668

Committee*; Report July 31

Read 3^o * August 1l. Read 1^a * (The Earl of Derby) August 2Read 2^a * August 3

Committee*; Report August 6

Read 3^a * August 7

Royal Assent August 10 [29 & 30 Vict. c. 91]

Constabulary Force (Ireland) [Pay, &c.]

Bill (Mr. Dodson, Mr. Hunt, Lord Naas)

c. Resolution reported; Bill ordered; read 1^o *
July 19 [Bill 224]Read 2^o * July 31

Committee*; Report August 2

Considered as amended* August 4

Read 3^o * August 4l. Read 1^a * (Earl of Belmore) August 4 (No. 278)Moved, "That the Bill be now read 2^a" August 6, [184] 2087; after short debate, Bill read 2^a; Committee negativedRead 3^a * August 7

Royal Assent August 10 [29 & 30 Vict. c. 116]

Contagious Diseases [Expenses]

- c. Resolution in Committee * *April 24*, [182]
Report * *April 25*

Contagious Diseases Prevention Bill

(*Lord Clarence Paget, Mr. Childers*)

- c. Ordered * *Mar 15*; read 1^o * *Mar 16* [Bill 78]
Moved, "That the Bill be now read 2^o" (*Lord Clarence Paget*) *Mar 22*, [182] 814; after short debate, read 2^o, and committed to a Select Committee

And, on April 9, Committee nominated as follows:—*Lord Clarence Paget, Sir John Pakington, Mr. Walpole, Mr. Hunt, Lord Hotham, Sir James Fergusson, General Peel, Sir Harry Verney, Admiral Erskine, Sir Morton Peto, Mr. Ayrton, Mr. Kinnaird, Mr. Locke, The Marquess of Hartington, Sir George Grey, Colonel Herbert, and Mr. Morley*; April 13, *Lord Hotham* disch., *Sir Charles Russell* added

Special Report *April 20*

(No. 200)

Committee (*on re-comm.*); Report *April 26*, 2176

[Bill 116]

Considered * *April 27*

[Bill 117]

Read 3^o * *April 30*

- l. Read 1^a * (*The Duke of Somerset*) *May 1*
Read 2^a * *May 7* (No. 95)
Committee * *May 14*
Report * *May 15*
Read 3^a * *May 17*
Royal Assent *June 11* [29 *Vict. c. 35*]

Controverted Elections

General Committee of Elections appointed
Feb 21, [181] 879

Chairmen's Panel reported *Feb 27*, [181] 1238

Convicts' Property Bill

(*Mr. Attorney General, Sir George Grey*)

- c. Ordered; read 1^o * *April 16* [Bill 105]
Read 2^o * *April 23*
Committee; after short debate reported *May 3*, [183] 427
Read 3^o * *May 14*
l. Read 1^a * *May 15* (No. 116)

Coolie Emigration—Emigration to the French Colonies

Question, *Mr. Baillie Cochrane*; Answer, *Mr. Milner Gibson* *Mar 8*, [181] 1707; Question, *Mr. Baillie Cochrane*; Answer, *Mr. Layard* *April 24*, [182] 1989

Corn and Meat, Consumption of

Question, *Sir Stafford Northcote*; Answer, *Mr. Milner Gibson* *Feb 20*, [181] 815

CORRY, Right Hon. H. T. L. († Vice-President of the Committee of Privy Council for Education), *Tyrone Co.*

Army Estimates—Manufacturing Establishments, [181] 1775

† Cattle Disease—Foreign Cattle, [184] 1164, 1663;—Cattle Trade restrictions, 1846;—in Holland, 1901

† Lea, River, Impure state of, [184] 2185

[cont.]

CORRY, Right Hon. H. T. L.—cont.

"London," Loss of the, [181] 1497

Navy Estimates—Men and Boys, [181] 1338, 1347, 1350, 1351, 1352, 1355;—Coast Guard Service, 1367, 1368, 1779

† Navy—Royal Dockyards, [184] 2066

Representation of the People (Ireland), Leave, [183] 539

Supply—Non-conforming, &c. Ministers, [183] 832;—† Public Education, Great Britain,

[184] 1343, 1360;—British Museum, 1565;—Science and Art Department, 1568, 1572

† Vaccination, Comm. [184] 1363

† Veterinary Surgeons, Comm. [184] 1443

County Assessments Bill

(*Mr. Knatchbull-Hugessen, Sir George Grey*)

- c. Ordered * *June 5*

Read 1^o * *June 6*

[Bill 179]

Read 2^o * *June 8*

Committee *; Report *July 16*

Committee * (*on re-comm.*); Report *July 19*

Considered as amended * *July 20*

Read 3^o * *July 23*

- l. Read 1^a * (*The Earl of Devon*) *July 24*

Moved, "That the Bill be now read 2^a" *July 30*, [184] 1656; after short debate, on

Question, that ("now") stand Part of the Motion? resolved in the affirmative; Bill read 2^a, and committed (No. 221)

Committee *; Report *July 31*

Read 3^a * *August 2*

Royal Assent *August 6* [29 & 30 *Vict. c. 78*]

County Courts Bill

(*Mr. Childers, Mr. Chancellor of the Exchequer,*
Mr. Attorney General)

- c. Ordered; read 1^o *Mar 2*, [181] 1480 [Bill 47]

Read 2^o * *Mar 12*

Committee *; Report *Mar 19*

Considered as amended * *Mar 20*

Read 3^o * *Mar 21*

- l. Read 1^a * (*The Lord Chancellor*) *Mar 22*

Moved, "That the Bill be now read 2^a" *April 12*; read 2^a, after short debate, and committed (No. 55)

Committee; Report *April 16*, [182] 1355

Read 3^a * *April 17*

Royal Assent *April 23* [29 *Vict. c. 14*]

County Infirmaries (Ireland) Bill

(*Mr. Pollard-Urquhart, Mr. O'Reilly*)

- c. Ordered; read 1^o * *Feb 13* [Bill 14]

Moved, "That the Bill be now read 2^a" (*Mr. Pollard-Urquhart*) *Mar 14*, [182] 241; after short debate, Motion negatived

COURTENAY, Viscount, *Exeter*

National Gallery, Director of the, [181] 760

Court of Chancery (Ireland) Bill

(*Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland*)

- c. Ordered; read 1^o * *Feb 15* [Bill 19]

Second reading * *Mar 16*; debate adjourned

[cont.]

Court of Chancery (Ireland) Bill—cont.

- 182] Debate resumed *Mar 19*, 564
 Moved, "That the debate be now adjourned"
 (*Mr. Whiteside*); A. 55, N. 99; M. 44;
 Question again proposed
 Moved, "That this House do now adjourn"
 (*Lord Claud Hamilton*); after short debate,
 Motion withdrawn; Debate adjourned
 183] Order read, for resuming Adjourned Debate
May 9, 657
 Moved, "That the debate be now adjourned"
 (*Mr. Whiteside*); Motion withdrawn; Question
 again proposed, "That the Bill be now
 read 2^o;" Amendt. to leave out "now," and
 add "upon this day six months" (*Mr. White-*
side); Question, "That 'now,' &c.;" after
 long debate, Debate adjourned
 Debate resumed *May 14*, 927; after short
 debate, Question, "That the Bill be now
 read 2^o;" agreed to; main Question agreed
 to; Bill read 2^o
 184] Committee *June 8*, 84
 Bill withdrawn * *July 23*

Court of Chancery—The Winding-up Act
 Question, Mr. H. B. Sheridan; Answer, The
 Attorney General *June 19*, [184] 646

Court of Session (Scotland) Bill

(*The Lord Advocate, Mr. Sol. Gen. for Scotland*)

- c. Ordered * *June 26*
 Read 1^o * *July 2* [Bill 204]
 Read 2^o * *July 19*
 Committee *; Report *July 23*
 Read 3^o * *July 24*
 l. Read 1^a * (*The Duke of Montrose*) *July 26*
 Read 2^a * *July 27* (No. 230)
 Committee * *August 2*
 Report * *August 6*
 Read 3^a * *August 7*
 Royal Assent *August 10* [29 & 30 *Vict.* c. 112]

COURTOWN, Earl of

Sea Fisheries, Report of Commissioners, [182]
 1757

Courts of Justice Bill

(*Mr. Hunt, Lord John Manners*)

- c. Ordered; read 1^o * *July 17* [Bill 217]
 Read 2^o * *July 19*
 Committee *; Report *July 20*
 Read 3^o * *July 23*
 l. Read 1^a * (*The Earl of Belmore*) *July 24*
 Read 2^a * *July 27* (No. 218)
 Committee * Report *July 30*
 Read 3^a * *July 31*
 Royal Assent *August 6* [29 & 30 *Vict.* c. 63]

Courts of Justice, The New

Question, Mr. C. Bentinck; Answer, Mr.
 Cowper *Feb 15*, [181] 510; Question, Mr.
 Bentinck; Answer, Mr. Cowper *Feb 20*, 813
Competition of Architects, Amendt. on Com-
 mittee of Supply *Mar 22*, To leave out from
 "That," and add "in the opinion of this
 House, it is not expedient that the compe-
 tition for the building of the New Courts of
 Justice should be limited to six architects
 only" (*Mr. Bentinck*), [182] 775; after

[cont.

Courts of Justice, The New—cont.

long debate, Question, "That the words,
 &c.;" A. 70, N. 101; M. 31; words
 added; main Question put, and agreed to;
 Question, Mr. Bentinck; Answer, Mr. Cow-
 per *April 30*, [183] 180; *May 8*, 1178; In-
 structions to competing Architects—(*Parl.*
P. No. 325)

Court of Probate, Custody of Wills, Question,
 Mr. Waldegrave-Leslie; Answer, The At-
 torney General *August 1*, [184] 1846

Courts of Justice, New, and the National
Gallery, Question, Mr. Bentinck; Answer,
 Mr. Cowper *Mar 12*, [182] 17; Question,
 Mr. McCullagh Torrens; Answer, Mr. Cowper
Mar 20, 576

Increase of Judges, Question, Mr. Horsfall;
 Answer, The Attorney General *April 17*,
 [182] 1507

COWEN, Mr. J., Newcastle-upon-Tyne

Bankruptcy Law Amendment, 2R. [183] 707
 France—Commercial Treaty with, [182] 1647
 Public Health, Comm. cl. 23, [184] 1649;
 Amendt. 1679; cl. 34, 1635
 Reformatory Schools, Consid. cl. 12, [184]
 1887

**COWPER, Right Hon. W. F. († Chief Com-
 missioner of Works), Hertford**

- † Board of Trade—Marine Department, [182]
 1225
 † Commons and Open Spaces (Metropolis), [181]
 447
 † Commons (Metropolis), Leave, [182] 623, 636,
 638, 639; [183] 483; 2R. 1278, 1281,
 1287; Lords Amendts. [184] 2151
 † Courts of Justice, The New, [181] 510, 813,
 814; [182] 17, 576; Res. 783; [183] 181,
 183, 184, 1180
 † Gas Light and Coke Company, Consid. [184]
 228
 † Imperial Gas Company, 2R. [183] 581
 † Metropolitan Board of Works, Motion for a
 Commission, [183] 1963
 † Metropolis—Inclosure in Leicester Square,
 [182] 969;—Gas Works, Victoria Park,
 [183] 362;—Hyde Park, 1149, 1686
 † National Gallery, The, [182] 17; [183] 963;
 —and Burlington House, Res. [184] 1316
 † National Gallery Enlargement, 2R. [183] 741
 † New Palace Yard, Works in, [181] 1523, 1525
 † Public Offices (Site), Leave, [181] 433
 Reform Meeting in Hyde Park, [184] 1408
 † Regent's Park, Ornamental water in the, [181]
 1283, 1393
 † Royal Academy, The, [182] 1506;—Site of,
 Motion for Papers, [184] 57
 † Sittings in the House, [184] 472
 182] † Supply—Public Buildings, 895, 897, 898,
 . 902, 905, 906, 909;—Furniture, Public
 . Offices, 910;—Royal Parks, &c. 911;—New
 . Houses of Parliament, 917;—Westminster
 . Bridge, 930;—Patent Office, 948; Report,
 . 1074;—New Courts of Justice, 1114;—
 183] University of London, 184, 185, 188, 189,
 . 192;—Chapter House, Westminster, 193
 † Thames Embankment (North Approaches), &c.
 2R. [181] 1093; Motion for a Committee,
 [182] 650, 651, 652, 657

CRANBOURNE, Right Hon. Viscount († Secretary of State for India), *Stamford*
Address in Answer to the Speech, [181] 162, 174
Casual Poor, Clerkenwell, [181] 1809
Cattle Diseases, 2R. [181] 492; Comm. *cl.* 13, 532; *cl.* 14, 550
Cattle Plague, Comm. *cl.* 16, [181] 778; *cl.* 13, 793, 796; *cl.* 23, 800, 801; *cl.* 35, 854, 857; *cl.* 39, Amendt. 859; *cl.* 41, 860; *cl.* 3, 861; *cl.* 30, 951; *add. cl.* 952; *Consid.* Preamble, Amendt. 1058
Cattle Plague—The Commission, [181] 312; [182] 495
Devonport Election, [181] 1294, 1296
† East India Revenue Accounts, Comm. [184] 1079, 1134
Elective Franchise, 2R. [183] 1520
Electoral Statistics, [182] 874; [183] 873
Europe—State of, [184] 149, 152, 153
† India—Grievances of Indian Officers, [184] 1070, 2090, 2094, 2098;—State of Oude, 1281;—Madras Irrigation Company, 1285;—Famine in, 1528;—Transfer of the Capital to Simlah, 1615;—Banda and Kirwee Prize Money, 1664;—Claims against the State of Oude, 1902
International Maritime Law, Motion for an Address, [181] 1455
London (City) Corporation Gas, 2R. Amendt. [181] 1603
Morning Sittings, [184] 535
National Debt, Comm. Res. [183] 557
Parliamentary Reform, [181] 306, 1286
Poor in the Metropolis, [181] 345
Public Expenditure, Res. [181] 1109
Representation of the People, Leave, [182] 224, 227; 2R. Motion for Adjournment, 2172; [183] 6, 16; Comm. 1945; *cl.* 4, Motion for Adjournment, 2133; [184] 429, 448
Royal Academy, Site of the, Motion for Papers, [184] 72
Sittings in the House, [184] 472
Tests Abolition (Oxford), 2R. [182] 706, 712; Comm. *cl.* 1, [184] 331
Thames Embankment (North Approaches), &c. Motion for a Committee, [182] 654

CRANWORTH, Lord (see also CHANCELLOR, The Lord)

Administration of Justice Chancery Amendment, 2R. [184] 775, 778
County Assessments, 2R. [184] 1656
Dogs, Comm. Amendt. [184] 929
Judicial Committee of the Privy Council, 2R. [184] 780
Law of Capital Punishment Amendment, Report, Amendt. [184] 774; 3R. 811
Marriages (Sydmonton), 2R. [184] 773
Railway Traffic Protection, 2R. [184] 771
Statute Law Revision, 2R. [184] 779
Suburban Commons (*now* Metropolitan Commons), Comm. [184] 170

CRAUFURD, Mr. E. H. J., *Ayr, &c.*

Cattle Diseases, Comm. *cl.* 43, [181] 632; Schedule 1, 657; *Consid. cl.* 21, Amendt. 729
Cattle Plague, Comm. *cl.* 18, [181] 797; *add. cl.* 954

CRAUFURD, Mr. E. H. J.—*cont.*

Elections (Returning Officers), Comm. [184] 1022; Preamble, 1023; *cl.* 2, 1026, 1029
Exchequer and Audit Departments, Comm. *cl.* 1, [182] 1862; *cl.* 4, Amendt. 1863; *cl.* 8, 1864; *cl.* 18, 2009; Amendt. 2010
Legitimacy Declaration, &c. 2R. [184] 1002
London (City) Corporation Gas, 2R. [181] 1610
Reform Bill, The, [181] 1503
Scotland—Wigtonshire Election, [184] 474
Sea Fisheries Commission, [181] 761
Union Chargeability Act, Extension of, to Scotland, [181] 596
Writs Registration (Scotland), [182] 422; [184] 1283

CRAWFORD, Mr. R. W., *London*

Bankruptcy Law Amendment, 2R. [183] 705; [184] 820
Cattle Disease—Orders in Council, [182] 851
Cattle Diseases, Comm. *cl.* 3, [181] 638, 641; *Consid. cl.* 4, Proviso, 728
Cattle Plague, Comm. *cl.* 16, Amendt. [181] 777; *add. cl.* 850, 854; *cl.* 30, 945
Drivers of Hackney Carriages, [182] 840
East India communications, Motion for a Committee, [181] 1218, 1233; Instruction, [182] 1974; [184] 1897
East India Revenue Accounts, Comm. [184] 1112
Exchequer and Audit Departments, *Consid. cl.* 4, [183] 422
India—Tenure of Land, Res. [183] 716
Insolvent Estates, Winding-up of, [184] 1897
London (City) Corporation Gas, 2R. [181] 1597, 1613
London (City) Traffic Regulation, 2R. [181] 893
Metropolitan District Railway, [182] 1646
Metropolitan Local Government, Motion for a Committee, [181] 1211
Post Office, General, [182] 2076
Representation of the People, Leave, [182] 71; 2R. 2175
Sittings in the House, [184] 471
Supply—Metropolitan Police, [183] 211

CRIMINAL LAW

Ashford, Mary, Execution of, Question, Mr. Kekewich; Answer, Mr. W. Ewart *April* 17, [182] 1608
Ballard, Emily Jane—Case of, Question, Mr. Sheriff; Answer, Sir George Grey *Mar* 23, [182] 845; Question, Mr. Sheriff; Answer, Sir George Grey *May* 2, [183] 283
Ferguson, Mr., Case of—Policemen in Plain Clothes, Question, Lord Henry Lennox; Answer, Sir George Grey *Feb* 16, [181] 597
Imprisonment for Life, Motion for Returns (*The Earl of Carnarvon*) *May* 3, [183] 344; after short debate, Motion withdrawn; Question, Mr. Ewart; Answer, Sir George Grey *June* 14, [184] 377
Prisons Act, 1865, Question, The Earl of Carnarvon; Answer, Earl Russell *Feb* 13, [181] 435; Address for Papers (*The Earl of Carnarvon*) *Feb* 15, 505; Motion agreed to (*Parl. P.* No. 281); Question, Mr. Hibbert; Answer, Sir George Grey *Mar* 1, 1282

CRIMINAL LAW—cont.

Prison Ministers Act, Resolution (*The O'Conor Don*) July 24, [184] 1417
Roman Catholic Prisoners in Westminster Prison, Explanation, Mr. T. J. Miller August 4, [184] 2053
Toomer, Case of Neville Maskelyne, Question, Mr. Eykyn; Answer, Mr. Walpole July 24, [184] 1384; Question, Mr. Neate; Answer, Mr. Walpole August 7, 2140

CROSLAND, Colonel T. P., *Huddersfield*
 Representation of the People, Comm. [183] 1341, 1342

CROSSLEY, Sir F., *Yorkshire, W.R.—N.*
Cattle Diseases, Comm. cl. 16, [181] 558
National Debt, Comm. Res. [183] 559
 Representation of the People, Leave, [182] 70; 2R. 1404; Comm. cl. 4, [183] 2096; [184] 430, 439
 Supply—Patent Office, [182] 950
 Ways and Means, Comm. Res. 7, [183] 549

Crown Lands Bill

(*Mr. Chancellor of the Exchequer, Mr. Childers*)
 182 c. Resolutions in Committee April 9, 958
 Bill ordered; read 1^o April 10, 1075
 Read 2^o * April 19 [Bill 98]
 183 Committee; after short debate reported May 3, 423
 Moved, "That the Bill be now read 3^o" (*Mr. Chancellor of the Exchequer*) May 14, 921;
 Amendt. to leave out from "be" and add
 "re-committed in respect of Clause 27" (*Mr. Ayrton*); after short debate, Question,
 "That the words, &c.," agreed to; main
 Question agreed to; Read 3^o and passed
 l. Read 1^a * (*The Lord President*) May 15
 Moved, "That the Bill be now read 2^a"
 June 7, 2021; Read 2^a after long debate, and
 referred to a Select Committee (No. 114)
 And, on June 11, Committee nominated as
 follows:—Ld. President, M. Lansdowne,
 E. Doncaster, E. Malmesbury, E. Powis,
 E. Nelson, E. Morley, V. Eversley, V.
 Halifax, L. Blantyre, L. Harris, L. Sil-
 chester, L. Portman, L. Stanley of Alderley,
 L. Northbrook
 184 Orders discharged; Bill committed to a
 Committee of the Whole House on Tuesday
 next (*The Lord President*) June 15, 464
 Committee*; Report July 13 (No. 192)
 Committee*; Report July 16
 Read 3^a * July 20
 Royal Assent August 6 [29 & 30 Vict. c. 62]

CUBITT, Mr. G., *Surrey, W.*

Cattle Plague—Compensation, [184] 1282
Compulsory Church Rate Abolition, Leave,
 [183] 634
Hop Trade, 2R. [182] 1597

Curragh of Kildare Bill

(*Mr. Childers, Mr. Chichester Fortescue, Mr.*
Attorney General for Ireland)
 c. Ordered; read 1^o * May 3 [Bill 136]
 After short debate, Order for 2R. discharged;
 Bill withdrawn June 11, [184] 208

Currency and Banking

Question, Mr. Bazley; Answer, The Chancellor
 of the Exchequer July 23, [184] 1284
 Moved, "That an humble Address be presented
 to Her Majesty, praying that She will be
 graciously pleased to issue a Royal Commis-
 sion, directed to the investigation of the
 causes which have led to the late severe and
 protracted pressure in the money market,
 and to the continuance for a long period of
 a minimum rate of discount of 10 per cent
 at the Bank of England; and also to in-
 vestigate the Laws at present affecting Cur-
 rency and Banking in the United Kingdom,
 and to report what (if any) alterations have
 become expedient therein; and further, that
 it be an Instruction to the Commissioners to
 present their Report and the Evidence taken
 by them on or before the 1st February,
 1867" (*Mr. Watkin*) July 31, 1706; after
 long debate, Debate adjourned. After short
 debate, Order for resuming Adjourned De-
 bate discharged August 6, 2124

Customs and Inland Revenue Bill

(*Mr. Dodson, Mr. Chancellor of the Exchequer,*
Mr. Childers)
 c. Read 1^o * May 8 [Bill 145]
 Moved, "That the Bill be now read 2^o" (*Mr.*
Chancellor of the Exchequer) May 17, [183]
 1126; after debate, Motion and original
 Question withdrawn; second reading de-
 ferred
 Moved, "That the Bill be now read 2^o" (*Mr.*
Chancellor of the Exchequer) May 24, 1202
 Amendt. to leave out from "That," and add "it
 is inexpedient to retain, as part of the Inland
 Revenue for the service of the year, the pre-
 sent Duties on Fire and Marine Insurances,
 which are unjust in their incidence on pro-
 perty, and injurious to the national indus-
 try" (*Mr. Hubbard*); after debate, Ques-
 tion, "That the words, &c.," put, and agreed
 to; main Question agreed to; Read 2^o
 Committee; Report May 28, 1407
 Read 3^o * May 31
 l. Read 1^a * (*The Lord President*) June 1
 Read 2^a * June 8 (No. 137)
 Read 3^a * June 8
 Royal Assent June 11 [29 Vict. c. 36]

Customs' Clerks, Salaries of the

Question, Mr. Seely; Answer, Mr. Childers
 Feb 27, [181] 1197; Question, Mr. Torrens;
 Answer, Mr. Childers Mar 9, 1806; Ques-
 tion, Mr. Treeby; Answer, Mr. Childers
 Mar 16, [182] 420

Customs Duties (Isle of Man) Bill

(*Mr. Dodson, Mr. Chancellor of the Exchequer,*
Mr. Childers)
 c. Resolution in Committee Mar 15, [182] 354
 Bill ordered * Mar 16
 Read 1^o * Mar 23 [Bill 91]
 Read 2^o * April 16
 Committee * R.P. April 17
 Committee*; Report April 19
 Considered as amended * April 20
 Read 3^o * April 23

Customs Duties (Isle of Man) Bill—cont.

- l.* Read 1st* (*Lord Stanley of Alderley*) *April 24*
 Read 2nd* *May 1* (No. 82)
 Committee*; Report *May 3*
 Read 3rd* *May 4*
 Royal Assent *May 18* [29 *Vict.* c. 23]

Customs Duties (Isle of Man) [Harbour Dues]

c. Resolution in Committee *April 17*

Customs Officers, Outdoor

Question, Mr. Blake; Answer, Mr. Childers
Mar 13, [182] 140

DALGLISH, Mr. R., *Glasgow*

Cattle Plague, Comm. *cl.* 30, [181] 950; 3R.
 1058
 Navy Estimates—Naval Stores, [182] 353

DALHOUSIE, Earl of

Army—Breech-loading Rifles, [184] 787
 Cattle Diseases, 2R. [181] 736; Comm. *cl.* 5,
 742; *cl.* 10, 745, 746, 747; *cl.* 12, 749;
cl. 18, 756
 Cattle Plague Act, [181] 803
 Public Schools, 3R. *cl.* 15, [184] 528
 Selling and Hawking Goods on Sunday, 3R.
 [183] 1676

Danish Sleswig

Question, Mr. Darby Griffith; Answer, Lord
 Stanley *July 26*, [184] 1534

Danubian Principalities

State of Roumania, Question, Mr. Darby
 Griffith; Answer, The Chancellor of the
 Exchequer *Mar 5*, [181] 1518; Question,
 Mr. Sandford; Answer, Mr. Layard *April 20*,
 [182] 1772; Question, Mr. Darby Griffith;
 Answer, Mr. Layard *April 20*, 1774; Question,
 Mr. Darby Griffith; Answer, Mr.
 Layard *May 28*, [183] 1311

Danubian Principalities, Amendt. on Committee of Supply *June 8*, To leave out from "That," and add "an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, Copy of any Correspondence relative to the Conference on the Danubian Principalities" (*Mr. Darby Griffith*), [184] 75; Question, "That the words, &c.," after short debate, Amendt. and Motion withdrawn

Moved, "That an humble Address be presented to Her Majesty for all official Papers of an ostensible Character relating to Negotiations which have taken place between Her Majesty's Government and any other State or States respecting the two Danubian Principalities, Moldavia and Wallachia, whether in the Form of Conventions, Protocols, or diplomatic Correspondence, dated subsequently to the Paris Convention of 19th August, 1858, and hitherto not communicated to Parliament" (*Viscount Stratford de Redcliffe*) *July 20*, 1153; after debate, Motion withdrawn; Question, Mr. Darby Griffith; Answer, Lord Stanley *July 23*, 1322

DAWSON, Mr. R. Peel, *Londonderry Co.*

Army—Medical Officers, Motion for Papers,
 [183] 588
 Canada—The Fenian Raid, [184] 533
 Ireland—Church Establishment, [181] 1709;—
 Established Church, Res. [182] 1022;—Mar-
 riages, [183] 5;—Irish Society, Motion for
 Papers, 608;—Medical Officers, Res. 1948;
 —National Education, [184] 721
 Poor Persons' Burial (Ireland), Comm. [182]
 1578
 Railway Travelling (Ireland), 2R. [182] 252
 Representation of the People (Ireland), Leave,
 [183] 537
 Weights and Measures, [181] 963

Dean Forest (Walmore and the Bearce Commons) Bill

(*Mr. Childers, Mr. William Cowper*)

c. Ordered* *April 27*

Read 1st* *April 30* [Bill 129]

Read 2nd* *May 10*, and referred to a Select
 Committee

And, on *May 24*, Committee nominated as
 follows:—Mr. Childers (Chairman), Mr.
 Ewart, Mr. Goodson, Colonel Kingscote,
 Mr. Paull, Mr. W. P. Price, Mr. Rolt

Report of Committee *June 8*

Committee*; Report *June 18* [Bill 182]

Read 3rd* *June 25*

l. Read 1st* (*The Earl of Devon*) *June 26*

Read 2nd* *July 17* (No. 178)

Committee*; Report *July 19*

Committee*; *July 23*

Report* *July 24*

Read 3rd* *July 27*

Royal Assent *August 6* [29 & 30 *Vict.* c. 70]

DE GREY, Hon. T., *Norfolk, W.*

Malt Tax, Res. [182] 1548

Poor Law Officers, Retiring Pensions to, [182]
 286

DE GREY AND RIPON, Earl († Secretary of State for India)

Army—Breech-Loading Rifles, [184] 782

† East India Military, &c. Fund Transfer, Comm.
 [182] 1753

† India—Grievances of Officers, [181] 1788;—
 Military Funds, [183] 743, 744;—Court of
 Small Causes (Bombay), Motion for Papers,
 1302, 1304

DENBIGH, Earl of

Industrial Schools, Comm. [184] 2073

Reformatory Schools, Comm. [184] 2074

DENISON, Right Hon. J. E., (see SPEAKER, The)

Speaker, Choice of a, [181] 11

DENMAN, Lord

Cattle Diseases, [181] 595

Cattle Plague—Fresh Outbreak in London,
 [182] 728

Sewage and Pollution of Rivers, Motion for a
 Committee, [184] 1062

DENMAN, Hon. G., *Tiverton*

Clerks to Justices, 2R. [183] 651
 Elections (Returning Officers), Comm. [184] 1013
 Elective Franchise, 2R. [183] 1500, 1510
 Government Property, Rates on, Res. [182] 1998
 Inns of Court, 2R. [182] 1092
 Spain and Chile—War between, [183] 985
 Thames Navigation, 2R. [182] 1613

DENT, Mr. J. D., *Scarborough*

Address in Answer to the Speech, [181] 134
 Cattle Disease—Compensation for Slaughtered Cattle, [182] 283
 Cattle Diseases, Comm. *cl.* 7, [181] 517; *cl.* 13, 543; *cl.* 14, 553; *cl.* 16, 558; *cl.* 40, 630
 Cattle Plague, Comm. *cl.* 5, Amendt. [181] 774; *cl.* 28, 800; *add. cl.* 863; Lords Amendts. [182] 276
 Elections (Returning Officers), Comm. [184] 1020
 Sheep, Rinderpest among, [182] 138

DERBY, Earl of († First Lord of the Treasury)

Abyssinia—Imprisonment of British Subjects, [181] 287; [182] 1867
 Address in Answer to the Speech, [181] 87, 94, 103
 Art, 2R. [181] 809; Comm. *cl.* 3, 885; Preamble, 887
 Austria, Prussia, and Italy, [183] 576
 Cattle Diseases, Comm. *cl.* 5, [181] 743; *cl.* 12, 753; *cl.* 15, 756; Schedule, 757
 Cattle Diseases Act—Orders in Council, [182] 1865, 1866
 Cattle Diseases (Ireland), 2R. [181] 1494
 Cattle Plague, 1R. [181] 1061, 1063
 Cattle Plague, The—Conference at St. James' Hall, [181] 294, 300, 438, 443, 444, 446, 956
 † Colonial Bishops, [184] 917
 † Consecration of Churchyards, 2R. [184] 1366
 Crown Lands, 2R. [183] 2027
 † Danubian Principalities, Motion for Papers, [184] 1153, 1154, 1159
 Devonport Election, [181] 1376, 1378
 † Dover Harbour Board, [184] 1269
 Ecclesiastical Commission, Comm. *cl.* 4, [184] 368, † 1275; Report, 1498; *cl.* 25, *ib.* 1499
 † Extradition Treaties Act Amendment, Commons Amendts. [184] 2153
 † Factory Act, The, [184] 781
 † Foreign Policy—War in Germany, [184] 1271, 1274
 † "Greatham Hall" Privateer—Captain Foley, [184] 818, 819
 Habeas Corpus Suspension (Ireland), [181] 586; 2R. 663
 † Habeas Corpus Suspension (Ireland) Act Continuance, 2R. [184] 2074
 † Indemnity, 2R. [184] 2127
 † Ireland—Constabulary—Case of Sub-Inspector Burke, Motion for Papers, [184] 2153
 King of the Belgians, The late—Trust Estate of, [181] 1381
 Labouring Classes' Dwellings, 2R. [183] 567
 † Metropolis—Protection of Hyde Park, [184] 1896, 1987, 1992
 Metropolitan Railway (Additional Powers), 2R. [183] 1771

[cont.]

DERBY, Earl of—cont.

Ministerial Crisis, [184] 660, 666
 † Ministerial Statement, [184] 726, 750
 † National Gallery Enlargement, 2R. [184] 926
 Parliamentary Oaths Amendment, 2R. [182] 1324, 1328, 1330; Comm. *cl.* 6, 1627; Preamble, 1628
 † Pollution of Rivers, [184] 931
 † Prayer against the Cattle Pestilence and Cholera, [184] 1654
 Prosecution Expenses, 2R. [183] 478
 † Public Meeting Places in the Metropolis, [184] 1590
 Public Schools, 2R. [183] 1413, 1416, 1431, 1432, 1433; Comm. *cl.* 4, 1924; *cl.* 21, 1932, 1933; 3R. *cl.* 15, Amendt. [184] 526
 Qualification for Offices Abolition, 2R. [182] 1983; Comm. [183] 253
 † Railway Traffic Protection, 2R. [184] 772
 † Reform League and the Home Secretary, [184] 1491
 † Reform Meeting in Hyde Park, [184] 1370
 † Ritualism in the Church of England, [184] 2132
 † Rochdale Vicarage, Comm. *cl.* 12, [184] 1656
 Roman Catholic Church (Ireland), Motion for Returns, [181] 1072
 † Sewage and Pollution of Rivers, [184] 931, Motion for a Committee, 1061, 1063
 Sheep, Small Pox among, [181] 804, 805
 Tenure (Ireland), 2R. [183] 759
 † Tenure (Ireland) (No. 2), 2R. [184] 923
 † Transubstantiation, &c. Declaration Abolition, 2R. [184] 814, 816
 West Middlesex Water, Comm. [182] 1977
 † Working Classes, Improvement of the Dwellings of the, [184] 2078

DERING, Sir E. C., *Kent, E.*

Navy—Engineers in the, [181] 1840, 1844

DE ROS, Lord

Law of Capital Punishment Amendment, 2R. [183] 251

DERBY, Bishop of,

Ireland—State of, Motion for a Committee, [182] 411

DEVON, Earl of († Chancellor of the Duchy of Lancaster)

† County Assessments, 2R. [184] 1656, 1657
 Public Schools, Comm. *cl.* 5, Amendt. [183] 1928
 † Reformatory Schools, Comm. [184] 2074

Devonport Election

Question, Sir John Pakington: Answer, The Solicitor General *Mar* 1, [181] 1287; Personal Explanations, The Duke of Somerset *Mar* 2, 1376; Lord Clarence Paget and Mr. Horsman *Mar* 5, 1505; Question, Sir John Pakington: Answer, Lord Clarence Paget *Mar* 9, 1808

House informed, that the Committee had determined, That John Fleming, esquire, is not duly elected a Burgess to serve in this present Parliament for the Borough of Devonport. That William Ferrand, esquire, is not duly elected a Burgess to serve in this pre-

[cont.]

Devonport Election—cont.

sent, Parliament for the Borough of Devonport. That the last Election for the Borough of Devonport is a void Election; and the said Determinations were ordered to be entered in the Journals of this House: House further informed of certain Resolutions of the Committee May 9, [183] 643

DICK, Mr. W. W. Fitzwilliam, *Wicklow Co.*

Ireland—Harbours of Refuge on the East Coast, [184] 1761;—Wrecks on the East Coast, 2094

DICKSON, Major A. G., *Dover*

Army Estimates—Land Forces, [181] 1574
Army—Musketry Instruction, [183] 823;—
The Crawley Court Martial, 1690;—The
11th Hussars and Breech-loading Guns, [184] 828
Dover—Guilford Battery, [181] 1807
Elections, Corrupt Practices at, [182] 1123
Government Property, Rates on, Res. [182] 1998
London, Chatham, and Dover Railway, [184] 1902

DILKE, Sir W., *Wallingford*

Thames Navigation, 2R. [182] 1614

DILLON, Mr. J. B., *Tipperary Co.*

Habeas Corpus Suspension (Ireland), Leave, [181] 701
Habeas Corpus Suspension (Ireland) Act Continuance, 2R. [184] 1969; Comm. *cl.* 1, Amendt. 2031
Ireland—Registry of Deeds Office, [181] 1054;—
Ordnance Survey, [183] 1554
Parliamentary Oaths Amendment, Comm. [182] 292; *cl.* 7, 312
Tenure and Improvement of Land (Ireland), 2R. [183] 1097, 1098

DILLWYN, Mr. L. L., *Swansea*

Public Health, Comm. *cl.* 2, Amendt. [184] 1382

DISRAELI, Right Hon. B., (see also CHANCELLOR of the EXCHEQUER) *Buckinghamshire*

Army Estimates—Clothing Establishments, [181] 1756
Army—Military Savings Banks, [182] 736, 739
Business, Order of, [182] 855
Cattle Disease—Orders in Council, [182] 849
Cattle Diseases, Comm. *cl.* 5, [181] 512; *cl.* 13, 547; *cl.* 14, 552; *cl.* 16, 556; *cl.* 21, 577
Church Rates Abolition, 2R. [181] 1690
Congress, The proposed, [183] 1199, 1200; Explanation, [184] 27
Customs and Inland Revenue, 2R. [183] 1128
Devonport Election, [181] 1307
Electoral Returns, [182] 1776
Electoral Statistics, [183] 4
Habeas Corpus Suspension (Ireland), Leave, [181] 682

DISRAELI, Right Hon. B.—cont.

Ireland—Escape of Stephens, Motion for Papers, [182] 762
Monetary Crisis—Panic in the City, [183] 772
National Debt, [183] 485
Palmerston, Viscount, Monument to, Comm. Res. [181] 916
Parliamentary Oaths Amendment, 2R. [181] 1712, 1724, 1808; Comm. [182] 297; *cl.* 1, Amendt. *ib.* 300, 307
Princess Helena, Marriage of the, Comm. Res. [181] 906
Princess Mary of Cambridge—Queen's Message, [183] 2041
Re-distribution of Seats, Leave, [183] 507; 2R. 874
Representation of the People, 2R. [182] 1143, 1717, 1860, 1973; [183] 74; Comm. 1341, 1397, 1668, 1762, 1876, 1884, 1900; *cl.* 4, 2115, 2134; [184] 197, 204, 208, 438; *cl.* 5, 536, 537, 601
Speaker, Choice of a, [181] 15
(See also CHANCELLOR of the EXCHEQUER)

Divorce and Matrimonial Causes Bill
[H.L.] (*The Lord Chancellor*)

l. Presented; read 1st * Feb 19 (No. 17)
Read 2nd * after short debate Mar 5, [181] 1493
Committee * Mar 6; Report * Mar 8
Read 3rd * Mar 9
c. Read 1st * April 13 [Bill 102]
Read 2nd * April 23
Committee *; Report May 10
Read 3rd * May 17
Royal Assent June 11 [29 Vict. c. 32]

Divorce Bills

On March 20, Committee nominated as follows:—Mr. Walpole (Chairman), Mr. Adderley, Mr. Bonham-Carter, Colonel French, Mr. Gathorne Hardy, The Judge Advocate, The Lord Advocate, Colonel Packe, Sir John Pakington

Dockyard Extensions Act Amendment Bill (*Lord Clarence Paget, Mr. Childers*)

c. Ordered * Mar 15
Read 1st * Mar 16 [Bill 77]
Read 2nd * Mar 19
Committee *; Report Mar 20
Read 3rd * Mar 21
l. Read 1st * (*The Duke of Somerset*) Mar 22
Read 2nd * May 7 (No. 56)
Committee *; Report May 8
Read 3rd * May 11
Royal Assent May 18 [29 Vict. c. 27]

Dockyard Extensions Bill

(*Sir J. Pakington, Lord H. Lennox*)

c. Ordered; read 1st * July 26 [Bill 246]
Read 2nd * July 27
Committee *; Report July 30
Read 3rd * July 31
l. Read 1st * (*The Lord Privy Seal*) August 2
Read 2nd * August 3 (No. 259)
Committee *; Report August 6
Read 3rd * August 7
Royal Assent August 10 [29 & 30 Vict. c. 98]

Dopson, Mr. J. G. (Chairman of the Committees of Ways and Means:—sat as Deputy Speaker on several occasions), *Sussex, E.*

Army and Military Savings Banks, [182] 740
Army Estimates, [182] 803
Cattle Diseases, Leave, [181] 391; Comm. *cl.* 13, 540; *cl.* 21, 604
Cattle Plague, Comm. *cl.* 30, [181] 948
Cattle Plague—Cattle Trade Restrictions, [184] 1845
Day of Humiliation—Committees, [182] 506, 508
Extradition Treaties Act Amendment, Comm. [184] 2108; *add. cl.* 2111
Finsbury Estate, Leave, [182] 1072
Hop Trade, Comm. 213; Consid. Amendt. [183] 844, 845
Imperial Gas Company, 2R. [183] 582
Ireland—Fenian Prisoners in Waterford, [182] 447;—Escape of Stephens, Motion for Papers, 761, 762
London Gas, Comm. [182] 889; 3R. [183] 1436
“London,” Loss of the, [182] 551
Manchester, Sheffield, and Lincolnshire Railway, Consid. *add. cl.* [183] 1939
Mid-London Railway, 2R. [181] 1596
National Debt, Comm. Res. [183] 557
Navy Estimates—Naval Stores, [182] 332
Nottingham Town Election, [182] 968
Parliamentary Oaths Amendment, Comm. *cl.* 1, [182] 300
Reformatory Schools, Comm. *cl.* 14, [184] 1693
Representation of the People, Comm. *cl.* 4, [183] 2133; [184] 187, 429, 433, 445; *cl.* 5, 536, 537, 538
“St. Abbs,” Wreck of the Ship, [182] 970
Scotland—Dogs in, [181] 1834
Supply—Patent Office, [182] 957;—Special Missions, [183] 737;—Post Office Salaries, &c. [184] 912;—Public Education, Great Britain, 1351;—Public Education (Ireland), 1576
Tests Abolition (Oxford), 2R. [182] 712
Thames Embankment (North Approaches), &c. Motion for a Committee, [182] 656
Thames Navigation, Comm. *cl.* 6, [184] 933; *cl.* 89, 1142
Transubstantiation, &c. Declaration Abolition, Comm. *add. cl.* [184] 92

Dogs Bill

(*Sir C. O’Loghlen, Mr. Lusk, Mr. Stacpoole*)

- c. Ordered * *June 5*
Read 1^o * *June 6* [Bill 181]
Read 2^o * *June 11*
Committee*; Report *June 14*
Read 3^o * *June 18*
l. Read 1^a * (*The Marquess of Clanricarde*)
June 19 (No. 170)
Moved, “That the Bill be now read 2^a” *July 16*, [184] 812; after short debate, Bill read 2^a
Moved, “That the House do now resolve itself into a Committee on the said Bill” (*The Marquess of Clanricarde*) *July 17*, 929
Amendt. to leave out (“now,”) and insert (“this day six months”) (*The Lord Cranworth*); after short debate, on Question,

[*cont.*]

Dogs Bill—cont.

“That (‘now,’) &c.,” Cont. 14, Not-Cont. 37; M. 23; resolved in the negative, and House to be in Committee on this day six months; List of Cont. and Not-Cont., 930

Dogs—Duty on

Observations, Mr. Ellice *Mar 9*, [181] 1832; Question, Mr. Waldegrave-Leslie; Answer, Mr. Hunt *July 20*, [184] 1162; Question, Mr. Darby Griffith; Answer, Mr. Childers *July 20*, 1167

Dogs—Registration of

Question, Mr. Butler; Answer, Sir George Grey *June 14*, [184] 378

DOULTON, Mr. F., *Lambeth*

Commons and Open Spaces (Metropolis), [181] 447
Commons (Metropolis), Leave, [182] 631, 633
Epping Forest, [181] 896
Representation of the People, 2R. [182] 1710

Dover—Guilford Battery

Question, Major Dickson; Answer, The Marquess of Hartington *Mar 9*, [181] 1807

Dover Harbour Board

Question, Earl Granville; Answer, The Earl of Derby *July 23*, [184] 1269

Drainage and Improvement of Lands (Ireland) (*Mr. Childers, Mr. Chichester Fortescue, Mr. Attorney General for Ireland*)

- c. Ordered * *April 17*
Read 1^o * *April 20* [Bill 117]
Read 2^o * *April 23*
Committee*; Report *April 24*
Read 3^o * *April 26*
l. Read 1^a * (*The Lord Dufferin*) *April 27*
Read 2^a * *May 4* (No. 90)
Committee*; Report *May 7*
Read 3^a * *May 8*
Royal Assent *May 18* [29 *Vict.* c. 26]

Drainage and Improvement of Lands Act (Ireland) Provisional Order Bill (*Mr. Hunt, Lord Naas*)

- c. Ordered; read 1^o * *July 17* [Bill 216]
Read 2^o * *July 19*
Committee*; Report *July 20*
Read 3^o * *July 23*
l. Read 1^a * (*The Earl of Belmore*) *July 24*
Read 2^a * *July 26* (No. 217)
Committee*; Report *July 27*
Read 3^a * *July 30*
Royal Assent *August 6* [29 & 30 *Vict.* c. 61]

Drainage Maintenance (Ireland) Bill

(*Mr. Childers, Mr. Attorney General for Ireland*)

- c. Ordered; read 1^o *April 9*, [182] 966 [Bill 95]
Read 2^o * *May 3*
Committee*; Report *May 7*
Read 3^o * *May 11*

[*cont.*]

Drainage Maintenance (Ireland) Bill—cont.

- l. Read 1^a * (The Lord Dufferin) May 14*
*Read 2^a * June 1* (No. 113)
*Committee * June 11*
*Report * June 12* (No. 151)
*Read 3^a * June 14*
Royal Assent July 16 [29 & 30 *Vict. c. 49*]

DU CANE, Mr. C., Essex, N.

- Cattle Plague—Importation of Diseased Dutch Cattle, [182] 1226
 Church Rates Abolition, 2R. [181] 1655
 County Voters, [182] 581
 Fisheries, English and French, [183] 363
 Malt Duty, Res. [182] 1555
 Oyster Fisheries, Deep Sea, [181] 973
 Representation of the People, Comm. [183] 1615 ; *cl. 4*, [184] 390

Duchy of Cornwall—Foreshores

- Question, Sir Lawrence Palk ; Answer, Mr. Childers *May 15*, [183] 962

DUFF, Mr. M. E. Grant, Elgin, &c.

- Public Schools, [181] 959
 Scotland—Lord Lyon King-at-Arms, [184] 45
 Tests Abolition (Oxford), Comm. *cl. 1*, [184] 327

DUFF, Mr. R. W., Banffshire

- Representation of the People, 2R. [182] 2142

DUFFERIN, Lord (Under Secretary of State for War)

- Army—Artillery—Breech-loading Small Arms, [182] 1639
 Ireland—Schoolmasters, Motion for a Return, [181] 1281 ;—Marriage Law, Motion for Papers, 1880, 1881 ; [182] 279 ;—State of, Motion for a Committee, 383 ;—Record of Title Office, Motion for Papers, 721 ;—Court of Queen's Bench, 1632 ;—Fenian Conspiracy, [183] 1671
 Land Tenure and Improvement (Ireland), 1R. [182] 835
 Poor Persons' Burial (Ireland), Commons Amendments. [183] 1792
 Record of Title (Ireland) Acts, &c. Motion for Returns, [183] 3
 Tenure (Ireland), 2R. [183] 749

Duffield, Henry—Law of Imprisonment for Debt

- Petition (*The Earl of Stradbroke*) *Mar 19*, [182] 484

DUNCOMBE, Vice-Admiral Hon. A., York-shire, E.R.

- Cattle Disease—Removal of Cattle, [182] 283
 Cattle Plague, Lords Amendments. [182] 276
 Cattle Statistics, [182] 15
 Committee of Selection, [181] 343
 Day of Humiliation—Committees, [182] 505
 Devonport Election, [181] 1513
 Whitsuntide Recess, [183] 485

DUNCOMBE, Hon. W. E., Yorkshire, N.R.

- Cattle Diseases, Comm. *cl. 13*, [181] 544
 Cattle Plague, Comm. *cl. 10*, [181] 799 ; Lords Amendments. [182] 266
 Customs and Inland Revenue, 2R. [183] 1127
 Electoral Statistics, [182] 884
 Representation of the People, Leave, [182] 240 ; 2R. [183] 69

DUNDAS, Rt. Hon. Sir D., Sutherlandshire

- Representation of the People (Scotland), Leave, [183] 527

DUNKELLIN, Lord, Galway Co.

- Army—Medical Officers, Motion for Papers, [183] 596
 Fenians, The, and the British American Colonies, [182] 1990
 Representation of the People, 2R. [182] 1374 ; Comm. *cl. 5*, Amendt. [184] 539, 553, 635

DUNLOP, Mr. A. M., Greenock

- Cattle Diseases, Comm. *cl. 5*, Amendt. [181] 514
 Qualification for Offices Abolition, 2R. [181] 1253
 Valuation of Lands, &c. (Scotland), 2R. [182] 1083, 1092

DUNNE, Major-Gen. F. P., Queen's Co.

- Army Chaplains, [182] 1768
 Army Estimates—Land Forces, [181] 1567, 1580 ;—Pay and Allowances, 1586
 Cattle Plague, Consid. *add. cl.* [181] 1057
 Coal Commission, [184] 1615
 Court of Chancery (Ireland), 2R. [183] 665
 Curragh of Kildare, 2R. [184] 209
 Finchley Road Estate, 2R. [184] 753
 Fishery Piers and Harbours (Ireland), 2R. [183] 739
 Grand Juries Presentment (Ireland), 2R. [182] 1577
 India—Delhi Prize Money, [182] 1769
 Ireland—Records, [182] 1773 ; [183] 1187 ;—The Militia, 177, 180 ;—Deep Sea Fisheries, 361 ;—Medical Officers, Res. 1953 ;—Fisheries, Motion for Papers, [184] 45, 942 ;—Record Office (Dublin), Motion for a Return, 1075
 Labouring Classes' Dwellings (Ireland), 2R. [183] 740
 Poor Persons' Burial (Ireland), Comm. [182] 1579
 Railways (Ireland)—Metropolitan Railway Schemes, [181] 1014
 Records of Great Britain and Ireland, [183] 1187
 Representation of the People (Ireland), Leave, [183] 537
 Sea Coast Fisheries (Ireland), 2R. [184] 1462
 Supply—Royal Parks, &c. [182] 911 ;—Westminster Bridge, 930 ;—Patent Office, 950 ; [183] —University of London, 191, 192, 193 ;—Chapter House, Westminster, 193 ;—Holyhead and Portpatrick Harbours, 195 ;—Public Buildings (Ireland), 195 ;—New Record Buildings, Dublin, 196 ;—Quarantine Establishment, 203, 205 ;—Printing and Stationery, 208 ;—Probate and Divorce, &c. Courts, 210, 211 ;—Orange River Territory, 727 ;—Labuan, 728 ;—Services in China, Japan, &c. 734 ;—Ancient Laws, &c. (Ireland), 835 ;—Civil Contingencies, 840

DUNSANY, Lord

Cattle Diseases, [181] 596
Cattle Diseases (Ireland), 2R. [181] 1494
Ireland — Schoolmasters, Motion for Returns, [181] 1281; — Fenian Conspiracy, [183] 1669
Jamaica Government, 2R. [182] 123
Land Tenure and Improvement (Ireland), 1R. [182] 834
Law of Capital Punishment Amendment, Comm. cl. 13, [184] 454
Navy—Turret Ships, Motion for an Address, [182] 1, 13
Roman Catholic Church (Ireland), Motion for Returns, [181] 1083
Spain and Chile—War between, [183] 959
Tenure (Ireland), 2R. [183] 755

DUTTON, Hon. R. H., Cirencester

Cattle Diseases, Comm. cl. 13, [181] 545
Elections (Returning Officers), Comm. [184] 1013
Ireland—Motion for Returns, [184] 1181
Re-distribution of Seats, 2R. [183] 919
Reigate Election, Motion for a Joint Address, [183] 276
Representation of the People, Leave, [182] 72

Dwellings for the Labouring Classes

Question, Mr. Alderman Lusk; Answer, Mr. Hunt *July* 26, [184] 1531; Question, The Earl of Shaftesbury; Answer, The Earl of Derby *August* 6, 2069

DYOTT, Colonel R., Lichfield

County Electoral Statistics, [184] 239

EARLE, Mr. R. A., († Secretary to the Poor Law Commissioners), Maldon

Europe—State of, [184] 176
† Public Libraries Act Amendment, Comm. add. cl. [184] 1454
Representation of the People, Comm. [183] 1406

East India Communications

Moved, "That a Select Committee be appointed to inquire into the practical working of the present systems of Telegraphic and Postal Communications between this Country and the East Indies" (*Mr. Crawford*) *Feb* 27, [181] 1218; after long debate, Motion agreed to

And, on March 9, Committee nominated as follows:—Mr. Crawford (Chairman), Lord Stanley, Mr. Childers, Lord Robert Montagu, Mr. Stansfeld, Admiral Seymour, Mr. Ayrton, Mr. Turner, Sir Henry Rawlinson, Mr. Baillie, Mr. Weguelin, Sir Charles Bright, Mr. Laird, Mr. Moffatt, and Mr. Schreiber

After short debate, Instruction to the Select Committee on East India Communications, that they be empowered to extend their inquiry to China and Japan and Australia and the Mauritius (*Mr. Crawford*), [182] 1974; April 23, Mr. Marsh and Mr. Brooks added to the Committee; July 6, Admiral Seymour, Lord Stanley (*vac.*); July 16, Sir James Fergusson, Mr. Hunt added
Report *July* 20, 428, 428-I

Question, Mr. Crawford; Answer, Mr. Hunt *August* 2, [184] 1897

East India Military, &c. Funds Transfer

Bill (*Mr. Dodson, Mr. Stansfeld, Mr. Baring*)
c. Resolution in Committee *Mar* 15
Bill ordered; read 1^o * *Mar* 16 [Bill 75]
Read 2^o * *Mar* 19
Committee*; Report *Mar* 20
Considered as amended * *Mar* 21
Read 3^o * *Mar* 22
l. Read 1^a * (*The Earl de Grey*) *Mar* 23 (No. 62)
Read 2^a * *April* 12
Committee, after debate *April* 20, [182] 1752
Report * *April* 23
Read 3^a * *April* 24
c. Lords Amendments considered *April* 26
l. Royal Assent *April* 30 [29 *Vict.* c. 18]

East India Revenue Accounts

Considered in Committee *July* 19, [184] 1079
Resolutions moved (*Viscount Cranbourne*); after long debate, Resolutions agreed to

EBURY, Lord

Established Church—Revision of the Lectionary, Motion for a Commission, [184] 95, 109
Lancaster Election—Motion for a Commission, Amendt. [184] 3
Pollution of Rivers, &c. [184] 932
Prayer against the Cattle Pestilence and Cholera, [184] 1653
Railway Companies—Financial Arrangements of, [182] 830

Ecclesiastical Commission—Augmentation of Benefices

Motion for Returns (*The Archbishop of York*); Motion amended, and agreed to *Mar* 20, [182] 575—(*Parl P.* No. 6)
Conversion of Curacies into Rectories, Question, The Duke of Marlborough; Answer, Earl Granville *Mar* 5, [181] 1495

Ecclesiastical Commission Bill

(*The Earl Russell*)

l. Read 1^a * *Mar* 19 (No. 52)
Read 2^a * *Mar* 23
And, on May 4, Committee nominated as follows:—L. Abp. Canterbury, L. Abp. York, D. Somerset, D. Richmond, D. Marlborough, E. Derby, E. Hardwicke, E. Chichester, E. Powis, E. Harrowby, E. Russell, V. Eversley, Bp. Oxford, and L. Stanley of Alderley
Report of Select Committee *June* 8 (No. 148)
As amended by Select Committee (No. 149)
Committee *June* 14, [184] 365; Amendments made (No. 160)
Question, The Earl of Chichester; Answer, The Earl of Derby *July* 23, 1275
Amendments reported *July* 26, 1498
Further Amendments made (No. 232)
Read 3^a * *July* 26
c. Read 1^o * *July* 27 [Bill 252]
Read 2^o * *July* 30
Committee*; Report *August* 2
Considered *August* 4, [184] 2055; after short debate, Bill read 3^o and passed
l. Royal Assent *August* 10 [29 & 30 *Vict.* c. 111]

Ecclesiastical Leases (Isle of Man) Bill

(Mr. Baring, Mr. Bruce)

- c. Ordered; read 1st* Mar 19 [Bill 80]
Read 2nd* Mar 21
Committee*; Report Mar 22
Read 3rd* April 9
l. Read 1st* (*The Earl of Chichester*) April 12
Read 2nd* May 28 (No. 68)
Committee* May 31 (No. 134)
Report* June 4
Read 3rd* June 5
Royal Assent August 6 [29 & 30 Vict. c. 81]

**Edinburgh Annuity Tax Abolition Act
(1860), and Canongate Annuity
Tax Act**

On Motion of Mr. McLaren, Select Committee appointed, "to inquire into the operation of 'The Edinburgh Annuity Tax Abolition Act, 1860,' and 'The Canongate Annuity Tax Act,' and to report their opinion thereon to the House" April 30, [183] 231; Motion agreed to

And, on May 11, Committee nominated as follows: — Mr. Bouverie (Chairman), Mr. McLaren, The Lord Advocate, Sir Graham Montgomery, Mr. Dunlop, Sir James Ferguson, Mr. Hadfield, Mr. Grant Duff, Mr. Ingham, Mr. Cumming-Bruce, Mr. John Benjamin Smith, Mr. Adam, Mr. Baxter, Mr. Crum-Ewing, and Mr. William Miller

Report June 29—(Parl. P. No. 379, 379-I)

Education

Committee of Council on—Select Committee appointed Feb 13, "To inquire into the constitution of the Committee of Council on Education, and the system under which the business of the office is conducted; and also into the best mode of extending the benefits of Government Inspection and the Parliamentary Grant to schools at present unassisted by the State" (*Sir John Pakington*), [181] 451

And, on Feb 20, Committee nominated as follows:—Sir John Pakington (Chairman), Mr. Bruce, Viscount Cranbourne, Mr. Buxton, Mr. Howes, Mr. Clay, Mr. Adderley, Mr. Henry Cowper, Sir Stafford Northcote, Sir Colman O'Loughlen, Mr. Walpole, Mr. Shaw Lefevre, Mr. Liddell, Mr. Morrison, and Mr. Stirling; April 30, Mr. Shaw Lefevre (*vac*)
Report of Select Committee July 5—(Parl. P. No. 392)

Minute of Council on—*The Conscience Clause*, Question, The Archbishop of Canterbury; Answer, Earl Granville May 14, [183] 847

Revised Code, 1866, Question, Mr. Powell; Answer, Mr. H. A. Bruce Mar 2, [181] 1393; Question, Mr. Powell; Answer, Mr. H. A. Bruce June 4, [183] 1794

Parl. Papers—

Report of Committee of Council	[3666]
Revised Code of Regulations . .	[3606]
Revised Code (Scotland) . . .	[3685]
Correspondence (Conscience Clause)	487
Normal Schools (Minute) . . .	[3677]
Ireland—Report, 1865-66 . . .	342

Education in Scotland

Question, Sir Andrew Agnew; Answer, The Lord Advocate Mar 5, [181] 1499

EDWARDS, Colonel H., Beverley

Army Estimates—Volunteer Corps, [181] 1770;
—Manufacturing Establishments, 1776
Cattle Diseases, Comm. cl. 7, [181] 518
Cattle Plague, Lords Amendts. [182] 264, 276
Cattle Plague—Removal of Hides, [181] 1619;
—Contagious Diseases, [182] 285
Holderness Embankment, &c. 2R. [183] 1974
Jamaica Government, 2R. [181] 922
Reform Meeting in Hyde Park, [184] 1534
Representation of the People, Comm. cl. 4, [184] 202
Spain and Chile — War between, [183] 969, 978
Supply, [184] 710
Totnes Election, Motion for a Joint Address, [183] 267, 268

EGERTON Lord

Cattle Diseases, Comm. cl. 12, [181] 749
Metropolitan Railway (Additional Powers), 2R. [183] 1771

EGERTON, Hon. A. F., Lancashire, S.

Representation of the People, Comm. [183] 1870
Smoke Furnaces, [181] 1827

EGERTON, Hon. W., Cheshire, N.

Metropolis—St. Pancras Workhouse Infirmary, [182] 581

EGERTON, Mr. E. C. († Under Secretary of

State for Foreign Affairs), *Macclesfield*
† Business, Public, [184] 756
Day of Humiliation—Committees, [182] 506, 508
Representation of the People, Comm. cl. 4, [183] 2061, 2064

Egypt—Suez Canal

Question, Mr. Sandford; Answer, Mr. Layard Feb 12, [181] 345; Question, Mr. Darby Griffith; Answer, Mr. Layard Mar 13, [182] 135
Vice-Royalty of, Question, Mr. Gregory; Answer, Mr. Layard May 31, [183] 1550

ELCHO, Lord, Haddingtonshire

Army—Artillery—Rifled Guns, [181] 1806;
—Musketry Instruction, [183] 820, 823
Army Estimates—Pay and Allowances, [181] 1585; Report, 1623;—Clothing Establishments, 1751;—Volunteer Corps, 1771;—Manufacturing Establishments, 1775, 1777
Cattle Diseases, Comm. cl. 5, [181] 513; cl. 21, 571; 3R. 729
Cattle Plague, Comm. cl. 16, [181] 780
Cattle Plague (Scotland), [181] 510
Elective Franchise, Leave, [181] 838
Electoral Statistics, [182] 862
Franchise, The — Increase of Artizan Voters, [182] 843
Labouring Classes' Dwellings, Comm. cl. 4, [182] 810

[cont.]

ELCHO, Lord—*cont.*

Master and Servant, Motion for a Committee, [182] 816
 Metropolitan Local Government, Motion for a Committee, [181] 1214
 Navy Estimates—Men and Boys, [181] 1365
 Reform Bills, The, [181] 306; [183] 1794
 Representation of the People, 2R. [182] 1660, 1679, 1971; Comm. [183] 1767, 1914
 Royal Academy, Site of the, Motion for Papers, [184] 62
 Thames Embankment (North Approaches), &c. 2R. [181] 1092

Election Commissions—Lancaster, Great Yarmouth, Reigate, and Totnes

Message from the Commons *June* 11, [184] 94
 Their Lordships concur in joint Addresses *June* 13
 The Queen's Answers reported *June* 14

Elections, Controverted — Chairmen's Panel

Chairmen's Panel *Mar* 21, [182] 716;—Mr. Adair, Mr. Bouverie, Lord John Browne, Mr. S. Cave, Admiral Duncombe, Mr. E. C. Egerton, Mr. Evans, Mr. Gregory, Mr. S. B. Miller, Mr. Mowbray, Lord Naas, Mr. Selater-Booth, Mr. H. H. Vivian, Mr. C. W. W. Wynn; *March* 21, Mr. Ayrton, Mr. Baxter, Mr. G. Hardy, Mr. Howes, Mr. Lowe, Mr. Miller added; *April* 11, Mr. Bouverie, Mr. Ellice disch.; Mr. Hibbert, Mr. Howard added; *April* 26, Admiral Duncombe, Mr. Howard disch.

Elections, Corrupt Practices at

Question, Sir Harry Verney; Answer, Sir George Grey *May* 3, [183] 363
 Motion, "That it is the opinion of this House that any person found by a Royal Commission to have been guilty of offering or giving a bribe to any elector, in order to induce him to vote, or to abstain from voting, or on account of his having voted or abstained from voting for any candidate at an election of a Knight of the Shire or Burgess to serve in Parliament, should thenceforth and for ever be disqualified from exercising the Electoral Franchise or from sitting in Parliament" (*Mr. Hussey Vivian*) *May* 29, 1441; after long debate, Motion withdrawn

Elections (Returning Officers) Bill

(*Mr. Goldsmid, Mr. Huddleston, The O'Conor Don*)

c. Ordered; read 1st *May* 17 [Bill 161]
 Moved, "That the Bill be now read 2nd" (*Mr. Goldsmid*) *May* 24, [183] 1288; Read 2nd after short debate
 Moved, "That Mr. Speaker do now leave the Chair" (*Mr. Goldsmid*) *July* 18, [184] 1010
 Amendt. to leave out from "That," and add "this House will, upon this day three months, resolve itself into the said Committee" (*Mr. Lowther*) *July* 26, 1012; after debate, A. 122, N. 67; M. 55; main Question agreed to; Bill considered in Committee; after debate, Committee r.p.
 Bill withdrawn *July* 26

Elective Franchise Bill

(*Mr. Clay, Mr. George Clive, Mr. Gregory*)

c. Motion for Leave (*Mr. Clay*), [181] 825
 Ordered, after long debate *Feb* 20
 Read 1st ** Feb* 22 [Bill 31]
 Moved, "That the Bill be now read 2nd" (*Mr. Clay*) *May* 30, [183] 1477
 Amendt. to leave out "now," and add "upon this day six months" (*Mr. Chancellor of the Exchequer*); Question, "That 'now,' &c.;" after long debate, Debate adjourned; Adjourned Debate resumed *July* 18, [184] 1003; after short debate, Motion withdrawn; Bill withdrawn

Electoral Franchise—see Representation of the People

Electric Telegraphs, Rating of

Question, Mr. Surtees; Answer, Mr. Villiers *Feb* 26, [181] 1096

ELLENBOROUGH, Earl of

Abyssinia—Imprisonment of British Subjects, [181] 1789
 Attorneys and Solicitors (Ireland), Comm. [183] 856
 Cattle Diseases, Orders in Council, [181] 891
 Cattle Diseases Act—Extension of time, [182] 572
 Cattle Plague, Comm. add. cl. [181] 1703
 Cattle Plague, Motion for Papers, [181] 505, 506;—Report of Dr. Simonds, 585, 803;—Orders in Council, [182] 277, 278, 279
 East India Military, &c. Funds Transfer, Comm. Amendt. [182] 1752
 Ecclesiastical Commission, Comm. cl. 1, [184] 365, 366; cl. 5, Amendt. 370; cl. 14, *ib*
 India—Grievances of Indian Officers, [181] 1788;—Military Funds, [183] 743, 744;—Court of Small Causes (Bombay), Motion for Papers, 1306
 Law of Capital Punishment Amendment, Comm. cl. 24, [184] 463
 Navy—Turret Ships, Motion for an Address, [182] 14;—H.M.S. "Octavia," 1975
 Parliamentary Oaths Amendment, Comm. cl. 6, [182] 1626, 1628
 Public Schools, Comm. [183] 1923; cl. 5, Amendt. 1924; cl. 16, Amendt. 1929
 Selling and Hawking Goods on Sunday, Report, [183] 1045

ELlice, Mr. E., *St. Andrews, &c.*

Day of Humiliation—Committees, [182] 506
 Fishery (Scotland) Act (1862), Motion for a Committee, [182] 587
 Scotland—Dogs in, [181] 1832

Emigrant Ships and the Cholera

Observations, The O'Conor Don; Reply, Mr. Adderley *July* 27, [184] 1618

ENFIELD, Viscount (Secretary to the Poor Law Commissioners), *Middlesex*

Clerkenwell Workhouse—Casual Poor, [182] 846
 Electoral Returns, [184] 531
 Metropolitan Workhouses, [184] 376

Entail (Scotland) Bill

(*Mr. H. Baillie, Mr. E. Craufurd, Sir W. Stirling-Maxwell*)

c. Ordered; read 1^o * Mar 1 [Bill 45]
Bill withdrawn * July 19

ERSKINE, Vice-Admiral J., *Stirlingshire*

Navy Estimates—Men and Boys, [181] 1170, 1355;—Half Pay, [182] 557
Navy—Masters in the, [181] 1321;—Captains' Pensions, [182] 490;—Royal Dockyards [184] 2067

ESMONDE, Mr. J., *Waterford Co.*

Address in Answer to the Speech, [181] 264
Fishery (Scotland) Act (1862), Motion for a Committee, [182] 589
Grand Juries Presentment (Ireland), 2R. [182] 1577
Ireland—Established Church, Res. Motion for Adjournment, [182] 1070;—National Education, Motion for a Committee, [183] 1031
Labouring Classes' Dwellings (Ireland), 2R. [183] 741
Representation of the People (Ireland), Leave, [183] 541
Supply—Flax Cultivation (Ireland), [183] 836;—Agricultural Statistics, 839
Tenure and Improvement of Land (Ireland), Leave, [183] 230; 2R. 1122

ESSEX, Earl of

Address in Answer to the Speech, [181] 53

Established Church (Ireland)

Question, Mr. Dawson; Answer, Sir George Grey Mar 8, [181] 1709
Motion, "That the position of the Established Church in Ireland is a just cause of dissatisfaction to the people of that country, and urgently demands the consideration of Parliament" (*Sir John Gray*) April 10, [182] 973; after long debate, Debate adjourned

Established Church—Revision of the Lectionary and the Burial Service

Moved, "That an humble Address be presented to Her Majesty for the appointment of a Commission to revise the Lectionary of the Established Church, and also to consider what Steps should be taken to obviate the evils complained of as arising from the compulsory and almost indiscriminate Use of the Burial Service" (*The Lord Ebury*) June 11, [184] 95; after debate, Cont. 20, Not-Cont. 66; M. 46; resolved in the negative; List of Cont. and Not-Cont., 112

Ritualism in the, Question, The Marquess of Westmeath; Answer, The Earl of Derby August 7, [184] 2128

Romish Ceremonials in the, Petitions (*The Marquess of Westmeath*) June 12, [184] 210; after debate, Petitions read, and ordered to lie on the table

Europe, State of

Question, Mr. Alderman Salomons; Answer, Mr. Layard May 7, [183] 483; Question, Viscount Stratford de Redcliffe; Answer, The Earl of Clarendon May 18, 1131; Observations, Mr. Kinglake June 11, [184] 152; Observations, Mr. Bentinck; Reply, The Chancellor of the Exchequer June 12, 240; Observations, Lord Brougham July 5, 714

European Affairs, Congress on, Question, Mr. Sandford; Answer, Mr. Layard May 18, [183] 1149; Question, Mr. Disraeli; Answer, The Chancellor of the Exchequer May 24, 1199—*Abandonment of the*, Question, General Peel; Answer, The Chancellor of the Exchequer June 5, 1947; Personal Explanation, The Earl of Clarendon June 5, 1921; Question, Mr. Sandford; Answer, Mr. Layard June 12, [184] 240

Frankfort, British Minister at, Question, Mr. Otway; Answer, Lord Stanley July 30, [184] 1665

Paris Conference, The—The Earl of Clarendon, Explanation, Mr. Disraeli, 27; Reply, Mr. Layard June 8, [184] 31
(see *Austria, Prussia, and Italy*)

"*European*," Loss of the

Question, Mr. Graves; Answer, Mr. Milner Gibson May 15, [183] 960

EVANS, Mr. T. W., *Derbyshire, S.*

Cattle Diseases, Comm. cl. 31, [181] 611
Cattle Plague, Comm. cl. 18, [181] 790
Clerks to Justices, 2R. [183] 649
Tests Abolition (Oxford), Comm. cl. 1, [184] 332

EVERSLEY, Viscount

Crown Lands, 2R. [183] 2027

EWART, Mr. W., *Dumfries, &c.*

Ashford, Mary, Execution of, [182] 1508
Capital Punishments within Prisons, [181] 1627
Elective Franchise, 2R. [183] 1494
France and Monaco—Treaty between, [181] 1196
Hume, Mr., Bust of the late, Motion for an Address, [184] 485
Imprisonment for Life, [184] 377
Law of Capital Punishment Amendment, [184] 1163
Public Libraries Act Amendment, Leave, [181] 1234
Real Estate Intestacy, 2R. [183] 2006

EWING, Mr. H. E. CRUM.—*Paisley*

Elections (Returning Officers), Comm. [184] 1022
Jamaica Government, 2R. [181] 921; Consid. cl. 1, 1175
Representation of the People, Comm. cl. 4, [184] 447
Scotland—Poor Relief, [182] 135
Sugar Duties, The, [184] 485

Exchequer and Audit Departments Bill

(*Mr. Chancellor of the Exchequer, Mr. Childers*)

- 181] c. Ordered; read 1^o Feb 8, 275 [Bill 3]
 . Moved, "That the Bill be now read 2^o" (*Mr. Chancellor of the Exchequer*) Mar 1, 1368
 Read 2^o, after debate, and committed to the Committee of Public Accounts
 As amended by Select Committee [Bill 79]
 182] Committee (*on re-comm.*) R.P. April 20, 1862
 . Committee; Report April 24, 2009 [Bill 120]
 183] Considered as amended May 3, 421
 Read 3^o* May 8
 l. Read 1^a* (*Lord President*) May 11 (No. 108)
 . Moved, "That the Bill be now read 2^a" June 1, 1682; Read 2^a after short debate
 184] Moved, "That the House do now resolve itself into Committee" (*The Lord President*) June 8, 16; after short debate, Amendt. to leave out from ("That," and insert ("the Bill be referred to a Select Committee") (*Lord Belper*); after further short debate, on Question, "Whether the words, &c.," resolved in the affirmative; original Motion agreed to; House in Committee; Bill reported
 Read 3^a* June 11
 Royal Assent June 28 [29 & 30 Vict. c. 39]

Exchequer and Audit Departments [*Salaries, &c.*]

Resolution in Committee Mar 16, [182] 484
 Report Mar 19

Exchequer Bills and Bonds Bill

(*Mr. Chancellor of the Exchequer, Mr. Childers*)

- c. Ordered; read 1^o Mar 2, [181] 1481 [Bill 46]
 Read 2^o* Mar 15
 Committee*; Report Mar 16 [Bill 74]
 Considered as amended* Mar 19
 Read 3^o* Mar 20
 l. Read 1^a* (*The Lord Stanley of Alderley*) Mar 22 (No. 58)
 Read 2^a* May 3
 Committee*; Report May 4
 Read 3^a* May 7
 Royal Assent May 18 [29 Vict. c. 25]

EXCHEQUER, CHANCELLOR of the, *see*
 CHANCELLOR of the EXCHEQUER

Execution of Deeds Bill

(*Mr. Goldney, Mr. Powell*)

- c. Ordered; read 1^o* April 25 [Bill 122]
 Bill withdrawn* July 17

Expiring Laws

Select Committee appointed "to inquire what temporary Laws of a public and general nature are now in force, and what Laws of the like nature have expired, since the last Report upon the subject; and also what Laws of the like nature are about to expire at particular periods, or in consequence of any contingent public event; and to report the same, with their Observations thereupon, to the House"

[*cont.*]

Expiring Laws--cont.

And, on July 17, Committee nominated as follows:—*Mr. Hunt* (Chairman), *Mr. Adderley*, *Mr. Attorney General*, *Mr. Baring*, *Mr. Childers*, *Mr. William Cowper*, *Mr. Dodson*, *Mr. Dunlop*, *Colonel French*, *Lord John Manners*, *Sir Stafford Northcote*, *Mr. Solicitor General*, and *Colonel Taylor*, [184] 999
 Report July 27—(*Parl. P. No. 448*)

Expiring Laws Continuance Bill

(*Mr. Hunt, Mr. Secretary Walpole, Mr. Solicitor General*)

- c. Ordered; read 1^o* July 30 [Bill 255]
 Read 2^o* July 31
 Committee*; Report August 2
 Considered as amended* August 3
 Read 3^o* August 3
 l. Read 1^a* (*The Earl of Belmore*) August 3
 Read 2^a* August 4 (No. 272)
 Committee*; Report August 6
 Read 3^a* August 7
 Royal Assent August 10 [29 & 30 Vict. c. 102]

Extradition Treaties Act Amendment Bill (*The Lord Chancellor*)

- 184] l. Presented; read 1^a July 19, 1054
 . Read 2^a, after debate July 20, 1160 (No. 200)
 Committee*; Report July 23
 . Moved, "That the Bill be now read 3^a" (*The Lord Chancellor*) July 24, 1366; after short debate, Read 3^a, and passed
 c. Read 1^o* July 26 [Bill 247]
 . Moved, "That the Bill be now read 2^o" (*Lord Stanley*) August 3, 2004
 . Amendt. to leave out "now," and add "upon this day three months" (*Mr. McCullagh Torrens*), 2008; after debate, Question, "That 'now,' &c.," A. 77, N. 14; M. 63; main Question put, and agreed to; Bill read 2^o, and committed; after short debate, Committee deferred August 4, 2056
 . Committee August 6, 2107; after long debate, Bill reported, with an Amendment; as amended considered; Read 3^o*, and passed
 l. Commons Amendment considered, and after debate, agreed to August 8, 2153 (No. 287)
 Royal Assent August 10 [29 & 30 Vict. c. 121]

Extradition Treaty with France

Question, *Mr. McCullagh Torrens*; Answer, *Lord Stanley* July 26, [184] 1533

EYKYN, Mr. R., Windsor

Toomer, *Neville Maskelyne*, Case of, [184] 1384

Factory Acts

Question, *Mr. Fawcett*; Answer, *Sir George Grey* Feb 13, [181] 448; Question, *Lord John Manners*; Answer, *Sir George Grey* April 16, [182] 1359; Question, *The Earl of Shaftesbury*; Answer, *Earl Russell* April 17, 1503; Question, *Mr. Fawcett*; Answer, *Sir George Grey* April 17, 1503; Question, *The Earl of Shaftesbury*; Answer, *The Earl of Derby* July 13, [184] 781
 Fifth Report of Commission, 1862 [3678]

[*cont.*]

Factory Acts—cont.

Batley, Certifying Surgeon under Factory Acts,
Question, Mr. H. F. Beaumont; Answer,
Sir George Grey *June 11*, [184] 116

FANE, Lieut.-Col. H. H., *Hampshire, S.*
Army Estimates—Commissariat, [181] 1747;
—Volunteer Corps, 1772;—Military Education, [182] 479
Army—Volunteering from the Militia, [184] 378

FARQUHAR, Sir W. M. T., *Hertford*
Labouring Classes' Dwellings, 2R. [182] 118

FAWCETT, Mr. H., *Brighton*
Currency and Banking, Motion for a Commission, [184] 1741
Education of Children in Manufacturing Towns, [181] 448
Factory Acts, [182] 1505
Fellows of Colleges Declaration, Comm. [182] 2024, 2031; 3R. [183] 2015
Poor Law Board and Metropolitan Workhouses, [184] 939
Post Office—Wages of Letter Carriers, [181] 961
Representation of the People, Leave, [182] 200; 2R. 1318
Terminable Annuities, 2R. [183] 1265
Tests Abolition (Oxford), 2R. [182] 712

Fees (Public Departments) Bill

(Mr. Dodson, Mr. Hunt, Mr. Chancellor of the Exchequer)

c. Resolution reported; Bill ordered; read 1^o*
July 19 [Bill 228]
Read 2^o* *July 23*
Committee*; Report *July 24*
Read 3^o* *July 26*
t. Read 1^a* (*The Earl of Belmore*) *July 27*
Read 2^a* *July 30* (No. 233)
Committee*; Report *July 31*
Read 3^a* *August 2*
Royal Assent *August 6* [29 & 30 Vict. c. 76]

FELLOWES, Mr. E., *Huntingdonshire*

Cattle Diseases, Comm. cl. 33, [181] 628; cl. 44, 632

Fellows of Colleges Declaration Bill

(Mr. Bouverie, Mr. Dudley Fortescue)

c. Ordered; read 1^o* *Feb 20* [Bill 26]
[181] Moved, "That the Bill be now read 2^o"
(Mr. Bouverie) *Feb 28*, 1257; Read 2^o after debate
[182] Moved, "That Mr. Deputy Speaker do now leave the Chair" (Mr. Bouverie) *April 25*, 2013
Amend. to leave out from "That," and add "this House will, upon this day six months, resolve itself into the said Committee" (Mr. Walpole), 2022; Question, "That the words, &c.;" after long debate, A. 208, N. 186; M. 22; main Question put, and agreed to; Division List *Appendix*, p. 2181; Bill considered in Committee, and reported

Fellows of Colleges Declaration Bill—cont.

[183] Moved, "That the Bill be now read 3^o"
(Mr. Bouverie) *June 8*, 2008; Amend. to leave out "now," and add "upon this day six months" (Mr. Gathorne Hardy); Question, "That 'now' &c.;" after long debate, Debate adjourned
Bill withdrawn* *July 18*

Fergusson, Mr., Case of

Amend. on Committee of Supply *Mar 8*, To leave out from "That," and add "there be laid before this House, Copies of the entry on the charge sheet of the Greenwich or any other Police District, under which Mr. Fergusson was locked up in a police cell on the night he was assaulted [and other documents]" (Mr. H. B. Sheridan), [181] 1737; after debate, Question, "That the words, &c.," put, and agreed to

FERGUSSON, Sir J. Bart., († Under Secretary of State for India), *Ayrshire*

Army Estimates—Native Indian Troops, [181] 1581, 1583;—Pay and Allowances, 1586; Motion for Adjournment, 1587;—Disembodied Militia, 1766; [182] 808

Army—Royal Military College, Motion for a Commission, 432;—Quartermasters of Militia, [182] 2073;—Volunteering from the Militia, [184] 379

Board of Trade Returns, [184] 378

Cattle Disease—Orders in Council, [182] 850, 851

Cattle Diseases, Leave, [181] 369; Comm. cl. 5, 512; Amend. 514, 515; cl. 16, 561; cl. 21, 604; cl. 43, 631, 632; cl. 50, 635; add. cl. 656; Schedule 1, Amend. 657; Consid. add. cl. 727, 902

Cattle Plague, Comm. cl. 2, [181] 774; cl. 3, 860; Amend. 862; add. cl. 865; cl. 28, 930; add. cl. 954; 3R. 1058

† East India Revenue Accounts, Comm. [184] 1118, 1121

Edmunds, Mr., Proceedings against, [183] 767, 768

Electoral Statistics, [182] 861

Fishery (Scotland) Act (1862), Motion for a Committee, [182] 589, 590

Glebe Lands (Scotland), 2R. [183] 330

† Hares and Rabbits (Scotland), 2R. [184] 1263

India—Grievances of the Officers of the Army, [183] 767; [184] 647;—† Medical Officers, 1616

Lunacy Acts (Scotland) Amendment, Preamble, [183] 844

Mid-London Railway, 2R. [181] 1596

Mutiny, Comm. cl. 22, [181] 1882

Public Accounts—Army and Militia Accounts, [184] 683

Representation of the People, Leave, [182] 63; [183] 167; Comm. 1917

Representation of the People (Scotland), Leave, [183] 521

Scotland—Electoral Statistics, [182] 18;—

† Scotch Burghs, [184] 1071

Supply—Patent Office, [182] 951

Valuation of Lands, &c. (Scotland), 2R. [182] 1089

FERRAND, Mr. W. B., Devonport

Army—Military Savings Banks, [182] 738
 Dockyard Electors, [182] 2074
 Government Property, Rates on, Res. [182]
 1997, 1999
 Leeds Bankruptcy Court, [182] 281
 Navy Estimates—Men and Boys, [181] 1173,
 1328, 1330;—Admiralty Office, 1846;—
 Dockyard Salaries, 1859
 Navy—Widows of Naval Engineers, [182]
 1646
 Waterworks Bills, [181] 897
 Waterworks reservoirs, [182] 885

FEVERSHAM, Lord

Address in Answer to the Speech, Amendt.
 [181] 50
 Cattle Diseases, Comm. cl. 15, [181] 755

FILDES, Mr. J., Great Grimsby

Sale and Purchase of Shares, [184] 1001

Finance Accounts, Annual

Observations, Mr. Hubbard; Reply, Mr. Childers
 Mar 19, [182] 623

Financial Statement, The

Question, Sir FitzRoy Kelly; Answer, The Chan-
 cellor of the Exchequer Mar 13, [182] 139;
 Observations, Mr. MacEvoy; Reply, The
 Chancellor of the Exchequer April 26,
 2076
 (see *Ways and Means*)

Finchley Road Estate Bill [Lords] (by Order)

c. Read 1^o * June 26
 Moved, "That the Bill be now read 2^o" (Mr.
Goldney) July 9, [184] 752
 Amendt, to leave out "now," and add "upon
 this day three months" (Mr. *Harvey Lewis*);
 Question, "That 'now,' &c.;" after short de-
 bate, A. 65, N. 72; M. 7; words added;
 main Question, as amended, agreed to;
 second reading put off for three months

Finsbury Estate Bill

(Mr. *Ayrton*, Mr. *Locke*)

182] c. Ordered; read 1^o after short debate April
 10, 1070 [Bill 97]
 183] Moved, "That the Bill be now read 2^o"
 (Mr. *Ayrton*) June 7, 2135; [House counted
 out]
 184] Moved, "That the Bill be now read 2^o"
 (Mr. *Ayrton*) June 12, 304; after short de-
 bate, Bill read 2^o, and committed
 . Order for Committee read; Moved, "That the
 Order for going into Committee be dis-
 charged" (Mr. *Ayrton*) July 25, 1464; Order
 discharged; Bill withdrawn

Fire Insurances

Question, Sir FitzRoy Kelly; Answer, Mr. H. B.
 Sheridan Mar 19, [182] 491; Question, Mr.
 Locke; Answer, Mr. H. B. Sheridan April 23,
 1873; Observations, Mr. Hodgkinson; Re-
 ply, Mr. H. B. Sheridan April 24, 2007

Fisheries, Deep Sea

Question, General Dunne; Answer, Mr. Chi-
 chester Fortescue May 3, [183] 361

**Fisheries, English and French Interna-
 tional Commission**

Question, Mr. DuCane; Answer, Mr. Milner
 Gibson May 3, [183] 363

Fisheries (Ireland)

Amendt. on Committee of Supply June 8, To
 leave out from "That," and add "there be
 laid before this House, Copy of the Case and
 Opinion of the Law Officers of the Crown
 relative to the non-payment of a sum of
 £5,000 granted for the building and repair-
 ing of Fishery Piers in Ireland and assistance
 of poor fishermen under the Act of 59 Geo.
 3, c. 59, s. 106" (General *Dunne*), [184]
 45; Question, "That the words, &c.;" after
 short debate, Amendt. withdrawn

Fisheries, Sea, Commission

Question, Mr. E. Craufurd; Answer, The Lord
 Advocate Feb 19, [181] 761

**Fisheries, Sea, Commissioners, Report of
 the—Oyster Culture**

Observations, Mr. Hunt; Reply, Mr. Milner
 Gibson April 9, [182] 891; Observations;
 Question, The Marquess of Clanricarde;
 Answer, Lord Stanley of Alderley April 20,
 1753—Report, Vol. 1. . [3596, 3596-1]

Fishery Piers and Harbours (Ireland) Bill

(Mr. *Childers*, Mr. *Chichester Fortescue*, Mr.
Attorney General for Ireland)

c. Ordered; read 1^o after short debate April 9,
 [182] 956 [Bill 93]
 Moved, "That the Bill be now read 2^o"
 May 10, [183] 739; after short debate, Bill
 read 2^o
 Committee * R.P. May 11
 Committee*; Report May 24
 Read 3^o * May 28
 l. Read 1^a * (The Lord *Dufferin*) May 29
 Read 2^a * June 12 (No. 130)
 Committee*; Report June 14
 Read 3^a * June 18
 Royal Assent June 28 [29 & 30 Vict. c. 45]

Fishery Piers and Harbours (Ireland)

[*Grants, &c.*]

Resolution in Committee May 17, [183] 1130

Fishery (Scotland) Act (1862)

Motion, "That a Select Committee be ap-
 pointed to inquire into the operation of the
 Fishery (Scotland) Act (1862)" (Mr. *Henry
 Baillie*) Mar 20, [182] 582; after debate,
 A. 58, N. 164; M. 106

FLEMING, Mr. J., Devonport

Cattle Plague, Consid. add. cl. [181] 1057
 Cattle Plague—Slaughter of Cattle, [181]
 1275
 Navy Estimates—Dockyard Salaries, [181]
 1856, 1874, 1879;—Naval Stores, [182] 345

FLOYER, Mr. J., Dorsetshire

Army—Asylum for Insane Soldiers at Netley, [184] 1552
Cattle Diseases, Comm. cl. 10, [181] 646
Cattle Plague, Comm. cl. 17, [181] 782
Supply—Agricultural Statistics, [183] 838

FOLEY, Lord

"Greatham Hall" Privateer—Captain Foley, [184] 819

FORDE, Colonel W. B., Downshire

Cattle Plague (Ireland), [181] 508

FORDYCE, Mr., W. D. Aberdeenshire

Hares and Rabbits (Scotland), 2R. [184] 1262

Foreign Jurisdiction Act Amendment Bill [H.L.] (The Earl of Clarendon)

- l.* Presented; read 1st June 15 (No. 165)
Moved, "That the Bill be now read 2nd" (*The Lord Chancellor*) July 26, [184] 1500; Bill read 2nd, and committed
Committee*; Report July 27
Read 3rd* July 30
c. Read 1st* July 31 [Bill 258]
Read 2nd* August 2
Committee*; Report August 4
Read 3rd* August 4
Royal Assent August 6 [29 & 30 Vict. c. 87]

Foreign Policy

Questions, Mr. Laing, Mr. Horsman; Answer, Lord Stanley; long debate thereon July 20, [184] 1217—*The War in Germany*, Question, The Marquess of Clanricarde; Answer, The Earl of Derby July 23, 1269
(See *Europe, Austria, Prussia, and Italy*)

FORSTER, Mr. C., Walsall

Taxes, Collection of, [181] 308

FORSTER, Mr. W. E. († Under Secretary of State for the Colonies) Bradford

- † Electoral Statistics, [182] 882
Jamaica, Disturbances in, Res. [184] 1806
† Representation of the People, 2R. [182] 1387; Comm. cl. 5, [184] 598
† Supply—Clergy, North America, [183] 723; — Governors of Colonies, 724; — Justices, West Indies, 727; — Post Office Packet Service, [184] 914

Forsyth's Indemnity Bill

(*Mr. Lowe, Mr. Scowfield*)

- c.* Ordered; read 1st*; 2nd*; committed; reported; read 3rd*, and passed April 20
l. Read 1st* (*The Lord Redesdale*) April 23
Read 2nd* April 24 (No. 78)
Read 3rd* April 24
Royal Assent April 30 [29 Vict. c. 20]

FORTESCUE, Earl

Army—Sanitary Reform, [184] 1999, 2003
Cattle Plague—Conference at St. James' Hall, [181] 301

[cont.]

FORTESCUE, Earl—cont.

Metropolitan Workhouse Infirmaries, [183] 1143
Pollution of Rivers, &c. [184] 931
Railways (Ireland) Temporary Advances, 2R. [184] 1998

FORTESCUE, Right Hon. Chichester S. (Chief Secretary for Ireland), Louth Co.

Carlow Lunatic Asylum, [184] 711
Cattle Plague, [183] 964, 965, 1053, 1687, 1689
City Prisons, [184] 37
County Prisons, [183] 671
Deep Sea Fisheries, [183] 362
Dublin, The late Fire in, [184] 238
Established Church, [182] 1016
Fishery Piers and Harbours (Ireland), 2R. [183] 740
Grand Juries Presentment (Ireland), 2R. [182] 1577
Irish Bench, The, [183] 782
Irish Society, Motion for Papers, [183] 607
Labouring Classes' Dwellings (Ireland), 2R. [183] 740
Landed Estates Court, [182] 2076
Land Improvement, [183] 671
Longfield, Probable Resignation of Judge, [184] 466
Medical Officers, Res. [183] 1954
Militia, The, [183] 179
Militia and the Fenians, [183] 2037
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Tests Abolition (Oxford), Comm. cl. 1, [184] 330
Transubstantiation, &c. Declaration Abolition, 2R. [183] 639; Comm. add. cl. [184] 90

Fortifications and Works Bill

(*Mr. Dodson, General Peel, Mr. Hunt*)

- c.* Resolutions reported; Bill ordered; read 1st* July 25 [Bill 244]
Read 2nd* July 26
Order for Committee read July 30, [184] 1669;
Moved, "That Mr. Speaker do now leave the Chair;" after debate, Motion withdrawn;
Bill withdrawn

France

Austria and Prussia—Letter of the Emperor of the French, Question, Sir William Hutt; Answer, Mr. Layard June 14, [184] 381

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France—cont.

Commercial Treaty with, Question, Mr. Cowen ; Answer, Mr. Milner Gibson *April 19*, [182] 1647

Convention of Paris (1815-18), Question, Sir George Bowyer ; Answer, The Chancellor of the Exchequer *April 23*, [182] 1872

Extradition Treaty with, Question, Mr. McCullagh Torrens ; Answer, Lord Stanley *July 26*, [184] 1533

Iron-clad Fleet, Question, Mr. Henry Baillie ; Answer, Mr. Baring *June 19*, [184] 647

France and Italy, Question, Mr. Darby Griffith ; Answer, Lord Stanley *August 6*, [184] 2096

France and Monaco, Treaty between, Question, Mr. W. Ewart ; Answer, Mr. Layard *Feb 27*, [181] 1196

FRENCH, Rt. Hon. Colonel F., *Roscommon Co.*

Blackwater (Youghal) Wooden Bridge, 3R. [184] 695

India—Claims on Oude, [182] 1507 ; [184] 1902

FRESHFIELD, Mr. C. K., *Dover*

Bankruptcy Law Amendment, 2R. [183] 703
Supply—Patent Office, [182] 945

GALLWEY, Sir W. P., *Thirsk*

Railway Signals, [182] 969

Galway Town Election

House informed, that the Committee had determined, That Michael Morris, esquire, is duly elected a Burgess to serve in this present Parliament for the Town or Borough of Galway. That Sir Rowland Blennerhasset, baronet, is duly elected a Burgess to serve in this present Parliament for the town or Borough of Galway ; and the said Determinations were ordered to be entered in the Journals of this House : House further informed of certain Resolutions of the Committee *May 14*, [183] 871

GALWAY, Viscount, *Retford (East)*

Compulsory Church Rate Abolition, [183] 1941

Holderness Embankment, &c. 2R. [183] 1972

Gas Bills (Metropolis)

London (City) Corporation Gas Bill

Gas Light and Coke Company Bill

Gas Light and Coke and City of London Gas

Light and Coke Companies Bill

London Gas Bill

Referred to Select Committee *Mar 6*

And, on April 13, Committee nominated as follows :—Sir John Trollope (Chairman), Mr. Dutton, Mr. Morrison, Colonel North, Mr. Hastings Russell, Mr. Woods, Mr. Westropp, Sir William Gallwey, Mr. Hartley, Mr. Serjeant Kinglake, Sir John Ogilvy ; April 17, Colonel North disch. ; April 25, Mr. Westropp disch. ; April 16, Mr. Alderman Lusk added ; April 17, Mr. Staniland added ; April 25, Mr. Paull added

Gas Companies

Question, Mr. Alderman Lusk ; Answer, Mr. Walpole *August 2*, [184] 1900

Gas Light and Coke Company Bill

c. Read 1^o * *Feb 12*

Read 2^o * *Feb 19*

Referred to a Select Committee

(See *Gas Bills (Metropolis)*)

Moved, "That the Bill be now taken into Consideration" (*Mr. Adair*) *June 12*, [184] 223

After short debate, Amendt. to leave out "now," and add "upon this day three months" (*Mr. Tite*) ; after further debate, A. 169, N. 138 ; M. 31 ; main Question put, and agreed to ; Bill, as amended, considered

Read 3^o * *June 18*

l. Read 1st * *June 19*

Moved, "That the Bill be now read 2^a" *June 29*, 706

Amendt. to leave out ("now,") and insert ("this day three months") (*Earl Nelson*) ; after short debate, Question, "That 'now,' &c.," Cont. 26, Not-Cont. 27 ; M. 1 ; resolved in the negative ; Bill to be read 2^a this day three months

Gas Supply, London

Question, Mr. T. J. Miller ; Answer, Sir George Grey *June 1*, [183] 1691

GASELEE, Mr. Serjeant S., *Portsmouth*

Navy—Engineers in the, [181] 1845

Navy Estimates — Dockyard Salaries, [181] 1869

Representation of the People, Leave, [182] 71

GAVIN, Major G., *Limerick City*

Railway Travelling (Ireland), 2R. [182] 258

General Police and Improvement (Scotland) Act (1862) Amendment Bill

(*Sir J. Fergusson, Mr. H. Baillie*)

c. Ordered ; read 1^o * *May 31* [Bill 171]

Read 2^o * *June 25*

Committee * ; Report *July 5*

Bill withdrawn * *July 19*

GEORGE, Mr. J., *Wexford Co.*

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Juries in Criminal Cases, 2R. [181] 878

Labouring Classes' Dwellings (Ireland), 2R. [183] 741

Poor Persons' Burial (Ireland), Comm. [182] 1577

Tenure and Improvement of Land (Ireland), Leave, [183] 228

GIBSON, Rt. Hon. T. M. (President of the

Board of Trade), *Ashton-under-Lyne*

Agricultural Statistics, [181] 898, 1504

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GILPIN, Mr. C., *Northampton*

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2R. [184] 1474, 1475
Thames Navigation, Comm. *cl.* 77, [184] 1140
Railways (Ireland) Temporary Advances,
Comm. [184] 1128

Glebe Lands (Scotland) Bill

(*Sir J. Fergusson, Major Walker, Mr. McLagan*)

c. Ordered; read 1^o * April 19 [Bill 115]
Moved, "That the Bill be now read 2^o" (*Sir*
James Fergusson) May 2, [183] 330; Read 2^o
after short debate
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Read 3^o * June 1
l. Read 1st * (*The Marquess of Abercorn*) June 4
Read 2^a * July 10, and referred to a Select
Committee (No. 139)
And, on July 12, Committee nominated as
follows:—D. Richmond, E. Doneaster, E.
Airlie, E. Graham, E. Mansfield, E. Zetland,
L. Polwarth, L. Sundridge, L. Rosebery, L.
Rossie, L. Hamilton, L. Panmure, L. Strath-
spey
Report of Select Committee July 13 (No. 190)
As amended by Select Committee (No. 191)
Committee* July 16 (No. 194)
Report * July 17
Read 3rd * July 19
Royal Assent August 6 [29 & 30 Vict. c. 71]

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(Mr. Esmonde, Mr. Serjeant Armstrong)

c. Ordered; read 1^o * *Mar* 22 [Bill 89]
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- Question, Sir John Pakington; Answer, Mr. Milner Gibson *June* 8, [184] 49

Great Yarmouth Election

- Report of the Select Committee *Mar* 22, That Sir Edmund Henry Knowles Lacon, baronet, is duly elected a Burgess to serve in this present Parliament for the Borough of Great Yarmouth. That James Goodson, esquire, is duly elected a Burgess to serve in this present Parliament for the Borough of Great Yarmouth, [182] 730

- Moved, That an humble Address be presented to Her Majesty, praying for the appointment of Wyndham Slade, esquire, Augustus Keppel Stephenson, esquire, and George Russell, esquire, as Commissioners for the purpose of making inquiry into the existence of corrupt practices at Great Yarmouth (*Mr. Mowbray*) *May* 1, [183] 269; after debate, Motion agreed to; Ordered, That the said Address be communicated to the Lords, and their concurrence desired thereto (*Mr. Mowbray*)
 Their Lordships concur in the said Address *June* 13
 Her Majesty's Answer to Address reported *June* 14

"Greatham Hall" Privateer—*Letter of Captain Foley*

- Question, The Earl of Powis; Answer, The Earl of Derby *July* 16, [184] 817

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181 Cattle Diseases, Leave, 353, 374, 382, 383, 388, 389, 392, 393, 394, 395, 396, 405, 423, 424, 427, 449 ; 3R. 501 ; Comm. cl. 6, 516 ; cl. 7, 517, 518, 519 ; cl. 13, 520, 530, 531, 538, 549 ; cl. 14, 553, 553 ; cl. 15, 554 ; cl. 16, 558 ; cl. 17, Proviso, 564 ; cl. 21, 565, 573, 577, 578, 599, 600, 601, 603, 604 ; cl. 25, 606 ; cl. 31, 622, 623, 625, 627
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181 Cattle Plague, Comm. cl. 5, 775, 776 ; cl. 16, 778 ; cl. 17, 784, 787 ; cl. 18, 790, 793, 794, 795, 797 ; cl. 10, 798, 799 ; cl. 29, Amendt. 802 ; cl. 35, 854, 857, 859 ; add. cl. 863, 865, 866 ; cl. 31, 932 ; cl. 30, 951 ; add. cl. 953, 954, 955, 963 ; 3R. 1050, 1198, 1710, 1808 ; Lords Amendts. Amendt. [182] 274, 275, 494, 496
181 Cattle Plague, 305 ;—The Commission, 312 ;—Compensation Rate, 509 ;—National Fast, 867, 1095 ;—Importation of Dated
183 Cattle, 5 ;—Sale of Cattle at Markets and Fairs, 673, 1145 ;—Compensation for Slaughtered Cattle, 814, 1660, 1689 ; † [184] 1281
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 London (City) Corporation Gas, 2R. [181] 1608
 Marriage with a Deceased Wife's Sister, 2R. [183] 307
 Metropolis—St. Pancras Churchyard, [182] 2073; [184] 533;—Traffic in the, [183] 161, 162;—Water Supply, Motion for a Committee, 618;—† Proposed Meeting in Hyde Park, [184] 1074, 1404
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 Reform Bill, The, [181] 306;—Statistics, 1098

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Reform Meeting in Trafalgar Square, [184] 713;—† In Hyde Park, 1404
 Representation of the People, 2R. [182] 1221, 1293, 2175; Comm. [183] 1327, 1401, 1668, 1944; *cl.* 4, 2110, 2114; [184] 206, 446, 449
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 Totnes Election, Motion for a Joint Address, [183] 268, 269
 Transubstantiation, &c. Declaration Abolition, 2R. [182] 2008; Comm. [184] 88; *add. cl.* 91
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GRIDLEY, Captain H. G., *Weymouth*

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 India—Passage Warrant of 1865, [182] 1120
 Manchester, Sheffield, and Lincolnshire Railway, Consid. *add. cl.* [183] 1939
 Metropolis—St. Paul's Cathedral, [184] 2137, 2138
 Monetary Crisis—Bank Advances, [183] 1050
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GRIFFITH, Mr. C. Darby, *Devizes*

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 Bridgwater Election, New Writ, [183] 1667, 1797
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 Business, Public, [184] 756
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 Danubian Principalities—State of Roumania, [181] 1518; [182] 1774; [183] 1311; Motion for Papers, [184] 75, 82, 1322
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 Fortifications (Provisions for Expenses), 2R. [184] 1676
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 Habeas Corpus Suspension (Ireland) Act—Sitting on Sunday, [181] 762
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 Supply—New Houses of Parliament, [182] 912;—Captured Negroes, [183] 732;—Suppression of Slave Trade, 733;—Services in China, Japan, &c. 734;—Embassies, &c. 735;—Civil Contingencies, 840;—Gun Metal for the National Monument to the late Prince Consort, [184] 1552
 Tenants' Compensation, [184] 1614
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 Thames Navigation, Comm. [184] 760; *cl.* 3, 768
 Totnes Election, Motion for a Joint Address, [183] 265, 269
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GROSVENOR, Earl, *Chester*

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 Mid-London Railway, 2R. Amendt. [181] 1592
 Representation of the People, 2R. Amendt. [182] 1152; Comm. [183] 1810
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GROSVENOR, Hon. Captain R. W., *Westminster*

Representation of the People, Leave, [182] 87; 2R. 2173; [183] 24

GURNEY, Mr. Russell, *Southampton*

Ireland—Irish Society, Motion for Papers, [183] 608
 Jamaica—Disturbances in, Res. [184] 1833;—Drillings in, Explanation, 2098
 Reformatory Schools, Comm. *cl.* 12, [184] 1608, 1611
 Supply—Post Office Packet Service, [184] 914

Habeas Corpus Suspension (Ireland)

Notices, Earl Russell Feb 16, [181] 585, and Sir George Grey, 600

Habeas Corpus Suspension (Ireland) Bill

(*Sir G. Grey, Mr. Chancellor of the Exchequer, Mr. Attorney General for Ireland*)

c. Motion for Leave (*Sir George Grey*) Feb 17: [181] 667; after long debate, A. 354, N. 6; M. 348

Bill ordered; Read 1^o and 2^o; Committee; Report; Read 3^o Feb 17 [Bill 21]

[*cont.*]

Habeas Corpus Suspension (Ireland) Bill—cont.

l. Brought from Commons; read 1^a Feb 17, 658 (No. 12)

Standing Orders Nos. 37 and 38 dispensed with after short debate, 663

Read 2^a (*Earl Russell*); Committee negatived; Read 3^a Feb 17

Royal Assent Feb 17 [29 Vict. c. 1]

Royal Assent—The Sitting on Sunday, Question, Mr. Mainwaring; Answer, The Chancellor of the Exchequer Feb 19, [181] 762

Habeas Corpus Suspension (Ireland) Act Continuance—Prolongation of Act

Question, Mr. Osborne; Answer, Lord Naas July 26, [184] 1532; Question, Mr. Maguire; Answer, Lord Naas July 30, 1665

Habeas Corpus Suspension (Ireland) Act Continuance Bill

(*Lord Naas, Mr. Secretary Walpole, Mr. Attorney General for Ireland*)

[184] *c.* Bill ordered, after short debate; read 1^o July 31, 1843 [Bill 256]

l. Moved, "That the Bill be now read 2^o" (*Lord Naas*) August 2, 1910

l. Amendt. To leave out from "That," and add "the same state of things on which the late Government justified their application to Parliament to suspend the Constitution in Ireland no longer exists: that the supremacy of the Law has been sufficiently vindicated in the ordinary tribunals of the Country: that the Assizes just brought to a close have in all instances displayed a most extraordinary and gratifying diminution of crime, and, in many instances, a complete absence of serious offences, either against property or person: that there is likewise an utter absence of political excitement of any kind whatever: that measures of repression unaccompanied with measures of a remedial character tend rather to aggravate than lessen those evils in which perennial discontent and periodical disaffection have their origin in Ireland: and, that a wise, generous, and thoroughly liberal policy is that which is alone calculated to promote the material prosperity and contentment of the Irish people, while adding to the strength and enhancing the moral dignity of the Empire" (*Mr. Maguire*), 1921; Question, "That the words, &c.," after long debate, A. 105, N. 31; M. 74; main Question put, and agreed to; Bill read 2^o

l. Committee—*r.p.* August 3, 2031

l. Committee August 4, 2056; after short debate, Bill reported; read 3^o, and passed

l. Read 1^a* (*The Earl of Derby*) August 4

l. Moved, "That the Bill be now read 2^a" August 6, 2074; Read 2^a, after debate, and committed (No. 276)

Committee*; Report August 7

Read 3^a* August 8

Royal Assent August 10 [29 & 30 Vict. c. 119]

Habitual Offenders (Scotland) (1866) Bill

(*The Lord Kinnaird*)

l. Presented; read 1^a* Feb 20 (No. 22)

Hackney Carriages, Drivers of

Question, Mr. Crawford; Answer, Mr. Baring
Mar 23, [182] 840

HADFIELD, Mr. G., *Sheffield*

Bribery at Elections, Res. [183] 1471
Bright, Mr., and the Reform League, [184]
1667, 1668
Compulsory Church Rate Abolition, 2R. [184]
1879, 1880
Emigrant Ships and the Cholera, [184] 1624
Holderness Embankment, &c. 2R. [183] 1972
Hume, Mr., Bust of the late, Motion for an
Address, [184] 493
Indemnity, [184] 1762
Jamaica Government, 2R. [181] 921
Landed Estates Court (Ireland), Comm. cl. 2,
[184] 1639
Manchester, Sheffield, and Lincolnshire Rail-
way, Consid. add. cl. [183] 1939
Marriage with a Deceased Wife's Sister, 2R.
[183] 321
Mutiny, Comm. cl. 22, [181] 1882
Nottingham Town Election, [182] 968
Postmaster General, 2R. [182] 1079
Prince Alfred, Provision for, Comm. Res. [181]
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Prince Alfred's Annuity, 2R. [181] 1269
Qualification for Offices Abolition, Leave, [181]
277; 2R. 1239
Railways, Motion for a Commission, [184] 1550
Reform Bills, The, [183] 1794, 1795
Reform Meeting in Hyde Park, [184] 1416
Representation of the People, Comm. [183]
1917
Statutes, Obsolete, [181] 1808
Sunday Schools, [184] 1531
Supply—Public Education, [183] 722;—Ber-
mudas, 722;—Clergy, North America, 723;
—Justices, West Indies, 726;—Western
Coast of Africa, 727;—Non-conforming, &c.
Ministers, Amendt. 826

HAMILTON, Viscount, *Donegal Co.*

Cattle Plague, [181] 1095

HAMILTON, Right Hon. Lord C., *Tyrone Co.*

Address in Answer to the Speech, [181] 258
Court of Chancery (Ireland), 2R. Motion for
Adjournment, [182] 564
Europe—State of, [184] 161
Ireland—Poor Removal, Res. [184] 304
Poor Persons' Burial (Ireland), Comm. [182]
1578
Poor Relief (Ireland) Law Amendment, 2R.
[184] 358
Railway Travelling (Ireland), 2R. [182] 253
Representation of the People, Comm. cl. 4,
[184] 207
Representation of the People (Ireland), Leave,
[183] 539
Tenure and Improvement of Land (Ireland),
Leave, [183] 229

HAMILTON, Lord C. J., *Londonderry City*

Irish Society, Motion for Papers, [183] 600

HANBURY, Mr. R. C., *Middlesex*

Imperial Gas Company, 2R. [183] 582
Industrial Schools, [184] 1073

HANBURY, Mr. R. C.—*cont.*

Reformatory Schools, Comm. cl. 10, [184] 1607
Representation of the People, Leave, [182] 75;
2R. 1272
Smoke Furnaces, [181] 1823

HANKEY, Mr. T., *Peterborough*

Bank Notes (Ireland), 2R. [182] 1608
Crown Lands Acts, Comm. Res. 4, [182] 964
Exchequer and Audit Departments, 2R. [181]
1369; Comm. cl. 8, [182] 1864
Metropolis Water Supply, Motion for a Com-
mittee, [183] 610, 619
Queen's Bench Prison, [181] 1499
Railway Debentures Registration, [181] 759
Railways (Ireland) Temporary Advances, 2R.
[184] 1362
Supply—Public Buildings, [182] 906;—Royal
Parks, &c. 911;—New Houses of Parlia-
ment, 914;—Metropolitan Police, [183] 212
Thames Navigation, 2R. [182] 1614; Comm.
cl. 6, [184] 934

HANMER, Sir J., *Flint, &c.*

Europe—State of, [184] 168

Hanover and Prussia

Question, Mr. Grenfell; Answer, Lord Stanley
July 17, [184] 941
(See *Austria—Europe*)

Harbour Loans Bill

(Mr. M. Gibson, Mr. Monsell, *The Judge Advocate*)

c. Resolution in Committee; Bill ordered April 17
Read 1^o * April 18
Read 2^o * April 23
Committee*; Report April 30
Read 3^o * May 7 [Bill 112]
l. Read 1^a * (Lord Stanley of Alderley) May 8
Read 2^a * May 14 (No. 104)
Committee*; Report May 15
Read 3^a * May 17
Royal Assent May 18 [29 Vict. c. 30]

Harbours of Refuge

Question, Mr. Pease; Answer, Mr. Milner
Gibson May 29, [183] 1436

HARCASTLE, Mr. J. A., *Bury St. Edmunds*

Church Rates, [183] 488
Church Rates Abolition, 2R. [181] 1632, 1689;
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HARDINGE, Viscount

National Gallery Enlargement, 2R. [184] 925

HARDWICKE, Earl of

Army—Artillery—Breech-loading Small Arms,
[182] 1639
Austria, Prussia, and Italy, [183] 577
Cattle Diseases, Comm. cl. 10, [181] 745, 746;
cl. 15, 756
Ecclesiastica. Commission, Comm. cl. 1, [184]
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"Gratham Hall" Privateer—Captain Foley,
[184] 818, 819
Navy—Turret Ships, Motion for an Address,
[182] 12;—Collision of H.M.S. "Amazon,"
and the "Rainbow," [184] 773

HARDY, Rt. Hon. G., († Chief Commissioner of the Poor Law Board), *Oxford University*

- Cattle Diseases, Leave, [181] 416; Comm. cl. 7, 517
- Cattle Plague, Comm. Preamble, [181] 773; cl. 16, 780; cl. 18, 791; cl. 3, 860
- Cattle Plague, [182] 498, 848
- † Cholera, The—Advances to Boards of Guardians, [184] 2034, 2104
- Church Rates Abolition, 2R. [181] 1679, 1684
- † Electoral Returns, [184] 1662
- † Farnall, Mr., Removal of, from the Metropolis, [184] 2097
- Fellows of Colleges Declaration, 3R. Amendt. [183] 2008
- Government Property, Rates on, Res. [182] 1997, 1999
- † Houseless Poor, [184] 1337
- Juries in Criminal Cases, 2R. [181] 875
- † Metropolis — Marylebone Workhouse, [184] 2036; — Master of Lambeth Workhouse, 2089; — Shoreditch Workhouse, 2136, 2165
- † Poor Law Amendment, Comm. cl. 15, [184] 1581; add. cl. 1583, 1586
- † Poor Law Board and Metropolitan Workhouses, [184] 939
- Rating, Law of, [181] 980, 992
- † Reformatory Schools, Comm. cl. 14, [184] 1696
- Representation of the People, 2R. [182] 1729
- † Sunday Schools, [184] 1532
- Tests Abolition (Oxford), 2R. [182] 699
- † Thames Navigation, Comm. cl. 62, [184] 937

HARDY, Mr. J., *Dartmouth*

- Cattle Diseases, Comm. cl. 13, [181] 529
- Re-distribution of Seats, 2R. [183] 918
- Representation of the People, Leave, [182] 236
- Tests Abolition (Oxford), Comm. cl. 1, [184] 334

Hares and Rabbits (Scotland) Bill

(*Sir W. Stirling-Maxwell, Lord H. Scott*)

- c. Ordered; read 1^o * July 9 [Bill 210]
- Question, Mr. Dyce Nicol; Answer, Mr. Walpole July 17, [184] 943
- Moved, "That the Bill be now read 2^o" (*Sir William Stirling-Maxwell*) July 20, [184] 1259; read 2^o, after debate
- Bill withdrawn * July 30

HARRIS, Lord

- Hop Trade, 2R. [183] 1309
- Private Bills—Standing Order No. 184, [183] 1784, 1785

HARROWBY, Earl of

- Bishoprics of Cape Town, Adelaide, and British Columbia, Motion for an Address, [184] 809
- Cattle Diseases, Comm. cl. 5, [181] 743
- Cattle Plague, Comm. add. cl. [181] 1704
- Ecclesiastical Commission, Comm. cl. 1, [184] 366
- Established Church — Romish Ceremonials, [184] 220
- National Gallery Enlargement, 2R. [184] 926
- Public Schools, 2R. [183] 1429; 3R. cl. 15, [184] 528
- Selling and Hawking Goods on Sunday, Comm. [183] 943; cl. 2, 946; Report, 1045; 3R. 1137, 1141, 1675

HARTINGTON, Right Hon. Marquess of
(Secretary of State for War), *Lancashire, N.*

- Army Chaplains, [182] 1768
- 181] Army Estimates — Land Forces, 1826, 1538, 1545, 1563, 1575, 1579, 1580; — Native Indian Troops, 1582; — Pay and Allowances, 1584, 1585, 1586; — Commissariat, 1748, 1749; — Clothing Establishments, 1755, 1756, 1757; — Barrack Establishment, 1759, 1761, 1763; — Martial Law, 1763, 1765; — Disembodied Militia, 1768; — Yeomanry Cavalry, 1769; — Volunteer Corps, 1772; — Manufacturing Establishments, 1773, 1774, 1775, 1776; — Military Stores, 1778, 1779; — 182] Military Education, 475, 476, 477, 479; — Administration of the Army, 804, 808; 184] — Troops at Aldershot and Colchester, 235
- Artillery—Rifled Guns, [181] 1806; [182] 16, 489, 838, 1225
- Armstrong Guns, [182] 285, 1120, 1225
- Cast-iron Guns, [184] 532
- Guns and Gun Cotton, [183] 2037
- The Whitworth Gun, [182] 282
- Twelve-ton Guns, [182] 287
- Breech-loaders, [184] 380, 840
- Cavalry Horses, [181] 1711
- China, Employment of Native Troops in, [181] 1805
- China, Mortality of Troops in, Motion for a Committee, [182] 647; [183] 768, 769
- Courts Martial, Law of, [184] 382
- Dover—Guilford Battery at, [181] 1807
- Gloucestershire Rifle Volunteers, [182] 2075
- Guards, Surgeons in the, [182] 890, 1119, 1226
- Hong Kong, Troops at, [183] 768, 769
- Hussars, the 11th, [184] 840
- India—Passage Warrant of 1865, [182] 1121
- India, Regiments in, [182] 1509
- Indian Reliefs, [182] 522; [184] 378
- Medical Officers, [182] 488; [183] 683; Motion for Papers, 589, 592
- Military Savings Banks, [182] 740
- Military Store Department, [182] 578
- Militia, Quartermasters, [182] 2074; — Pensions, [183] 583; — Volunteering into the Line, [184] 379; — War Office Commission, [183] 770
- Musketry Instruction, [183] 824
- Mutiny, [181] 1810; Comm. cl. 26, 1883
- Norwich Barracks, [183] 1794
- Nottingham Barracks, [182] 16, 973
- Representation of the People, [182] 1192
- Royal Engineers, Civil Officers of, [182] 1646
- Royal Engineers Department, [182] 842
- Royal Gun Factory, [183] 1198
- Royal Military College, Motion for a Committee, [182] 434
- Sandhurst College, [183] 1311
- Scotland—Storage of Gunpowder at Edinburgh Castle, &c. [183] 1050
- Secretary of State for War, Patent of, [181] 1516
- Ventilating Gussets, [182] 134
- War Office Warrants, [183] 669
- Woolwich Arsenal, [182] 140

HARVEY, Mr. R. J. H., *Thetford*

- Representation of the People, 2R. [183] 68

Harwich Election

House informed, that the Committee had determined, That Henry Jervis White Jervis, esquire, is duly elected a Burgess to serve in this present Parliament for the Borough of Harwich. That John Kelk, esquire, is duly elected a Burgess to serve in this present Parliament for the Borough of Harwich; And the said Determinations were ordered to be entered in the Journals of this House: House further informed of certain Resolutions of the Committee *May 2*, [183] 333

HAY, Lord J., Ripon

Navy—State of the, [184] 1212

HAY, Lord W. M., Taunton

East India Revenue Accounts, Comm. [184] 1115

Indian Officers, Grievances of, [181] 1614

HAY, Sir J. C. D., († Lord of the Admiralty), Stamford

Army—The Royal Gun Factory, [183] 1197

Dockyard Voters, [183] 1184

Navy—Medical Officers, [184] 114;—† State of the, 1206

Representation of the People, Comm. *cl.* 4, [184] 443

Scotland—Wigtonshire Election, [184] 235

Spain and Chile—War between, [183] 971

HAYTER, Captain A. D., Wells

Representation of the People, Comm. Amendt. [183] 1343, 1796, 1918

HEADLAM, Right Hon. T. E. (Judge Advocate General), Newcastle-upon-Tyne

Army—Fenianism in the, [181] 311;—The Crawley Court Martial, [183] 1690;—Military Pardons, [184] 375, 376

Cattle Diseases, Comm. *cl.* 21, [181] 567

Cattle Plague—Forage for the Army, [183] 1689, 1690

HEATHCOTE, Sir W., Oxford University

Cattle Diseases, Comm. *cl.* 31, [181] 621

Cattle Plague, Comm. *cl.* 18, [181] 791

Fellows of Colleges Declaration, Comm. [182] 2056

Marriage with a Deceased Wife's Sister, 2R. [183] 308

Public Money—Standing Orders, [182] 599

Supply—Printing and Stationery, [183] 208

Tests Abolition (Oxford), 2R. [182] 687; Comm. *cl.* 1, Amendt. [184] 314, 338, 344, 465

Thames Embankment (North Approaches), &c. Motion for a Committee, [182] 656

Thames Navigation, Comm. *cl.* 62, Amendt. [184] 936

Helena, Princess, Marriage of the, Message from the Queen

Ordered, That the said Message be taken into consideration on Thursday next *Feb 20*, [181] 807

Helena, Princess, Marriage of the, Message from the Queen—cont.

Her Majesty's Message considered; Address of Thanks and Concurrence ordered *Nemine Dissentiente* to be presented to Her Majesty *Feb 22*, 891

Message from Her Majesty considered in Committee; Resolution agreed to *Feb 22*, 902

Message from Her Majesty; Resolution reported and agreed to *Feb 23*

Helston Election

House informed, That Adolphus William Young, esquire, was not duly elected a Burgess to serve in this present Parliament for the Borough of Helston; That the last Election for the said Borough is a void Election *April 18*, [182] 1615

Illness of Mr. J. T. Hibbert, Committee discharged *June 26*, [184] 682; Members of the Select Committee reported *June 29*, 711 House informed, that the Committee had determined, That Robert Campbell, esquire, is not duly elected a Burgess to serve in this present Parliament for the Borough of Helston. That William Baliol Brett, esquire, is duly elected, and ought to have been returned, a Burgess to serve in this present Parliament for the Borough of Helston. And the said Determinations were ordered to be entered in the Journals of this House. House further informed of certain Resolutions of the Committee *July 5*, 715

Clerk of the Crown to attend forthwith to amend the Return; Return amended accordingly; Observations, Mr. Lowe, Colonel Wilson Patten

Report from Select Committee considered

Moved, "That, according to the Law and usage of Parliament, it is the duty of the Sheriff or other Returning Officer in England, in case of an equal number of votes being polled for two or more candidates at an Election, to return all such candidates" (*Mr. Lowe*) *July 19*, 1075; after debate, Debate adjourned

Debate resumed *July 26*; after short debate, A. 135, N. 6; M. 129; Resolution agreed to

HENDERSON, Mr. J., Durham City

Mines and Woods, Rating of, [181] 1403

Smoke Furnaces, [181] 1821

HENLEY, Lord, Northampton

Turnpike Roads, 2R. [182] 2062

Vaccination, Comm. [182] 1110

HENLEY, Right Hon. J. W., Oxfordshire

Address in Answer to the Speech, [181] 171

Army Estimates—Administration of the Army, [182] 807

Cattle Diseases, Comm. *cl.* 6, [181] 516; *cl.* 13, 546; *cl.* 14, 551; *cl.* 21, 567; *cl.* 40, 629; *cl.* 50, 636, 655; *cl.* 10, 646, 649; *cl.* 11, 652

Cattle Plague, Comm. *cl.* 16, Amendt. [181] 777; *cl.* 18, 794, 795, 797; *cl.* 28, 800

Cholera, The, [184] 2105

Clerks to Justices, 2R. [183] 653

[cont.]

[cont.]

HENLEY, Right Hon. J. W.—*cont.*

Compulsory Church Rate Abolition, [184] 1166; 2R. Motion for Adjournment, 1448, 1449, 1450, 1847, 1851, 1852
 Contagious Diseases, 2R. [182] 816; Comm. *cl.* 15, 2177, 2178
 Court of Chancery (Ireland), 2R. [183] 665
 Courts of Justice, Res. [182] 796
 Crown Lands Acts, Comm. Res. 3, [182] 962; Res. 4, 963, 964
 Currency and Banking, Motion for a Commission, [184] 1759
 Customs and Inland Revenue, 2R. [183] 1219
 Elections (Returning Officers), Comm. *cl.* 2, [184] 1027
 Exchequer and Audit Departments, [182] 1863; Comm. *cl.* 18, 2009, 2010
 Extradition Treaties Act Amendment, 2R. [184] 2029
 Gas Light and Coke Company, Consid. [184] 233
 Houseless Poor, [184] 1335
 Labouring Classes' Dwellings, Comm. *cl.* 4, [182] 810
 "London," Loss of the, [182] 543
 Mercantile Marine, Motion for a Commission, [184] 966
 Navy—Royal Dockyards, Res. [184] 1527
 New Zealand Guarantee, Comm. [184] 1053
 Poor Law Amendment, Comm. *cl.* 1, [184] 1581; *cl.* 15, *ib.*; *add. cl.* 1586
 Prosecution Expenses, Comm. *cl.* 1, Amendt. [182] 1611; *cl.* 2, Amendt. *ib.*
 Public Health, Comm. [184] 1376; *cl.* 5, Amendt. 1382; *cl.* 11, 1644; *cl.* 14, 1644; *cl.* 20, 1646; *cl.* 22, 1647; *cl.* 23, 1648, 1650, 1651; *cl.* 29, 1683; *cl.* 30, 1684; *cl.* 34, 1685; *cl.* 36, 1686; Consid. *cl.* 16, 1906
 Public Libraries Act Amendment, Comm. *add. cl.* [184] 1454
 Public Money—Standing Orders, [182] 601
 Railway Travelling (Ireland), 2R. [182] 262
 Railways (Ireland) Temporary Advances, 2R. [184] 1363; Comm. 1625; *cl.* 4, 1633, 1634
 Real Estate Intestacy, 2R. [183] 1997
 Reformatory Schools, Comm. *cl.* 10, [184] 1607; *cl.* 12, 1610, 1611; Motion for Adjournment, 1613; *cl.* 14, 1693; Amendt. 1697
 Representation of the People, Comm. [183] 1944; *cl.* 4, 2126; [184] 195, 197, 405, 438; *cl.* 5, 567
 Savings Banks and Post Office Savings Bank Acts, Report, [181] 333; 2R. 580
 Smoke Furnaces, [181] 1828
 Standing Order No. 52, [181] 1799, 1800
 Supply—Public Buildings, [182] 908;—Patent Office, 948, 949;—Governors of Colonies, [183] 725, 726;—Emigration, 729;—Embassies, &c. 736;—Special Missions, 737, 738;—Agricultural Statistics, 838;—Public Education, Great Britain, [184] 1357;—Public Education (Ireland) 1576;—Increased Pay, &c. (Medical Officers, Royal Navy), 1579
 Tenure and Improvement of Land (Ireland), 2R. [184] 1477
 Terminable Annuities, 2R. [183] 1272
 Tests Abolition (Oxford), 2R. [182] 692
 Thames Embankment (North Approaches), &c. 2R. [181] 1094; Motion for a Committee, [182] 658

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Thames Navigation, 2R. [182] 1611; Comm. [184] 760; *cl.* 3, 767; *cl.* 6, 934; *cl.* 15, 935; *cl.* 58, 936; *cl.* 63, 1138; *cl.* 64, 1139; *cl.* 85, 1142
 Vaccination, Comm. [182] 1103, 1104
 Ways and Means—Financial Statement, Comm. Res. 1, [183] 420

HERBERT, Hon. Colonel Percy E., *Shropshire, S.*

Army Estimates—Land Forces, [181] 1538, 1572;—Native Indian Troops, Motion for Adjournment, 1582;—Pay and Allowances, 1587;—Barrack Establishment, 1762;—Administration of the Army, [182] 804
 Army—Musketry Instruction, [183] 819, 820;—The Crawley Court Martial, 1690
 Devonport Election, [181] 1314
 Europe—State of, [184] 154
 Marine Mutiny, Comm. *cl.* 39, [181] 1787
 Mutiny, Comm. Preamble, [181] 1880
 Representation of the People, Comm. *cl.* 4, [184] 432, 433

HERBERT, Mr. H. A., *Kerry Co.*

Ireland—Cattle Plague, [183] 1053

Hereford City Election

House informed, that the Committee had determined, that Richard Baggallay, esquire, is duly elected a Citizen to serve in this present Parliament for the City of Hereford. That George Clive, esquire, is duly elected a Citizen to serve in this present Parliament for the City of Hereford; and the said Determinations were ordered to be entered in the Journals of this House; House further informed of certain Resolutions of the Committee May 7, [183] 481

"Hertha," German Emigrant Ship

Question, Lord Burghley; Answer, Mr. Bruce April 20, [182] 1769

HERVEY, Lord A. H. C., *Suffolk, W.*

Greece—Brigandage in, [181] 960

HEYGATE, Sir F. W., *Londonderry Co.*

Address in Answer to the Speech, [181] 261
 Copyhold and Leasehold Franchise, [182] 422
 Habeas Corpus Suspension (Ireland) Act Continuance, 2R. [184] 1950
 Ireland—Dublin and Londonderry Mails, [181] 813;—Cholera in Cork Harbour, [183] 360;—Land Improvement, 671;—National Education, Motion for a Committee, 1031;—Medical Officers, Res. 1951;—City Prisons, [184] 39
 Irish Society, Motion for Papers, [183] 606
 Poor Persons' Burial (Ireland), Comm. [182] 1578
 Railways (Ireland) Temporary Advances, 2R. [184] 1362
 Reform Bills, Scotch and Irish, [184] 25
 Tenure and Improvement of Land (Ireland), 2R. [183] 1008, 1121; [184] 1480

HIBBERT, Mr. J. T., *Oldham*

Capital Punishments within Prisons, Leave, [181] 1621
 Courts of Justice, The New, Res. [182] 795
 Europe—State of, [184] 175
 Prisons Act, [181] 1282
 Real Estate Intestacy, 2R. [183] 2006
 Representation of the People, Leave, [182] 238; 2R. 1973; [183] 48; Comm. *cl.* 5, [184] 576
 Vaccination, Comm. [182] 1110

HOARE, Sir H. A., *Windsor*

Address in Answer to the Speech, Report, [181] 330
 Ireland—Established Church, Res. [182] 1068
 Re-distribution of Seats, [182] 486
 Representation of the People, Leave, [182] 73

HODGKINSON, Mr. G., *Newark*

Address in Answer to the Speech, [181] 149
 Bank Failures, The late, [184] 467
 Fire Insurance, [182] 2007
 Representation of the People, 2R. [182] 2188

HOGG, Colonel J. M., *Bath*

Army Estimates—Land Forces, [181] 1570
 Cholera, The, [184] 2106
 Metropolitan Board of Works, Motion for a Commission, [183] 1966
 Metropolitan Workhouses, [184] 376
 Poor Law Amendment, Comm. *add. cl.* [184] 1583

HOLDEN, Mr. I., *Knaresborough*

Compulsory Church Rate Abolition, 2R. [184] 1873
 Representation of the People, Comm. [183] 1752

HOLLAND, Mr. E., *Evesham*

Veterinary Surgeons, 2R. [183] 654; Comm. [184] 998, 999

Hong Kong—Acting Governor of

Observations, Colonel Sykes; Answer, Lord Henry Lennox *August* 3, [184] 2040

Hop Trade Bill

(*Mr. Huddleston, Sir B. Bridges, Sir E. Dering*)

c. Resolution in Committee; Bill ordered; read 1^o * *Feb* 23 [Bill 36]

182] Moved, "That the Bill be now read 2^o " (*Mr. Huddleston*) *April* 18, 1884

Amendt. to leave out "now," and add "upon this day six months" (*Mr. Beresford Hope*); Question, "That 'now,' &c.;" after debate, Amendt. withdrawn; main Question put, and agreed to; Bill read 2^o *April* 18

Committee *April* 26; [House counted out]

183] Committee; and after short debate reported *April* 30, 213 [Bill 128]

. Considered as amended *May* 11

Read 3^o * *May* 17

1. Read 1st * (*The Lord Harris*) *May* 18 (No. 123)

. Moved, "That the Bill be now read 2nd " *May* 28, 1309; Read 2nd after short debate Committee *; *May* 31 (No. 135)

Report * *June* 5

Read 3rd * *June* 7

Royal Assent *June* 11 [29 *Vict.* c. 37]

HOPE, Mr. A. J. Beresford, *Stoke-on-Trent*

Business, Public, [184] 766

Church Rates Abolition, [181] 1503; 2R. 1668; [182] 288

Compulsory Church Rate Abolition, Leave, [183] 626; 2R. [184] 1041, 1451

Courts of Justice, The New, Res. [182] 777; [183] 181, 1179

Elections (Returning Officers), Comm. [184] 1014; *cl.* 2, 1025

Elective Franchise, 2R. [183] 1499

Electoral Statistics, [182] 879

Fellows of Colleges Declaration, Comm. [182] 2037

Finchley Road Estate, 2R. [184] 754

Finsbury Estate, 2R. [184] 305

Gas Light and Coke Company, Consid. [184] 227

Hop Trade, 2R. Amendt. [182] 1591, 1595, 1599; Consid. [183] 845

Imperial Gas Company, 2R. [183] 580

Ireland—Established Church, Res. [182] 991

Italy—Monastery of Monte Cassino, Motion for Papers, [184] 1842

Marriage with a Deceased Wife's Sister, 2R. [183] 313

Metropolis—Gas Works, Victoria Park, [183] 362; —London University, [184] 1762

National Gallery and Burlington House, Res. [184] 1303

National Gallery Enlargement, 3R. [184] 209

Palmerston, Viscount, Monument to, Comm. Res. [181] 917

Real Estate Intestacy, 2R. Amendt. [183] 1979

Representation of the People, 2R. [182] 1684; Comm. [183] 1917; *cl.* 4, 2094

Royal Academy, Site of the, Motion for Papers, [184] 51

Supply—Public Buildings, [182] 895, 896, 899, 901, 908; —New Houses of Parliament, 925; —New Courts of Justice, 1114; —University of London, [183] 185, 186, 187, 188, 191; —Chapter House, Westminster, 193

Tests Abolition (Oxford), 2R. [182] 685; Comm. *cl.* 1, [184] 318

Thames Embankment (North Approaches), &c. 2R. Amendt. [181] 1088, 1091

HORSFALL, Mr. T. B., *Liverpool*

Courts of Justice, The New, [182] 1507

East India communications, Motion for a Committee, [181] 1227

Railway Clauses, [183] 1691

Reformatory Schools, Comm. *cl.* 10, [184] 1607

Representation of the People, 2R. [182] 1180

Horsham Election

House informed, That Robert Henry Hurst, esquire, is duly elected a Burgess to serve in this present Parliament for the Borough of Horsham *April* 19

HORSMAN, Right Hon. E., *Stroud*

Devonport Election, [181] 1301, 1303, 1505

Elective Franchise, Leave, [181] 841

Electoral Returns, [184] 1662

Foreign Policy, [184] 1226

HORSMAN, Right Hon. E.—cont.

- Fortifications (Provisions for Expenses), 2R. [184] 1677
 Habeas Corpus Suspension (Ireland), Leave, [181] 698, 699
 Municipal Boroughs, [184] 1662
 Reform Bills, The, [183] 1796
 Representation of the People, Leave, [182] 90; 2R. 1366, 1367, 1842; Comm. *cl.* 5, 538
 Supply—New Houses of Parliament, [182] 920, 927
 Thames Embankment (North Approaches), &c. Motion for a Committee, [182] 657

HOTHAM, Lord, Yorkshire, E.R.

- Army Estimates—Land Forces, [181] 1562, 1563; —Commissariat, 1748
 Devonport Election, [181] 1303

HOUGHTON, Lord

- Abyssinia—Imprisonment of British Subjects in, [184] 1984
 Bishoprics of Cape Town, Adelaide, and British Columbia, [184] 523
 British Museum, The, [181] 339, 342
 Cattle Diseases, Comm. *cl.* 15, [181] 755
 Criminals—Imprisonment for Life, Motion for Returns, [183] 351
 Established Church—Revision of the Lectenary, Motion for a Commission, [184] 107
 Ireland—State of, Motion for a Committee, [182] 399
 Jamaica—Condition of, [184] 1895
 Law of Capital Punishment Amendment, 2R. [183] 253
 National Gallery Enlargement, 2R. [184] 925
 Prosecution Expenses, 2R. [183] 478
 Public Schools, 2R. [183] 1415; Comm. 1923; *cl.* 17, Amendt. 1929, 1931
 Qualification for Offices Abolition, 2R. [182] 1980, 1985; Comm. [183] 258, 259
 Selling and Hawking Goods on Sunday, Comm. *cl.* 2, Amendt. [183] 946; Report, 1037, 1038; 3R. 1676
 Spain and Chile—War between, [183] 955

HOWARD, Right Hon. Lord E. G. F., Arundel

- Cattle Plague, Comm. *cl.* 17, Amendt. [181] 789
 Lancaster Borough Election, Motion for a Joint Address, [183] 279
 Parliamentary Oaths Amendment, Comm. *cl.* 1, [182] 306
 Poor Law Amendment, Comm. *add. cl.* [184] 1584
 Prison Ministers Act, Res. [184] 1438
 Reformatory Schools, Comm. *cl.* 12, [184] 1610, 1613; *cl.* 14, Amendt. 1687; *cl.* 24, Amendt. 1699; Consid. *add. cl.* 1885, 1886

HOWES, Mr. E., Norfolk, E.

- Cattle Diseases, Comm. *cl.* 33, [181] 627
 Elections (Returning Officers), Comm. *cl.* 2, [184] 1024
 Leeds Bankruptcy Court, [181] 450

HUBBARD, Mr. J. G., Buckingham

- Business of the House, [183] 1199
 Compulsory Church Rate Abolition, 2R. [184] 1051, 1052, 1444
 Currency and Banking, Motion for a Commission, [184] 1746
 Customs and Inland Revenue, 2R. Amendt. [183] 1126; Motion for Adjournment, 1127, 1202; Comm. *cl.* 1, 1407
 Finance Accounts, Annual, [182] 523
 Imperial Guarantees—Turkish Loan, Motion for a Return, [184] 2140
 Italy—Monastery of Monte Cassino, Motion for Papers, [184] 1841
 Malt Duty, Res. [182] 1562
 Natal, Bishopric of—Dr. Colenso, [184] 2035
 National Debt, The, [183] 485
 Royal Academy, Site of the, Motion for Papers, [184] 70
 Savings Banks and Post Office Savings Banks, 2R. [181] 578
 Supply—Public Education, Great Britain, [184] 1359
 Terminable Annuities, 2R. [183] 1245
 Ways and Means—Financial Statement, Comm. Res. 1, [183] 413, 421, 542; Res. 9, 553

Huddersfield Election

House informed, that the Committee had determined, That Thomas Pearson Crosland, esquire, is duly elected a Burgess to serve in this present Parliament for the Borough of Huddersfield; and the said Determination was ordered to be entered in the Journals of this House: House further informed of a certain Resolution of the Committee *May* 3, [183] 352

HUDDLESTON, Mr. J. W., Canterbury

- Hop Trade, 2R. [182] 1584; Comm. [183] 213; Consid. 845

HUGHES, Mr. T., Lambeth

- Commons (Metropolis), 2R. [183] 1288
 Fenianism in America, [181] 1053
 Jamaica—Disturbances in, Res. [184] 1827
 Labouring Classes' Dwellings, Comm. *cl.* 4, [182] 811
 Public Health, Comm. [184] 1380
 Representation of the People, 2R. [182] 1700
 Standing Order No. 52, Amendt. [181] 1792, 1803

Hull South Bridge [Advances]

c. Resolution in Committee *Mar* 15

Hume, Mr., Bust of the Late

Amendt. on Committee of Supply *June* 15, To leave out from "That," and add "an humble Address be presented to Her Majesty, praying that She will be graciously pleased to cause to be placed within the precincts of this House, a Bust, offered by his widow, of the late Joseph Hume, esquire, who for nearly forty years ably, laboriously, and disinterestedly served his Country in the House of Commons" (*Mr. Ewart*), [184] 485; after debate, Question, "That the words, &c.," negatived; words added; main Question, as amended, agreed to; Answer to Address [15th June], reported *August* 10, 2166

Hundred Bridges Bill

(*Mr. Knatchbull-Hugessen, Sir George Grey*)

c. Ordered * *June 5*

Read 1^o * *June 6* [Bill 178]

Read 2^o * *July 16*

Committee *; Report *July 17*

Considered as amended * *July 18*

Read 3^o * *July 19*

l. Read 1^a * (*The Earl of Romney*) *July 23*

Moved, "That the Bill be now read 2^a"

July 27, [184] 1599 (No. 210)

The previous Question moved (*Lord Redesdale*); and a Question being stated thereupon, the Question was put, Whether the said Question shall be now put? Resolved in the negative

HUNT, Mr. G. W., († Secretary to the Treasury) *Northamptonshire, N.*

† American Mails, [184] 2051

† Atlantic Cable, The, [184] 1652

† Business, Public, [184] 756

181.] Cattle Diseases, Leave, 373, 382, 383,

. 388, 391, 393, 394, 395, 396, 399, 400;

. 2R. 460; Comm. cl. 6, 516; cl. 10, Amendt.

. 519; cl. 12, Amendt. 519; cl. 13, 531, 532;

. Amendt. 540; cl. 14, 550, 551; cl. 15, 553;

. cl. 16, 559; cl. 21, Amendt. 565, 577, 578,

. 600; Amendt. 601, 603, 604, 605; cl. 41,

. Amendt. 630; cl. 43, 632; cl. 48, 633;

. 50, 635; cl. 3, 642; cl. 7, Amendt. 643,

. 645; cl. 10, 646, 648; cl. 11, 652; cl. 50,

. 654; add. cl. 655, 657; Consid. cl. 21, 729

181.] Cattle Plague, Comm. 730; Preamble,

. 764, 765; cl. 5, 774, 775; cl. 6, 776; cl. 16,

. 777, 778, 779, 780; cl. 17, Amendt. 781,

. 787; cl. 18, 790, 791, 795, 796, 797; cl.

. 19, Amendt. 797; cl. 20, Amendt. 798; cl.

. 10, 799; cl. 28, 800, Amendt. 801; cl. 29,

. 802; add. cl. 849, 850, 851, 852, 853, 854;

. cl. 35, 855, 856, 857, 858; cl. 39, Amendt.

. 859; cl. 3, 861, 862; cl. 4, 862; add. cl.

. 863, 864, 865, 866; cl. 25, 928; cl. 27, 929;

. cl. 28, Amendt. 930; cl. 30, Amendt. 932,

. 943, 944; add. cl. 952, 953, 954, 955, 968;

. 3R. 1058, 1710; Lords Amendts. [182] 263,

. 270, 272, 273, 492, 497

† Colonial Branch Mints, 2R. [184] 1364

† Compulsory Church Rate Abolition, 2R. [184]

1452, 1855

† Consolidated Fund Appropriation, 2R. [184]

1668

Day of Humiliation—Committees, [182] 505

Devonport Election, [181] 1513

† Dogs, Duty on, [184] 1162

† Dwellings for the Labouring Classes, [184]

1531

† East India communications, [184] 1897

Elective Franchise, 2R. [183] 1482

Electoral Returns, [182] 1775

India Office — Financial Department, [182]

1122

† Inland Revenue, Comm. cl. 1, [184] 1143

† Ireland—Fisheries, [184] 942;—Record Office

(Dublin), Motion for a Return, 1075

Marine Mutiny, Comm. cl. 39, [181] 1786

Marriage with a Deceased Wife's Sister, 2R.

Amendt. [183] 292

Members' Appropriation of Seats in the House,

[182] 1765

† New Zealand Guarantee, Comm. [184] 1053

[cont.]

HUNT, Mr. G. W.—*cont.*

Oyster Culture, [182] 891

Postmaster General, 2R. [182] 1079

Qualification for Offices Abolition, 2R. [181] 1253

† Railways (Ireland) Temporary Advances, 2R.

[184] 1362

Reform Bill, The, [181] 1503

Representation of the People, 2R. [182] 2175;

Comm. [183] 1943; cl. 3, 2042; cl. 4, 2087,

2091; Amendt. [184] 176, 186, 187, 190,

192, 194, 197, 436, 441, 442; Amendt. 445,

447, 448, 450; cl. 5, 561, 562

† Revising Barristers' Qualifications, Comm.

[184] 770

Supply—New Houses of Parliament, [182]

917; [184] † 710;—Post Office Salaries, &c.

912;—Post Office Packet Service, 915; Re-

port, 1606

† Thames Navigation, Comm. cl. 3, [184] 767

HUTT, Right Hon. Sir W., *Gateshead*

Agricultural Statistics, [181] 898

France—The Emperor's letter, [184] 381

Princess Mary of Cambridge—Queen's Message,

[183] 2041

Representation of the People, 2R. [182] 1680

Imperial Gas Company Bill [Lords]

c. Read 1^o * *April 27*

Moved, "That the Bill be now read 2^o" *May 8,*

[183] 578

Amendt. to leave out "now," and add "upon

this day six months" (*Mr. Tite*); Question,

"That 'now,' &c.," after debate, Amendt.

and Motion withdrawn; Bill withdrawn

(See *Gas Bills* (*Metropolis*) *Select Committee*)

Imperial Guarantees—Turkish Loan

Return ordered, "Of Imperial Guarantees,

showing the date and extent of each; the

amount paid; and the amount for which the

Country is still liable (in continuation of

Parliamentary Paper, No. 599, of Session

1860)" (*Mr. Hubbard*) *August 7, [184]*

2140

Inclosure Bill (*Mr. Baring, Sir G. Grey*)

c. Ordered; read 1^o * *April 27* [Bill 126]

Read 2^o * *May 3*

Committee *; Report *May 7*

Read 3^o * *May 10*

l. Read 1^a * (*The Lord Stanley of Alderley*)

May 11 (No. 107)

Read 2^a * *May 14*

Committee *; Report *May 15*

Read 3^a * *May 17*

Royal Assent *May 18* [29 *Vict. c. 29*]

Inclosure (No. 2) Bill

(*Mr. Secretary Walpole, Mr. Hunt*)

c. Ordered; read 1^o * *July 23* [Bill 238]

Read 2^o * *July 24*

Committee *; Report *July 26*

Read 3^o * *July 27*

l. Read 1^a * (*The Earl of Belmore*) *July 27*

Read 2^a * *August 3* (No. 236)

Committee *; Report *August 6*

Read 3^a * *August 7*

Royal Assent *August 10* [29 & 30 *Vict. c. 94*]

Indemnity Bill

Question, Mr. Baines; Answer, Sir George Grey *May* 14, [183] 871; Question, Mr. Hadfield; Answer, Mr. Walpole *July* 31, [184] 1762

Indemnity Bill

(*Mr. Secretary Walpole, Mr. Hunt*)

- c. Ordered; read 1^o *August* 4 [Bill 259]
 Read 2^o and committed *August* 6
 Committee; Report *August* 6, [184] 2107
 Read 3^o after short debate, and passed
 l. Read 1^o (*The Earl of Derby*) *August* 6
 Read 2^o after short debate; Committee negative; Standing Orders Nos. 37 and 38 considered and dispensed with; Bill read 3^a and passed *August* 7, 2127 (No. 284)
 Royal Assent *August* 10 [29 & 30 *Vict. c. 116*]

INDIA**Army**

- Grievances of the*, Question, Major Jervis; Answer, Mr. Stansfeld *May* 7, [183] 484; Question, Sir James Fergusson; Answer, Mr. Stansfeld *May* 10, 767
 Report of Indian Officers' Commission. [3598]
Officers, Grievances of, Report of Commission, 181; Question, Lord Stanley; Answer, Mr. Stansfeld *Feb* 22, 895; Question, Lord William Hay; Answer, Mr. Stansfeld *Mar* 6, 1614; Question, The Earl of Ellenborough; Answer, Earl De Grey and Ripon *Mar* 9, 1788; Question, Sir James Fergusson; 184; Answer, Mr. Stansfeld *June* 19, 647; Question, Colonel Sykes; Answer, Viscount Cranbourne *July* 19, 1070; Question, Lord Lyveden; Answer, The Earl of Malmesbury *July* 23, 1268; Question, Major Jervis; Answer, Viscount Cranbourne *August* 6, 2090; Question, Colonel Sykes; Answer, Viscount Cranbourne *August* 6, 2098

Banda and Kirwee Prize Money, Question, Colonel North; Answer, Viscount Cranbourne *July* 30, [184] 1664

Bhootan, Expedition to, Question, Mr. Otway; Answer, Mr. Stansfeld *Feb* 27, [181] 1198

Budget, The, Question, Mr. J. B. Smith; Answer, Mr. Stansfeld *Mar* 1, [181] 1285

East India Revenue Accounts considered in Committee *July* 19, [184] 1079; Resolutions moved (*Viscount Cranbourne*), and after long debate, agreed to

China—Employment of Native Troops in, Question, Colonel North; Answer, The Marquess of Hartington *Mar* 9, [181] 1805

Court of Small Causes (Bombay), Address for Papers respecting the Resignation of Mr. Manockjee Cursetjee (*Lord Chelmsford*) *May* 28, [183] 1290; after long debate, Motion withdrawn

Delhi Prize Money, Question, General Dunne; Answer, Mr. Monsell *April* 20, [182] 1769; Question, Mr. MacEvoy; Answer, Mr. Monsell *June* 12, [184] 237

East India Communications, Moved, "That a Select Committee be appointed to inquire into the practical working of the present systems of Telegraphic and Postal Commu-

[cont.]

INDIA—cont.

nications between this Country and the East Indies" (*Mr. Crawford*) *Feb* 27, [181] 1218; after long debate, Motion agreed to

And, on March 9, Committee nominated as follows:—Mr. Crawford, Lord Stanley, Mr. Childers, Lord Robert Montagu, Mr. Stansfeld, Admiral Seymour, Mr. Ayrton, Mr. Turner, Sir Henry Rawlinson, Mr. Baillie, Mr. Weguelin, Sir Charles Bright, Mr. Laird, Mr. Moffatt, and Mr. Schreiber
 After short debate, Instruction to the Select Committee on East India Communications, that they be empowered to extend their inquiry to China and Japan and Australia and the Mauritius (*Mr. Crawford*); Mr. Marsh and Mr. Brooks added to the Committee
April 23, [182] 1974—Report 428, 428-I

Question, Mr. Crawford; Answer, Mr. Hunt *August* 2, [184] 189

Famine in, Question, Mr. G. R. Barry; Answer, Viscount Cranbourne *July* 26, [184] 1523

India Office—Financial Department, Question, Mr. Hunt; Answer, Mr. Stansfeld *April* 12, [182] 1122

Indian Reliefs, Observations, Mr. O'Reilly; Reply, The Marquess of Hartington *Mar* 19, [182] 518; Question, Mr. O'Reilly; Answer, The Marquess of Hartington *April* 17, 1509; Question, Lord Burghley; Answer, The Marquess of Hartington *June* 14, [184] 377

Madras Irrigation and Canal Company, Question, Mr. Smollett; Answer, Mr. Stansfeld *May* 11, [183] 766; Question, Mr. Smollett; Answer, Mr. Stansfeld *May* 15, 962; Question, Mr. Smollett; Answer, Viscount Cranbourne *July* 23, [184] 1284

Medical Officers, Question, Mr. Bazley; Answer, Sir James Fergusson *July* 27, [184] 1616

Military Funds, Question, The Earl of Ellenborough; Answer, Earl de Grey and Ripon *May* 11, [183] 743

Moral and Material Progress of, Report on, Question, Mr. Trevelyan; Answer, Mr. Stansfeld *July* 6, [184] 718

Non-Commissioned Officers in, Observations, Sir Harry Verney *Mar* 19, [182] 554

Oude, Claims on, Question, Colonel French; Answer, Mr. Stansfeld *April* 17, [182] 1507 — (*Parl. P. No. 301*)—*Complaints against the late State of*, Question, Mr. Knight; Answer, Mr. Stansfeld *May* 3, [183] 364; Question, Captain Staupoole; Answer, Viscount Cranbourne *July* 23, [184] 1281; Question, Colonel French; Answer, Viscount Cranbourne *August* 2, 1902—*Rights of Occupancy in*, Moved, "That there be laid before the House Copies of the Report of the Financial Commissioner, Mr. Davies, upon the Inquiry into Rights of Occupancy in Oudh; together with the Reports of the different Settlement Officers and Commissioners in Oudh; and of the evidence of the landowners, cultivators, and others upon the same subject: Also for, Copy of the despatch of the Chief Commissioner of Oudh, forwarding the above-mentioned Reports to

[cont.]

INDIA—*cont.*

- the Government of India in February 1865; And also for, Copy of the reply of Governor General of India to that despatch, and the further Correspondence of the Chief Commissioner and the Governor General on the subject up to the present time" (*The Marquess of Clanricarde*); after short debate, Motion amended and agreed to *August 3, 1892*
- Passage Warrant of January, 1865*, Question, Captain Gridley; Answer, The Marquess of Hartington *April 12, [182] 1120*
- Regiments in*, Question, Mr. O'Reilly; Answer, The Marquess of Hartington *April 17, [182] 1509*
- Russian March upon Bokhara*, Question, Sir Henry Rawlinson; Answer, Mr. Layard *Mar 16, [182] 421*
- Simlah, Transfer of the Capital to*, Question, Mr. Otway; Answer, Viscount Cranbourne *July 27, [184] 1615*
- Singapore—The Straits Settlements*, Question, Lord Stanley; Answer, Mr. Cardwell *Feb 22, [181] 895*
- Strachey, Colonel—Personal Explanation*, Mr. Smollett *August 3, [184] 2039*
- Tenure of Land in*, Amendt. on Committee of Supply *May 10*, To leave out from "That," and add "the great subdivision of the soil in Southern and Western India, consequent on the present system observed in the revenues settlement of the Madras and Bombay Presidencies, deserves the serious attention of Her Majesty's Government, with a view to its amendment" (*Mr. Smollett*), [183] 709; Question, "That the words, &c.," after debate, Amendt. withdrawn

Indian Prize Money Bill

(*Mr. Monsell, Mr. Stansfeld*)

- c. Ordered; read 1° * *May 8* [Bill 146]
Read 2° * *May 28*
Committee*; Report *June 1*
Read 3° * *June 4*
- l. Read 1° * (*The Earl De Grey*) *June 5*
Read 2° * *June 12* (No. 140)
Committee*; Report *June 14*
Read 3° * *June 18*
Royal Assent *June 28* [29 & 30 Vict. c. 47]

Industrial Schools Bill

(*Mr. Knatchbull-Hugessen, Sir George Grey*)

- c. Ordered; read 1° * *May 17* [Bill 168]
Read 2° * *May 28*
Committee*; Report *June 11*
- 184] Question, Mr. Adderley; Answer, Mr. Knatchbull-Hugessen *June 14, 381*; Question, Mr. Hanbury; Answer, Mr. Walpole *July 19, 1073*
Committee R.P.* *July 27*
Committee* (on re-comm.) *July 30*
Committee*; Report *August 1* [Bill 185]
Considered as amended* *August 2*
Read 3° * *August 2*
- l. Read 1° * (*The Earl of Devon*) *August 2*
Read 2° * *August 3* (No. 268)
Committee; Report *August 6, 2073* (No. 282)
Read 3° * *August 7*
Royal Assent *August 10* [29 & 30 Vict. c. 118]

Industrial Schools—Statute 24 & 25 Vict.

c. 113

Question, Mr. Liddell; Answer, Sir George Grey *Feb 15, [181] 506*

INGHAM, Mr. R., *South Shields*

Army—Medical Officers, Motion for Papers, [183] 588

Inland Revenue Bill

(*Mr. Hunt, Mr. Gladstone, Mr. Childers*)

- c. Acts read; considered in Committee; Bill ordered; read 1° * *July 6* [Bill 209]
Read 2° * *July 16*
Committee R.P. after short debate *July 19*
Committee*; Report *July 23*
Considered as amended* *July 24*
Read 3° * *July 25*
- l. Read 1° * (*The Earl of Belmore*) *July 26*
Read 2° * *July 27* (No. 229)
Committee*; Report *July 30*
Read 3° * *July 31*
Royal Assent *August 6* [29 & 30 Vict. c. 64]

Inns of Court Bill

(*Sir George Bowyer, Mr. Denman*)

- c. Ordered* *Mar 20*
Read 1° * *Mar 21* [Bill 83]
Second reading deferred, after short debate
April 11, [182] 1092

Insolvent Estates—The Winding-up Acts
—Court of Chancery

Question, Mr. Crawford; Answer, The Attorney General *August 2, [184] 1897*

International Maritime Law

Amendt. on Committee of Supply *Mar 2*, To leave out from "That," and add "an humble Address be presented to Her Majesty, praying that She will be graciously pleased to use Her influence with Foreign Powers for the purpose of making the principle that private property should be free from capture by sea a maxim of International Maritime Law" (*Mr. Gregory*), [181] 1407; Question, "That the words, &c.," after long debate, Amendt. withdrawn

IRELAND

Carlou Lunatic Asylum, Question, Mr. Bruen; Answer, Mr. Chichester Fortescue *July 2, [184] 711*; Question, Mr. Pack-Beresford; Answer, Lord Naas *July 19, 1070*; Question, Mr. Pack-Beresford; Answer, Lord Naas *July 26, 1530*

Cattle Plague, Motion for "Copy of the Report of the Committee convened by the Lord Lieutenant of Ireland to consider the measures that might be adopted for arresting the progress of the Cattle Plague, in case of its appearance in Ireland" (*Lord Naas*) 181] *Feb 18, 451*; after short debate, Motion agreed to

Parl. P. No. 67
Sequel to Report [3639]
Report of Professor Fergusson . [3647]

[*cont.*

IRELAND—cont.

- Questions, Colonel Forde, The O'Donoghue and Major Knox; Answers, The Attorney General for Ireland and Sir George Grey
Feb 15, 1858; Question, Mr. Gregory; Answer, The Attorney General for Ireland
Feb 19, 1862
- Cattle Disease—Importation of Sheep and Cattle into*, Question, Mr. Cogan; Answer, The Attorney General for Ireland *Mar 16, 182*; Question, The Marquess of Clahri-
183 carde; Answer, Earl Granville *May 15, 1828*; Question, Mr. Gregory; Answer, Mr. Chichester Fortescue *May 15, 1864*; Question, Mr. Herbert; Answer, Mr. Chichester Fortescue *May 17, 1853*; Question, Mr. Owen Stanley; Answer, Mr. Laird *May 18, 1848*; Question, Mr. Owen Stanley; Answer, Mr. Chichester Fortescue *June 1, 1867*
- Conveyance of Troop Horses to Ireland*, Question, Mr. W. R. Gore; Answer, Mr. Milner Gibson *Feb 20, 181* 816
- Church*
- Armagh Roman Catholic Cathedral*, Question, The O'Donoghue; Answer, The Attorney General for Ireland *Mar 23, 182* 847
- Established Church*, Question, Mr. Dawson; Answer, Sir John Gray *Mar 8, 181* 1709
- Motion, "That the position of the Established Church in Ireland is a just cause of dissatisfaction to the people of that country, and urgently demands the consideration of Parliament" (*Sir John Gray*) *April 10, 182* 973; after long debate, Debate adjourned; Motion for Returns (*The Archbishop of Armagh*) *May 4, 183* 435; after short debate, Motion withdrawn
- Roman Catholic Church*, Motion for a Return (*Viscount Lifford*) *Feb 26, 181* 1063; after debate, Motion withdrawn
- Cork*
- Cholera in Cork Harbour*, Observations, Mr. Maguire; Reply, Sir George Grey *May 3, 183* 358 — *Quarantine*, Question, Mr. Maguire; Answer, Sir George Grey *May 4, 183* 436
- Daml's Rock*, Question, The Earl of Bandon; Answer, The Duke of Somerset *April 24, 182* 1986; Question, Mr. Maguire; Answer, Mr. Milner Gibson *April 26, 2071*; Question, Mr. Maguire; Answer, Mr. Milner Gibson *June 18, 184* 530
- Hawthorne, Docks at*, Question, Mr. Maguire; Answer, Sir John Pakington *August 3, 184* 2033
- Deep Sea Fisheries, Report on*, Question, General Dunne; Answer, Mr. Chichester Fortescue *May 3, 183* 361
- Drilling of Tenants*, Question, Mr. O'Reilly; Answer, The Attorney General for Ireland *Mar 19, 182* 488
- Dublin and Londonderry Mails*, Question, Sir Frederick Heygate; Answer, Mr. Childers *Feb 20, 181* 813
- Dublin, The late Fire in*, Question, Lord Naas; Answer, Mr. Chichester Fortescue *June 12, 184* 237

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IRELAND—cont.

- East Coast, Harbour of Refuge on the*, Question, Mr. Fitzwilliam Dick; Answer, Sir Stafford Northcote *July 31, 184* 1761
- Education*
- Catholic University, The*, Question, Mr. Lowe; Answer, The Attorney General for Ireland *Mar 6, 181* 1615
- National Education, Moved*, "That a Select Committee be appointed to inquire what changes may, with advantage, be made in the system of National Education in Ireland, in order to allow greater freedom and fullness of religious teaching in schools attended by pupils of one religious denomination only, and to guard effectually against proselytism and protect the faith of the minority in mixed schools" (*Mr. O'Reilly*) *May 15, 183* 990; after long debate, Motion withdrawn
- National Schools—Attendance of Children*, Question, Mr. Peel Dawson; Answer, Mr. Chichester Fortescue *July 5, 184* 721
- Queen's University and Queen's Colleges*, Question, Sir Robert Peel; Answer, The
181 Chancellor of the Exchequer *Feb 20, 181* 811; Question, Sir Robert Peel; Answer, The Chancellor of the Exchequer *Feb 23, 181* 964; Question, Sir Hugh Cairns; Answer, The Attorney General for Ireland *Mar 13, 182* 138; Explanation, The Attorney General for Ireland *Mar 15, 288*; Question, Mr. Aytoun; Answer, Sir George Grey
April 17, 1806; Question, Mr. Lowe; Answer, Mr. Chichester Fortescue *July 5, 184* 719; Notice, Sir Robert Peel *July 9, 184* 755; Question, Sir Robert Peel; Answer, Mr. Gladstone *July 16, 821*; Question, Sir Robert Peel; Answer, Mr. Lowe *July 16, 842*
- Schoolmasters, Address for Returns (Lord Dunsany)* *Mar 1, 181* 1281; Motion agreed to
- Sir Robert Peel and Professor Sullivan*, Observations, Mr. Monsell *July 23, 184* 1285; Explanation, Sir Robert Peel *July 23, 1302*
- Fenian Conspiracy, The*
- Fenian Conspiracy, The Case of Bryan*, Question, Lord Dunsany; Answer, Lord Dufferin *June 1, 183* 1669; Motion for a Select Committee (*Mr. Whalley*) *June 1, 1892*; Motion withdrawn—(*Army, &c.*), Motion for a Return (*Mr. Whalley*) *June 5, 1869*
- Fenian Convicts and the Metropolitan Police*, Question, Mr. Bagwell; Answer, Sir George Grey *Feb 20, 181* 816
- Fenianism in the Army*, Question, Colonel North; Answer, Mr. Headlam *Feb 9, 181* 310 — *in the United States*, Question, Mr. Watkin; Answer, The Chancellor of the Exchequer *Feb 23, 1027*
- Fenian Prisoners at Waterford*, Observations, Mr. Blake; Reply, The Attorney General for Ireland *Mar 16, 182* 440
- Amend, on Committee of Supply* *May 4*, To leave out from "That," and add "it is the opinion of this House, that it would be desirable that Government should take measures to prevent untried prisoners from being subjected to

[cont.]

IRELAND—*cont.*

illegal and unnecessary restrictions, similar to those which appear to have been imposed on the political prisoners at Waterford, from the twenty-first day of February to the sixteenth day of March" (*Mr. Blake*), [183] 445; Question, "That the words, &c.;" after long debate, Amendt. withdrawn

Fenian Prisoners at Limerick, Amendt. on Committee of Supply June 15, To leave out from "That," and add "in the opinion of this House, the treatment of Prisoners in the County Gaol of Limerick, under the Habeas Corpus Suspension (Ireland) Act, has been unnecessarily severe and unconstitutional, and that it is the duty of Government to prevent the continuance of the same" (*Mr. Synan*), [184] 494; Question, "That the words, &c.;" after short debate, Amendt. withdrawn; Question again proposed, "That Mr. Speaker do now leave the Chair"

Fenian Prisoners, &c., Question, The O'Donoghue; Answer, The Attorney General for Ireland Mar 22, [182] 732—*Escape of Stephens*, Question, Mr. Whiteside; long discussion thereon Mar 22, 740

Fenians, The, and the British American Colonies, Question, Lord Dunkellin; Answer, Mr. Cardwell April 24, [182] 1990

Habeas Corpus Suspension (Ireland), Notices, Earl Russell Feb 16, [181] 585, and Sir George Grey, 600—*Prolongation of Act*, Question, Mr. Osborne; Answer, Lord Naas July 26, [184] 1532; Question, Mr. Maguire; Answer, Lord Naas July 30, 1665

Militia and the Fenians, Question, Mr. Whalley; Answer, Mr. Chichester Fortescue June 7, 2037

(See *Habeas Corpus Suspension Bill*)

Fisheries (Ireland), Amendt. on Committee of Supply June 8, To leave out from "That," and add "there be laid before this House, Copy of the Case and Opinion of the Law Officers of the Crown relative to the non-payment of a sum of £5,000 granted for the building and repairing of Fishery Piers in Ireland and assistance of poor fishermen under the Act of 59 Geo. 3, c. 59, s. 106" (*General Dunne*), [184] 45; Question, "That the words, &c.;" after short debate, Amendt. withdrawn—*Report of the Special Commissioners*, Question, Mr. Blake; Answer, The Attorney General for Ireland Mar 8, [181] 1710; Question, Mr. Blake; Answer, The Attorney General for Ireland Mar 9, 1837

Fishery Piers—The Unexpended Grant, Question, Sir Henry Winston Barron; Answer, Mr. Childers Mar 2, [181] 1390; Question, General Dunne; Answer, Mr. Hunt July 17, [184] 942

Galway Election, Question, Mr. Yorke; Answer, Sir George Grey June 14, [184] 382

Illegal Processions, Question, Mr. Maguire; Answer, Lord Naas July 27, [184] 1613

Inland Fisheries, Question, Mr. Blake; Answer, Lord Naas July 19, [184] 1071

[*cont.*]

IRELAND—*cont.*

Irish Society, Motion for Papers (*Mr. Kennedy*) May 8, [183] 589; after long debate, Motion agreed to—(*Parl. P. No. 514*)

Irish Society's Estates, Question, Mr. Kennedy; Answer, Lord Naas July 20, 1164

King's County Return—Privilege, Moved, "That the High Sheriff of the King's County be called to the Bar of the House to be examined touching this Return" (*Mr. Ayrton*) Feb 12, [181] 345; after debate, Motion withdrawn

Land

Land Improvement—Committee on Irish Taxation, 1865, Question, Sir Frederick Heygate; Answer, Mr. Chichester Fortescue May 10, [183] 671; Question, Sir Robert Peel; Answer, The Attorney General for Ireland May 11, 769

Land Tenure, Question, Mr. Rearden; Answer, Lord Naas July 30, [184] 1659

Landed Estates Court, Question, Mr. Whiteside; Answer, Mr. Chichester Fortescue April 26, [182] 2075—*Recorder of Title*, Mr. Urtin, Explanation, Mr. Monsell August 3, [184] 2031

Record of Title Act, and Land Debentures Act—Petitions—Landed Estates Court, Motion for Returns (*The Marquess of Clanricarde*); after debate, Motion agreed to April 27, [183] 1

Record of Title Office, Motion for papers (*The Earl of Belmore*) Mar 22, [182] 718; after short debate, Motion withdrawn; Copy of Memorial from the Registration of Title Association, ordered (*The Earl of Belmore*)—(*Parl. P. No. 65*); Question, General Dunne; Answer, Mr. Hunt July 19, [184] 1075

Law

Admiralty, Court of, Question, Mr. Maguire; Answer, The Attorney General for Ireland Mar 2, [181] 1390; Observations, Mr. Pim; Answer, Lord Naas July 26, [184] 1551

Ecclesiastical Commissioners, Question, Mr. Maguire; Answer, Mr. Lawson July 23, [184] 1326

Law of Charities, Question, Mr. Lefroy; Answer, Mr. Childers Mar 20, [182] 579

Law Officers, Question, Colonel Leslie; Answer, The Attorney General for Ireland Feb 16, [181] 597

Longfield, Judge, Resignation of, Question, Mr. Whiteside; Answer, Mr. Chichester Fortescue June 15, [184] 465

Lord Chancellor of Ireland—Appointment of Mr. Blackburne, Question, Mr. Maguire; Answer, Sir George Grey July 19, [184] 1071; Question, Sir Patrick O'Brien; Answer, The Chancellor of the Exchequer July 19, 1072; Question, Mr. Maguire; Answer, Lord Naas August 3, 2032

Lord Justice of Appeals—Resignation of Mr. Napier, Question, Mr. O'Beirne; Answer, Lord Naas July 30, [184] 1658

Marriage Law—Petition of Richard Talbot—Motion for Papers (*The Marquess of Westmeath*) Mar 2, [181] 1378; after short debate, Motion postponed—*Meeting at Collins-*

[*cont.*]

IRELAND—cont.

- town*, Motion for papers (*The Marquess of Westmeath*) *Mar* 15, [182] 279; after short debate, Motion withdrawn
- Probate Court, Dublin*, Question, Mr. Serjeant Armstrong; Answer, The Attorney General for Ireland *Mar* 23, [182] 847
- Queen's Bench, Court of—Lord Chief Justice Lefroy*, Question, The Marquess of Clanricarde; Answer, Lord Dufferin; discussion thereon *April* 19, [182] 1628; Personal Explanation, The Marquess of Clanricarde *April* 20, 1751; Question, Mr. Bryan; Answer, The Attorney General for Ireland *May* 3, [183] 353; Explanation, Lord Chelmsford *May* 10, 744; Question, Mr. Bryan; Answer, Mr. Chichester Fortescue; long discussion thereon *May* 11, 778
- Registry of Deeds Office*, Question, Mr. Dillon; Answer, Mr. Childers *Feb* 23, [181] 1054; Question, Mr. Serjeant Armstrong; Answer, Mr. Childers *Mar* 23, [182] 848
- Lunatic Asylums, Medical Superintendents of County*, Question, Mr. Pack-Beresford; Answer, Lord Naas *July* 19, [184] 1070
- Militia, The*, Question, General Dunne; Answer, Mr. Chichester Fortescue; discussion thereon *April* 30, [183] 177
- Monaghan, Election for—Fatal Riot at the*, Observations, Mr. Whiteside; Reply, Mr. O'Reilly *Mar* 16, [182] 447; Personal Explanation, Mr. O'Reilly *May* 4, [183] 438
- Oaths, Official*, Question, Mr. Maguire; Answer, Mr. Chichester Fortescue *April* 30, [183] 160
- Ordnance Survey*, Question, Mr. Dillon; Answer, Mr. Childers *May* 31, [183] 1554
- Oyster Fisheries*, Observations, Lord John Browne *May* 4, [183] 441
- Police**
- Burke, Sub-Inspector, Case of*, Moved, "That an humble Address be presented to Her Majesty for, Copy of any Recommendation or Certificate sent by the Irish Government to the late Board of Treasury for a Pension or Superannuation Allowance to be granted to Mark Burke, late Sub-Inspector of the Irish Police Force, subsequent to his Trial for his Neglect and Refusal to do his Duty at Ballisodare on the 26th of January, 1865" (*The Marquess of Westmeath*) *August* 8, [184] 2153; after short debate, Motion withdrawn
- Constabulary, Pay of the*, Question, The Earl of Leitrim; Answer, Earl Russell *Feb* 9, [181] 278; Question, Colonel Greville; Answer, Mr. Knatchbull-Hugessen *Mar* 16, [182] 419; Question, Colonel Greville; Answer, Mr. Childers *May* 7, [183] 484; Question, Mr. O'Beirne; Answer, Lord Naas *July* 17, [184] 937
- County Prisons*, Question, Sir Robert Peel; Answer, Mr. Chichester Fortescue *May* 10, [183] 671
- Prisons—Reports of Inspectors General*, Observations, Mr. Verner; Reply, Mr. Chichester Fortescue *June* 8, [184] 35
- Proclamation of the County of Louth*, Question, Mr. S. B. Miller; Answer, The Solicitor General for Ireland *Feb* 20, [181] 815

IRELAND—cont.

- Poor Law**
- Medical Officers and Workhouse Schools*, Question, Sir Hervey Bruce; Answer, The Chancellor of the Exchequer *July* 16, [184] 822
- Medical Officers of Unions*—Motion, "That, in the opinion of this House, Her Majesty's Government should now adopt the recommendations of the Select Committee of 1858, which recommended 'Her Majesty's Government to take into consideration the Claims of Ireland to a grant of the half-cost of Medical Officers of Unions, with the view of providing for the same in future, as is now the practice in England and Scotland,' fortified, as such recommendation is, by the Report of the Select Committee on Taxation of Ireland in June 1865, who reported that with regard to the grants for Poor Law Medical Officers and Workhouse Schoolmasters, 'it would be reasonable that the same aid should be extended to Ireland as is already extended to England'" (*Mr. MacEvoy*) *June* 5, [183] 1948; after debate, Motion withdrawn
- Re-valuation of Property*, Question, Lord John Browne; Answer, Mr. Chichester Fortescue *May* 10, [183] 669
- Union Rating*, Question, Colonel Tottenham; Answer, The Attorney General for Ireland *Mar* 8, [181] 1709
- Postal Delays*, Question, Mr. W. Ormsby Gore; Answer, Mr. Childers *June* 11, [184] 114
- Railway Commissioners The*, Question, General Dunne; Answer, Mr. Milner Gibson *Feb* 23, [181] 1014
- Railway Reform*, Motion for Papers (*The Earl of Belmore*) *Mar* 6, [181] 1591; Motion agreed to—(*Parl. P. No. 72*)
- Railways, (Ireland)*, Amendt. on Committee of Supply *July* 20, To leave out from "That," and add "there be laid before this House, a Return of all Foreign Railway Tariffs which may be in the possession of the Board of Trade" (*Mr. Gregory*), [184] 1168; Question, "That the words, &c.;" after debate, Amendt. withdrawn
- Records**
- Records*, Question, General Dunne; Answer, Mr. Childers *April* 20, [182] 1773; Question, Sir Henry Winston Barron; Answer, Mr. Childers *June* 14, [184] 374
- Records of Great Britain and Ireland*, Observations, General Dunne; Reply, Mr. Childers *May* 18, [183] 1178
- Shannon River*, Select Committee appointed "to inquire into the manner in which the Drainage and Navigation of the River Shannon has been carried out under the direction of Her Majesty's Government, and to report what steps should be taken to complete the works for which a compulsory levy of £300,000 has been made on the adjoining counties" *Mar* 19, [182] 569
- And, on March 19, Committee nominated as follows:—Colonel French, Mr. Childers, Mr. William Ormsby Gore, Mr. Acland, Lord Dunkellin, Colonel Vandeleur, Sir Edward

IRELAND—*cont.*

Dering, Sir William Jolliffe, Mr. Dillon, Mr. Laird, Mr. Pollard-Urquhart, Mr. Dudley Fortescue, Mr. Agar-Ellis, Mr. Cave, and Lord Burghley

Report April 25—(*Parl. P.* No. 213)

State of, Moved, "That the House will, on Tuesday next, resolve itself into a Committee of the Whole House to consider the State of Ireland" (*Earl Grey*) Mar 16, [182] 358; after long debate, resolved in the negative

Waste Lands, Question, Mr. Rearden; Answer, Lord Naas July 23, [184] 1282

Wrecks on the East Coast, Question, Mr. Fitzwilliam Dick; Answer, Sir Stafford Northcote August 6, [184] 2094

Irish and Scotch Reform Bills

Question, Major Stuart Knox; Answer, The Chancellor of the Exchequer April 19, [182] 1647

Iron Passenger Ships, Surveyors of

Question, Mr. O'Beirne; Answer, Mr. Monsell June 1, [183] 1686

Italy

Brigandage in the Papal States, Question, Mr. O'Reilly; Answer, Mr. Layard Mar 23, [182] 841

(see *Austria, Prussia, and Italy*)

Mercantile Code, New, Question, Mr. Gregory; Answer, Mr. Layard June 8, [184] 26

Monastery of Monte Cassino, Motion for Papers; Address for "Copy of any Communications received by the Secretary of State for Foreign Affairs from Her Majesty's Minister Plenipotentiary at the Italian Court, upon the subject of the Statute of the 7th July, for the suppression of Ecclesiastical Corporations" (*Mr. Hubbard*) July 31, [184] 1841; after short debate, Motion agreed to

Jamaica

Government of, Question, Sir John Pakington; Answer, Mr. Cardwell Feb 13, [181] 450

Gordon's, Mr., Trial, Question, Mr. Buxton; Answer, Mr. Cardwell Feb 22, [181] 900

Bill of Indemnity, Question, Mr. McCullagh Torrens; Answer, Mr. Cardwell May 14, [183] 873—*Commission*, Question, Lord Stanley; Answer, Mr. Cardwell May 3, 364

Commission, The, Question, Mr. Bright; Answer, The Chancellor of the Exchequer Mar 5, [181] 1500; Question, Mr. Gilpin; Answer, Mr. Cardwell June 8, [184] 26

Legislative Assembly, Question, Major Jervis; Answer, Mr. Cardwell June 14, [184] 376

Alleged Outrages in, Explanation, Mr. Baring July 16, [184] 823

Disturbances in, Question, Mr. J. Stuart Mill; Answer, The Chancellor of the Exchequer

184] July 19, 1064

Moved, "That this House deplores the excessive punishments which followed the suppression of the disturbances of October last in the parish of St. Thomas, Jamaica, and especially the unnecessary frequency with which the punishment of death was inflicted" (*Mr. Buxton*) July 31, 1763; Whereupon pre-

[*cont.*

Jamaica—cont.

184] vious Question proposed, "That that Question be now put" (*Mr. Adley*), 1785; after debate, Previous Question withdrawn; after further debate, Question put, and agreed to; Resolution 2—after short debate, Resolution withdrawn, 1839; Resolution 3—after short debate, Resolution withdrawn, 1840; Resolution 4—after short debate, Resolution withdrawn, 1840

Condition of, Question, The Earl of Romney; Answer, The Earl of Carnarvon August 2, [184] 1888

Drillings in, Explanation, Mr. Russell Gurney August 6, [184] 2098

State of, Question, Mr. J. Stuart Mill; Answer, Mr. Adley August 10, [184] 2160

Parl. Papers—

Report of the Commission . . . [3683]

Evidence and Index . . . [3683-1]

Papers relating to Disturbances I.

II. III. . . . [3594]

Do. . . . Do. . . . [3681]

Affairs of Jamaica [3595]

Do—Further Papers [3749]

Paper of Governor Eyre [3682]

Dismissal of Mr. Gordon . . . 88

Affairs of Jamaica 380

Correspondence, Naval Officers . 504

Jamaica Government Bill

(*Mr. Secretary Cardwell, Mr. W. E. Forster*)

181] c. Ordered, after debate; read 1^o Feb 15, 581 [Bill 17]

Read 2^o after debate Feb 22

Committee*; Report Feb 26

Considered as amended Feb 26

Moved, "That the Bill be now read 3^o" (*Mr. Secretary Cardwell*) Feb 28, 1264; read 3^o after short debate

l. Read 1st* (*The Earl Russell*) Mar 2 (No. 29)

Moved, "That the Bill be now read 2nd" Mar 13,

120; read 2nd after debate

Committee*; Report Mar 15

Read 3rd* Mar 16

Royal Assent Mar 23 [20 *Vict. c.* 12]

JAMES, Mr. E., Manchester

Real Estate Intestacy, 2R. [183] 2004

Representation of the People, 2R. [182] 2146

Japan, Exchange in

Question, Lord Stanley; Answer, The Chancellor of the Exchequer Feb 27, [181] 1194; Question, Colonel North; Answer, The Chancellor of the Exchequer August 3, [184] 2034

JERVIS, Major H. J. W., Harwich

Army—Medical Officers, Motion for Papers, [183] 597;—Sandhurst College, 1311;—Artillery—Whitworth Guns, [184] 1531;—Ordnance Corps, 1658

Business, Order of, [183] 1314

Cattle Diseases, Comm. d. 21, [181] 570

India—Grievances of the Officers, [183] 484; [184] 2090

Jamaica—The Legislative Assembly, [184] 376

[*cont.*

JERVIS, Major H. J. W.—*cont.*

Railways, Motion for a Commission, [184] 1544, 1551
 Reform Meeting in Hyde Park, [184] 1403
 Representation of the People, Comm. Motion for Adjournment, [183] 1397, 1755

JERVOISE, Sir J. C., *Hampshire, S.*

Cattle Plague, The, [183] 1049;—Pleuro-Pneumonia, [184] 115;—Infection from the, 533, 1663
 Cholera, The, [182] 1644;—Conference at Constantinople, [184] 116
 Postmaster General, 2R. [182] 1081
 Public Health, Comm. [184] 1381; *cl.* 23, Amendt. 1681; *cl.* 29, 1683; *cl.* 36, 1686
 Sheep, Diseases in, [181] 899
 Supply—Civil Contingencies, [183] 839
 Vaccination, Comm. [182] 1110
 Veterinary Surgeons, 2R. [183] 655

JOLLIFFE, Right Hon. Sir W. G. H., *Petersfield*

Army Estimates—Native Indian Troops, [181] 1583;—Pay and Allowances, 1587;—Administration of the Army, [182] 804
 Cattle Diseases, Comm. *cl.* 25, [181] 605; *cl.* 31, 611
 Commons (Metropolis), [183] 483; 2R. 1281, 1285
 Labouring Classes' Dwellings, Comm. [182] *cl.* 8, 813, 814
 Marriage with a Deceased Wife's Sister, 2R. [183] 316
 Metropolitan Board of Works, Motion for a Commission, [183] 1963
 Public Companies, 2R. [182] 1580
 Representation of the People, Comm. *cl.* 4, [184] 199; *cl.* 5, 575
 Royal Academy, Site of the, Motion for Papers, [184] 71
 Supply—Public Buildings, [182] 909;—Emigration, [183] 730
 Turnpike Roads, 2R. [182] 2062

Judges, Increase of the

Question, Mr. Laird; Answer, The Attorney General August 6, [184] 2095

Judicial Committee of the Privy Council Bill (*The Lord Cramworth*)

l. Read 1st July 9 (No. 186)
 Order for second reading read July 12, [184] 779; after short debate, Order discharged; Bill withdrawn

Juries in Criminal Cases Bill

(*Sir C. O'Loughlen, Colonel French*)

c. Ordered; read 1st Feb 13 [Bill 16]
 Moved, "That the Bill be now read 2nd" (*Sir C. O'Loughlen*) Feb 21, [181] 868; after debate, Motion withdrawn; second reading deferred
 Bill withdrawn * July 16

KEARSLEY, Captain R., *Ripon*

Army—Commissions in the Royal Engineers, [184] 823

KEKEWICH, Mr. S. T., *Devonshire, S.*

Ashford, Mary, Execution of, [182] 1508
 Cattle Plague, Comm. *cl.* 18, [181] 790, 793, 795
 Electoral Returns, [184] 530
 Mines and Woods, Rating of, [181] 1308

KELLY, Sir FitzRoy, *Suffolk, E.*

Beer, Sale of, [181] 1618
 Cattle Diseases, Leave, [181] 420; Comm. *cl.* 6, 515; *cl.* 13, 540, 541; *cl.* 21, 602, 604; *cl.* 3, 638; *cl.* 7, 644; *cl.* 11, 650; *add. cl.* 655, 658
 Cattle Plague, Comm. *cl.* 18, [181] 790
 Court of Chancery (Ireland), 2R. [182] 564
 Customs and Inland Revenue, 2R. [183] 1216
 Financial Statement, The, [182] 139
 Fire Insurance, [182] 491
 Malt Duty, [182] 1358, 1359; Res. 1509, 1561
 Morning Sitings, [184] 535
 National Debt, The, [183] 439, 441
 Terminable Annuities, 2R. [183] 1259, 1277
 Ways and Means—Financial Statement, Comm. Res. 1, [183] 416, 544

KENDALL, Mr. N., *Cornwall, E.*

Mines and Woods, Rating of, [181] 1399
 Totnes Election, Motion for a Joint Address, [183] 267

KENNEDY, Mr. T., *Louth Co.*

Ireland—Irish Society, Motion for Papers, [183] 598; [184] 1164
 Representation of the People (Ireland), Leave, [183] 541

KER, Mr. D. S., *Downpatrick*

Parliamentary Oaths Amendment, 3R. [182] 517
 Re-distribution of Seats, 2R. [183] 918
 Transubstantiation, &c. Declaration Abolition, Leave, [182] 642, 643

KIMBERLEY, Earl of (see also WODEHOUSE, Lord)

Consecration of Churchyards (No. 2), Comm. [184] 1496
 County Assessments, 2R. [184] 1657
 Habeas Corpus Suspension (Ireland) Act Continuance, 2R. [184] 2077, 2085, 2086
 Landed Estates Court (Ireland), 2R. [184] 1999
 Railways (Ireland) Temporary Advances, 2R. [184] 1996

KING, Hon. P. J. Locke, *Surrey, E.*

Cattle Diseases, Comm. *cl.* 14, [181] 551, 552; *cl.* 21, 605
 Cattle Plague, Comm. *cl.* 16, [181] 779; *cl.* 18, 793; *cl.* 24, Amendt. 798; *cl.* 10, 799; *cl.* 35, 855, 858; Consid. *cl.* 21, Amendt. 1057
 Gas Light and Coke Company, Consid. [184] 234
 London (City) Traffic Regulation, 2R. [181] 894
 Members' Appropriation of Seats in the House, [182] 1765
 Real Estate Intestacy, 2R. [183] 1975, 2006
 Thames Embankment (North Approaches), &c. Motion for a Committee, [182] 667

KING, Mr. J. G., *King's Co.*
Holderness Embankment, &c. 2R. [183] 1074

King of the Belgians, The late—The Trust Estate of 1834
Statement of Administration of the Trust,
The Earl of Derby Mar 2, [181] 1381

KINGLAKE, Mr. A. W., *Bridgwater*
Army Estimates—Pay and Allowances, [181] 1584
Business, Order of, [182] 853 ; [183] 1318
Europe, State of, [184] 117
Extradition Treaties Act Amendment, Comm. *add. cl.* [184] 2123
Fortifications (Provisions for Expenses), 2R. [184] 1679
Representation of the People, 2R. [182] 1212

KINGLAKE, Mr. Serjeant J. A., *Rochester*
Navy Estimates—Dockyard Salaries, [181] 1858

King's County Election
House informed, that the Committee had determined, That Sir Patrick O'Brien, baronet, is duly elected a Knight of the Shire to serve in this present Parliament for the King's County, and the said Determination was ordered to be entered in the Journals of this House April 30, [183] 160

KINGSDOWN, Lord
Administration of Justice Chancery Amendment, 2R. [184] 777
Judicial Committee of the Privy Council, 2R. [184] 780
Sale of Land by Auction, 2R. [181] 435

KINNAIRD, Lord
Cattle, Illegal Removal of, [181] 958
Cattle Plague, Comm. *cl. E*, [181] 1700

KINNAIRD, Hon. A. F., *Perth*
Artizans' and Labourers' Dwellings, Leave, [181] 824
Casual Poor, Clerkenwell, [181] 1809
Cattle Diseases, Comm. *cl. 11*, [181] 651
Crown Lands Acts, Comm. Res. 3, [182] 962
East India Revenue Accounts, Comm. [184] 1137
Exchequer Bills and Bonds, Leave, [181] 1482
Hares and Rabbits (Scotland), 2R. [184] 1260
Hume, Mr., Bust of the late, Motion for an Address, [184] 489
Labouring Classes' Dwellings, Leave, [181] 431 ; 2R. [182] 117
London Gas, Comm. [182] 888 ; 3R. [183] 1435
Metropolitan Poor—Guardians of Clerkenwell, [183] 161
Mutiny, Comm. *cl. 22*, [181] 1881
Navy—Savings Banks, [184] 2162
Parliamentary Oaths Amendment, 2R. [181] 1736
Reformatory Schools, Comm. *cl. 14*, [184] 1693 ; *Consid. add. cl.* 1896
Representation of the People, Comm. [183] 1741

KINNAIRD, Hon. A. F.—*cont.*
Saturday Half-Holiday, [183] 177
Supply—New Houses of Parliament, [182] 916 ; Report, 1075 ;—Public Education, Great Britain, [184] 1360
United States and Canada—The Reciprocity Treaty, [183] 1176
Veterinary Surgeons, Comm. [184] 998

Kitchen and Refreshment Rooms (House of Commons)
Select Committee nominated as follows :—Colonel French (Chairman), Mr. Adam, Mr. Dalglish, General Dunne, Mr. Lawrence, Lord Robert Montagu, and Mr. Onslow
First Report May 2, No. 228

KNATCHBULL-HUGESSEN, † Mr. E. H. (Lord of the Treasury), *Sandwich*
† Clerks to Justices, 2R. [183] 653
Elections (Returning Officers), Comm. *cl. 2*, [184] 1024
Industrial Schools and Reformatory Consolidation, [184] 381
† Ireland—The Constabulary, [182] 419
† Marriage with a Deceased Wife's Sister, 2R. [183] 208
† Police at the Houses of Parliament, [183] 873, 1312
Reformatory Schools Comm. *cl. 10*, [184] 1607 ; *cl. 12*, 1608, 1610 ; *cl. 14*, 1690, 1696

KNIGHT, Mr. F. W., *Worcestershire, W.*
Cattle Plague, Comm. *cl. 35*, [181] 859 ; *add. cl. Amendt.* 863
Hop Trade, 2R. [182] 1597
India—Complaints against the late State of Oude, [183] 364
Poor Law Expenditure, Res. [182] 2002, 2006
Public Health, Comm. *cl. 5*, Amendt. [184] 1382, 1383

KNIGHTLEY, Sir R., *Northamptonshire, S.*
Cattle Plague, [182] 498
Re-distribution of Seats, Leave, [183] 516
Representation of the People, Leave, Motion for Adjournment, [182] 239, 240 ; 2R. 1972 ; Comm. Instruction, [183] 1320 ; *cl. 4*, [184] 206, 401

KNOX, Hon. Major W. Stuart, *Dungannon*
Army Estimates—Land Forces, [181] 1565, 1580 ;—Pay and Allowances, 1585 ;—Clothing Establishments, 1756 ;—Barrack Establishment, 1759 ;—Disembodied Militia, 1767
Army—Royal Military College, Motion for a Committee, [182] 430
Cattle Plague (Ireland), [181] 509
Europe—State of, [184] 175
Ireland—The late Fire in Dublin, [184] 238
Jamaica—The Commission, [181] 1501 ; [184] 26
Members' Appropriation of Seats in the House, [182] 1764
Ministerial Crisis, [184] 701
Reform Bills, Irish and Scotch, [182] 1647
Reform Meeting in Hyde Park, [184] 1905

KNOX, Hon. Major W. Stuart—*cont.*

Representation of the People, Comm. *cl.* 4,
Motion for Adjournment, [184] 200, 206
Representation of the People (Ireland), Leave,
[183] 538, 540, 584
Supply — Public Education (Ireland), [184]
1576
Whitehall Yard—Intended Meeting in, [184]
697

KNOX, Colonel B. W., *Marlow*

Army—Medical Officers, Motion for Papers,
[183] 597;—The 11th Hussars and Breech-
loading Guns, [184] 828
Devonport Election, [181] 1315
Thames Embankment (North Approaches), &c.
2R. [181] 1094
Thames Navigation, Comm. *cl.* 3, [184] 767

LABOUCHERE, Mr. H., *Windsor*

Neutrality Law, Inadequacy of our, [181] 994,
1000

Labouring Classes' Dwellings Bill

(*Mr. Childers, Mr. Chancellor of the Exchequer,*
Mr. Bruce)

- 181] *c.* Ordered, after short debate; read 1^o *Feb*
12, 428 [Bill 9]
182] Moved, "That the Bill be now read 2^o"
(*Mr. Childers*) *Mar* 12, 115; read 2^o after
short debate
Committee *; Report *Mar* 13
Committee; Report *Mar* 22, 809 [Bill 67]
Considered as amended * *April* 9
Read 3^o * *April* 10
1. Read 1^a * (*The Lord Stanley of Alderley*)
April 12 (No. 68)
183] Moved, "That the Bill be now read 2^a"
May 8, 567; read 2^a, after short debate
Committee *; Report *May* 11
Read 3^a * *May* 14
Royal Assent *May* 18 [29 *Vict.* c. 28]

Labouring Classes' Dwellings (Ireland) Bill

(*Mr. Childers, Mr. Attorney General for Ireland*)

- c.* Ordered; read 1^o *April* 9, [182] 966 [Bill 94]
Moved, "That the Bill be now read 2^o" (*Mr.*
Childers) *May* 10, [183] 740; read 2^o after
short debate
Committee *; Report *May* 17
Read 3^o * *May* 28
1. Read 1^a * (*The Lord Dufferin*) *May* 29
Read 2^a * *June* 12 (No. 128)
Committee *; Report *June* 14
Read 3^a * *June* 18
Royal Assent *June* 28 [29 & 30 *Vict.* c. 44]

LAIING, Mr. S., *Wick, &c.*

Business of the House, [183] 1199
East India Revenue Accounts, Comm. [184]
1092
Europe—State of, [184] 146
Foreign Policy, [184] 1217
International Maritime Law, Motion for an
Address, [181] 1448, 1450
National Debt, Comm. Res. [183] 562

LAIING, Mr. S.—*cont.*

Neutrality Law, Inadequacy of our, [181] 1001
Public Expenditure, Res. [181] 1118
Representation of the People, Leave, [182] 75;
2R. 1306, 1318
Representation of the People (Scotland), Leave,
[183] 528
Terminable Annuities, 2R. [183] 1247, 1270
Ways and Means, Comm. [183] 543

LAIIRD, Mr. J., *Birkenhead*

Board of Trade—Marine Department, [182]
1224
Cattle Plague—Alleged Importation of Diseased
Cattle from Ireland, [183] 1149
Cholera at Liverpool, [183] 1146
Judges, Increase of the, [184] 2095
Merchant Service—Qualification of Masters
and Mates, [182] 842
Merchant Shipping Act Amendment, [184]
1072
Navy Estimates—Naval Stores, [182] 325, 326,
342, 344
Navy—The "Lord Warden," [182] 842;—
State of the, [184] 1208;—The "Belle-
rophon," 2038
North America—Armed ships on the Coast of,
[183] 1940
Wreck Register, [182] 285

LAMONT, Mr. J., *Buteshire*

Jamaica Government, 2R. [181] 927
Tests Abolition (Oxford), 2R. [182] 687

Lancaster Borough Election

- 182] *c.* House informed, That Edward Matthew
Fenwick, esquire, was not duly elected a
Burgess to serve in this present Parliament
for the Borough of Lancaster. That Henry
William Schneider, esquire, was not duly
elected a Burgess to serve in this present
Parliament for the Borough of Lancaster.
That the last Election for the said Borough
is a void Election *April* 23, 1871
183] Moved, That an humble Address be presented
to Her Majesty, praying for the appointment of
W. F. Fletcher Boughiey, esquire, Thomas Ir-
win Barstow, esquire, and Robert M. Newton,
esquire, as Commissioners for the purpose of
making inquiry into the existence of corrupt
practices at Lancaster (*Mr. Howes*) *May* 1,
279; after short debate, Motion agreed to;
Ordered, That the said Address be com-
municated to the Lords, and their concurren-
ce desired thereto (*Mr. Howes*)
1. Moved, That this House do agree with the
Commons in the Address to Her Majesty,
and do fill up the Blank with ("Lords Spi-
ritual and Temporal, and,") (*The Earl Rus-
sell*) *May* 29, 1641; after debate, Debate
adjourned
184] Adjourned Debate on Motion *June* 8, 2;
after debate, on Question, "Whether the
words," &c.; Cont. 77, Not-Cont. 17; M. 60;
resolved in the affirmative; original Motion
agreed to; List of Cont. and Not-Cont., 14
Their Lordships concur in joint Address
June 13
Her Majesty's Answer to Address reported
June 14, 379

Land Drainage Supplemental Bill

(*Mr. Baring, Sir G. Grey*)

- c. Ordered; read 1st * *April 27* [Bill 125]
 Read 2nd * *May 3*
 Committee*; Report *May 7*
 Read 3rd * *May 10*
 l. Read 1st * (*Lord Stanley of Alderley*) *May 10*
 Read 2nd * *May 17* (No. 106)
 Committee*; Report *May 18*
 Read 3rd * *May 28*
 Royal Assent *June 11* [29 *Vict.* c. 33]

Land Drainage Supplemental (No. 2) Bill

(*Mr. Knatchbull-Hugessen, Sir G. Grey*)

- c. Ordered; read 1st * *June 14* [Bill 192]
 Read 2nd * *June 18*
 Committee*; Report *July 23*
 Read 3rd * *July 24*
 l. Read 1st * (*The Earl of Belmore*) *July 26*
 Read 2nd * *July 31* (No. 224)
 Committee*; Report *August 2*
 Read 3rd * *August 3*
 Royal Assent *August 6* [29 & 30 *Vict.* c. 80]

Land Tax Commissioners' Names Bill

(*Mr. Childers, Mr. Chancellor of the Exchequer*)

- c. Ordered * *Mar 12*
 Read 1st * *Mar 15* [Bill 71]
 Read 2nd * *Mar 22*
 Committee*; Report *June 18*
 Considered as amended * *June 26*
 Read 3rd * *June 28*
 l. Read 1st * (*The Earl of Belmore*) *June 29*
 Read 2nd * *July 26* (No. 179)
 Committee*; Report *July 27*
 Read 3rd * *July 30*
 Royal Assent *August 6* [29 & 30 *Vict.* c. 59]

Land Tenure and Improvement (Ireland),

1866, Bill [H.L.]

(*The Marquess of Clanricarde*)

- l. Presented; read 1st *Mar 23*, [182] 833 (No. 64)

Landed Estates Court, &c. (Ireland) Bill

(*Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland, Mr. C. Fortescue*)

- c. Ordered; read 1st * *June 4* [Bill 174]
 Read 2nd *July 16*, [184] 916
 Committee*; Report *July 23* [Bill 234]
 Committee (on re-comm.) *July 27*, 1835; after debate, Bill reported
 Committee*; Report *July 30*
 Read 3rd * *August 1*
 l. Read 1st * (*The Earl of Belmore*) *August 2* (No. 260)
 Read 2nd, after debate *August 3*, 1838
 Committee*; Report *August 6*
 Read 3rd * *August 7*
 Royal Assent *August 10* [29 & 30 *Vict.* c. 99]

Landed Property Improvement (Ireland) [Advances] Bill

(*Mr. Dodson, Mr. Childers, Mr. Chancellor of the Exchequer*)

- t. Resolution in Committee *April 19*
 Bill ordered; read 1st * *April 20* [Bill 118]
 Read 2nd * *May 7*
 Committee*; Report *May 10*

Landed Property Improvement (Ireland) [Advances] Bill—cont.

- Considered as amended * *May 11*
 Read 3rd * *May 14*
 l. Read 1st * (*The Lord Dufferin*) *May 15*
 Read 2nd * *June 1* (No. 117)
 Committee*; Report *June 8*
 Read 3rd * *June 11*
 Royal Assent *June 28* [29 & 30 *Vict.* c. 40]

Landlord and Tenant (Ireland) Bill

Question, Lord Naas; Answer, The Chancellor of the Exchequer *June 8*, [184] 25

Landlord and Tenant (Ireland) Bill

(*Sir C. O'Loughlen, Mr. Gregory*)

- After short debate, Bill ordered; read 1st *June 12*, [184] 298 [Bill 190]
 Order for 2nd read *July 25*, 1456; Moved, "That the Order for the second reading be discharged" (*Mr. Gregory*); Order discharged; Bill withdrawn

LANGTON, Mr. W. H. P. Gore, Somersetshire, W.

Cattle Plague, [183] 1686

LANDSDOWNE, Marquess of

Private Bills—Standing Order No. 184, [183] 1784

Railway Companies' Borrowing Powers, [181] 339

Railway Companies—Financial Arrangements of, [182] 830

Law of Capital Punishment Amendment Bill [H.L.] (*The Lord Chancellor*)

- l. Presented; read 1st * *Mar 23* (No. 61)
 183] Moved, "That the Bill be now read 2nd"
May 1, 232; Read 2nd after long debate
 . House in Committee *May 31*, 1545
 . Considered in Committee, after short debate
June 7, 2020 (No. 145)
 Report * *June 8*
 184] Committee (on re-comm.); Amendments made *June 15*, 451 (No. 166)
 . Amendments reported and agreed to *July 12*, 774 (No. 189)
 . Moved, "That the Bill be now read 3rd" (*The Lord Cranworth*) *July 16*, 811; after short debate, Bill read 3rd accordingly; Amendments made; Bill passed
 c. Question, Mr. Ewart; Answer, Mr. Walpole *July 20*, 1163
 Read 1st * *July 26* [Bill 248]
 Bill withdrawn * *July 30*

Law of Evidence Amendment Bill

(*The Lord Chancellor*)

- l. Presented; read 1st * *Feb 19* (No. 16)
 Moved, "That the Bill be now read 2nd"
Mar 5, [181] 1484
 Amendt. to leave out ("now,"), and insert ("this day six months") (*Lord Chelmsford*); on Question, "That ('now,') &c.," Cont. 29, Not-Cont. 29; the Numbers being equal, it was (according to ancient rule) resolved in the negative; Bill to be read 2nd on this day six months; List of the Cont. and Not-Cont., 1492

LAWRENCE, Mr. Alderman W., *London*

Cattle Diseases, Comm. cl. 3, [181] 640, 642
 Commons (Metropolis), 2R. [183] 1288
 Gas Light and Coke Company, Consol. [184] 234
 Imperial Gas Company, 2R. [183] 582
 Ireland—Irish Society, Motion for Papers, [183] 603
 London (City) Corporation Gas, 2R. [181] 1607
 London (City) Traffic Regulation, 2R. [181] 894; [184] 1665
 London Gas, Comm. [182] 888, 889
 Metropolis—Waterloo Bridge, [184] 1762
 Ways and Means, Comm. Res. 7, [183] 547; Res. 9, 554

LAWSON, † Right Hon. J. C. (Attorney General for Ireland), *Portarlington*

Address in Answer to the Speech, [181] 213, 215, 217
 Admiralty Court (Ireland), Leave, [183] 280, 281
 Armagh Roman Catholic Cathedral, [182] 847
 Catholic University, [181] 1615
 Cattle Disease—Importation of Sheep into Ireland, [182] 421
 Cattle Diseases (Ireland), 2R. [181] 1177, 1178
 Cattle Plague (Ireland), [181] 509, 762, 1805
 Chief Justice Lefroy, [183] 353, 356
 County Infirmaries (Ireland), 2R. [182] 242
 Court of Admiralty, [181] 1391
 Court of Chancery (Ireland), 2R. [182] 564, 568; [183] 657, 658
 Drilling of Tenants, [182] 488
 † Ecclesiastical Commissioners, [184] 1331
 † Elections (Returning Officers), Comm. cl. 2, [184] 1026
 Escape of Stephens, Motion for Papers, [182] 751, 754
 Fenian Prisoners, [182] 444, 733
 Fisheries, [181] 1710, 1839
 † Imprisonments in, Res. [184] 498
 Law Officers, [181] 597
 National Education, Motion for a Committee, [183] 1031
 Oyster Fisheries, [183] 454
 Probate Court, Dublin, [183] 847
 Queen's University, [182] 138; Explanation, 288; † [184] 885
 Suspension of the Habeas Corpus Act, Res. [183] 455
 Tenants' Improvements, [183] 769, 770
 Tenure and Improvement of Land (Ireland), Leave, [183] 227; 2R. 1068
 Union Rating, [181] 1709

LAYARD, † Mr. A. H. (Under Secretary of State for Foreign Affairs), *Southwark*

Abyssinia—Imprisonment of British subjects, [184] 721
 Africa—East Coast of, [181] 1391
 Austria, Prussia, and Italy—Immunity of Merchant Ships, [183] 1551;—Cession of Venetia, [184] 719
 Austrian Territory, Raid on the, [182] 2076
 China—Rebels in, [182] 1119;—The Chinese Visitors, [183] 1552;—Alleged conflict at Newchang, [184] 237
 Cholera Conference at Constantinople, [184] 116

LAYARD Mr. A. H.—*cont.*

Conference, The, [184] 240
 Continental Affairs, State of, [183] 483
 Coolies, Emigration of, to the French Colonies, [182] 1989
 Danubian Principalities, The, [182] 1772, 1775; [183] 1311; Motion for Papers, [184] 78
 Egypt—The Suez Canal, [181] 345; [182] 135;—Vice Royalty of, [183] 1550
 European Affairs—Congress on, [183] 1149; [184] 31
 Europe—State of, [184] 152, 153
 Forged Letters, [183] 1940
 France and Monaco, Treaty between, [181] 1196
 France—The Emperor's letter, [184] 381, 382
 Greece—Brigandage in, [181] 960
 India—Russian March upon Bokhara, [182] 421
 Italy—New Commercial Code, [184] 26
 † National Gallery and Burlington House, Res. [184] 1312
 Papal States—Brigandage in the, [182] 841
 Prussia and Italy, [182] 1506;—The Gastein Convention, [183] 1553
 Reciprocity Treaties, [183] 162
 † Reform Meeting in Hyde Park, [184] 1400
 Representation of the People, 2R. [182] 1423, 1671
 Royal Academy, Site of the, Motion for Papers, [184] 67
 "St. Abbs," Wreck of the Ship, [182] 970
 Siam—Consulate of Bangkok, [181] 1616;—The Myloongee Case, [183] 1146
 Spain, Chile, and Peru, War between, [182] 420; [183] 974, 978, 1150, 1552, 1690
 Supply—Expedition, [183] 731;—Captured Negroes, 732;—Suppression of Slave Trade, 733, 734;—Services in China, Japan, &c. 734;—Embassies, &c. 735, 736;—Special Missions, 737, 738;—Third Secretaries to Embassies, 739
 United States and Canada—The Reciprocity Treaty, [183] 1162
 Vienna—Treaty of, [182] 1645

Lea, River, Impure State of the

Question, Mr. Monk; Answer, Mr. Corry, August 7, [184] 2134

LEATHAM, Mr. W. H., *Wakefield*

Bankruptcy Law Amendment, 2R. [183] 708
 Marriage with a Deceased Wife's Sister, 2R. [183] 316
 Representation of the People, Leave, [182] 178; Comm. [183] 1742

LECHMERE, Sir E. A. H., *Tewkesbury*

Representation of the People, Comm. [183] 1749

Leeds Bankruptcy Court

Question, Mr. Howes; Answer, The Attorney General Feb 13, [181] 450; Question, Mr. Ferrand; Answer, The Attorney General Mar 15, [182] 281

LEEMAN, Mr. G., *York City*

Cattle Diseases, Leave, [181] 405
Cattle Plague, Comm. *cl.* 31, [181] 931
Clerks to Justices, 2R. [183] 650
Hollerness Embankment, &c. 2R. [183] 1972
Public Health, Comm. [184] 1382; *cl.* 23, 1650
Representation of the People, 2R. [182] 2127
Sale and Purchase of Shares, [184] 1001
Supply—New Houses of Parliament, [182] 928

LEFEVRE, Mr. G. J. Shaw, *Reading*

Commons (Metropolis), Leave, [182] 637
Elections (Returning Officers), Comm. [184] 1021
Neutrality Law, Inadequacy of our, [181] 1003
Thames Navigation, Comm. *cl.* 63, [184] 1138

LEFROY, Mr. A., *Dublin University*

Ireland—Law of Charities, [182] 579; —Chief Justice Lefroy, [183] 353, 355
Railway Travelling (Ireland), 2R. [182] 258
Supply—Public Education (Ireland), [184] 1574

LEGH, Mr. G. C., *Cheshire, N.*

Cattle Diseases, Leave, [181] 333
Cattle Plague, Comm. *add. cl.* [181] 864

Legitimacy Declaration, &c. Bill

(*Mr. T. Chambers, Mr. Edward Craufurd*)

c. Ordered; read 1^o * *Mar* 6 [Bill 51]
Moved, "That the Order for 2^o be discharged"
(*Mr. Thomas Chambers*) *July* 18, [184] 1002;
after short debate, Order discharged; Bill withdrawn

Legitimacy Declaration (Ireland) Bill

[H.L.] (*The Marquess of Clanricarde*)

l. Presented; read 1^a * *May* 3 (No. 96)

LEITCH, Earl of

Ireland—Pay of the Constabulary, [181] 278, 279

LENNOX, Lord H. G. C. G., († Secretary to the Admiralty) *Chichester*

British Museum, [182] 730, 731
† China—Acting Governor of Hong Kong, [184] 2050
† Paget, Lord Clarence, and the Holy Father, [184] 1259
Policemen in Plain Clothes, [181] 597

LESLIE, Colonel C. P., *Monaghan Co.*

Cattle Plague, [182] 1507
Law Officers (Ireland), [181] 597

LESLIE, Mr. W., *Aberdeenshire*

Address in Answer to the Speech, [181] 178

LEWIS, Mr. Harvey, *Marylebone*

Cattle Disease—Importation of Dutch Cattle, [183] 5
Finchley Road Estate, 2R. Amendt. [184] 752
Manchester, Sheffield, and Lincolnshire Railway, Consid. *add. cl.* [183] 1939

LEWIS, Mr. Harvey—*cont.*

Metropolis—Regent's Park, Ornamental water in the, [181] 1283, 1392; —Hyde Park—The Serpentine, [183] 1686
Metropolitan Local Government, Motion for a Committee, [181] 1213
Mid-London Railway, 2R. [181] 1592
Public Health, Comm. [184] 1380; *cl.* 10, 1384; *cl.* 20, Amendt. 1644; *cl.* 22, 1647
Railways (Ireland)—Metropolitan Railway Schemes, [181] 1026
Superannuation (Officers Metropolitan Vestries, &c.) 2R. [182] 1076
Vaccination, Comm. Amendt. [182] 1109

LICHFIELD, Earl of

Cattle Diseases, Comm. *cl.* 12, [181] 749; Schedule, 757; *cl.* 10, Amendt. 758
Cattle Diseases Act—Extension of Time, [182] 575
Cattle Plague, Comm. *add. cl.* [181] 1705
Cattle Plague, The—Conference at St. James' Hall, [181] 303; —Slaughter of Cattle, 1274, 1275; —Orders in Council, [182] 357; —Fresh Outbreak in London, 727

LIDDELL, Hon. H. G., *Northumberland, S.*

Cattle Diseases, Leave, [181] 408; 2R. 502; Comm. *cl.* 40, 630; *cl.* 43, 632
Cattle Plague, Comm. *cl.* 16, [181] 778; *cl.* 35, 857; *add. cl.* 864
Coal Fields, Exhaustion of the, [182] 1768, 1873; Motion for a Commission, [184] 275, 280
East India Revenue Accounts, Comm. [184] 1128
Industrial Schools, [181] 506
International Maritime Law, Motion for an Address, [181] 1424
Ireland—Cholera—Quarantine, [183] 437
Mercantile Marine, Motion for a Commission, [184] 954
Metropolitan Local Government, Motion for a Committee, [181] 1212
Navy Estimates—Men and Boys, [181] 1360, 1366
Representation of the People, 2R. [182] 1263; Comm. *cl.* 4, [183] 2097; [184] 435
Spain and Chile—War between, [183] 968, 1552
Terminable Annuities, 2R. [183] 1276

Life Insurances (Ireland) Bill

(*Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland*)

c. Ordered; read 1^o * *May* 7 [Bill 141]
Read 2^o * *May* 11
Committee*; Report *May* 14
Read 3^o * *May* 17
l. Read 1^a * (*The Lord Dufferin*) *May* 18
Read 2^a * *June* 7 (No. 122)
Committee*; Report *June* 8
Read 3^a * *June* 11
Royal Assent *June* 28 [29 & 30 Vict. c. 42]

Lifeboats on the Coast

Observations; Motion for a Return (*The Earl of Malmesbury*) *Feb* 16, [181] 586

LIFFORD, Viscount

Army—Artillery—Breech-loading Small Arms, [182] 1638
Ireland—Court of Queen's Bench, [182] 1636
Poor Persons' Burial (Ireland), Commons Amendts. [183] 1792
Roman Catholic Church (Ireland), Motion for Returns, [181] 1063, 1071
Selling and Hawking Goods on Sunday, 3R. [183] 1137
Tenure (Ireland), 2R. [183] 752

LIMERICK, Earl of

Norfolk Island, Registry of, [184] 1277

Limited Liability Companies

Question, Mr. Otway; Answer, Mr. Milner
Gibson June 15, [184] 499

LINCOLN, Bishop of

Cattle Plague—Day of Humiliation, [181] 190

LINDSAY, Hon. Colonel, C. H., Abingdon

Re-distribution of Seats—Grouped Boroughs, [183] 1437, 1438
Representation of the People, Comm. [183] 1744

LINDSAY, Colonel R. Loyd, Berkshire

Army—Musketry Instruction, [183] 822
Cattle Diseases, 2R. [181] 480
Cattle Plague, Comm. cl. 17, [181] 780;
Amendts. 785
Representation of the People, Comm. cl. 4, [184] 207, 383

Liverpool, Nuisances at

Question, Mr. Samuelson; Answer, Mr. Bruce
June 28, [184] 696

LLOYD, Sir T. D., Cardiganshire

Church Rates Abolition, 2R. [181] 1687

Local Government Supplemental Bill

(Mr. Knatchbull-Hugessen, Sir George Grey)

- c. Ordered; read 1^o * April 16 [Bill 107]
Read 2^o * April 19
Committee*; Report April 20
Read 3^o * April 23
l. Read 1^a * (Lord Stanley of Alderley) April 24
Read 2^a * May 1 (No. 84)
Committee*; Report May 3
Read 3^a * May 4
Royal Assent May 18 [29 Vict. c. 24]

Local Government Supplemental (No. 2)

Bill (Mr. Knatchbull-Hugessen, Sir G. Grey)

- c. Ordered; read 1^o * May 10 [Bill 150]
Read 2^o * May 17
Committee*; Report May 24
Order for Committee (on re-comm.) read, and discharged; Bill, so far as it relates to Linthwaite and Briton Ferry, committed to a Select Committee June 6, [183] 2019
Report * June 25
Committee*; Report July 16 [Bill 198]
Read 3^o * July 17

Local Government Supplemental (No. 2) Bill—
cont.

- l. Read 1^a * (The Earl of Belmore) July 19
Read 2^a * July 31 (No. 201)
Committee*; Report August 2
Read 3^a * August 3
Royal Assent August 6 [29 & 30 Vict. c. 79]

Local Government Supplemental (No. 3)

Bill (Mr. Knatchbull-Hugessen, Sir G. Grey)

- c. Ordered; read 1^o * June 13 [Bill 191]
Read 2^o * June 14
Committee*; Report June 18
Considered as amended * July 16
Read 3^o * July 17
l. Read 1^a * (The Earl of Belmore) July 19
Read 2^a * July 31 (No. 202)
Committee*; Report August 2
Read 3^a * August 3
Royal Assent August 10 [29 & 30 Vict. c. 108]

Local Government Supplemental (No. 4)

Bill (Mr. Secretary Walpole, Mr. Hunt)

- c. Ordered; read 1^o * July 23 [Bill 236]
Read 2^o * July 24
Committee*; Report July 27
Considered as amended * July 30
Read 3^o * July 31
l. Read 1^a * (The Earl of Belmore) August 2
Read 2^a * August 3 (No. 254)
Committee*; Report August 6
Read 3^a * August 7
Royal Assent August 10 [29 & 30 Vict. c. 107]

Local Officers Superannuation (Ireland)

Bill (Sir Colman O'Loughlen, Sir J. Gray)

- c. Ordered; read 1^o * April 9 [Bill 92]
Bill withdrawn * July 16

LOCKE, Mr. J., Southwark

Army—Barracks at Nottingham, [182] 972;—
Troops at Hong Kong, [183] 768
Artizans' and Labourers' Dwellings, Leave, [181] 823
Ballot, The, Res. [184] 994
Cattle Diseases, Comm. cl. 25, [181] 605; cl. 3, 641
Cattle Plague, Comm. add. cl. [181] 851, 854
Commons (Metropolis), Leave, [182] 632, 635;
2R. [183] 1286
Court of Probate, [182] 889
Courts of Justice, Res. [182] 792
Elective Franchise, 2R. [183] 1530
Fire Insurance Duty, [182] 1873
Helston Election, Report, [184] 1543
Hop Trade, 2R. [182] 1593; Comm. cl. 2, [183] 214; Consid. 846
Inns of Court, 2R. [182] 1093
Labouring Classes' Dwellings, Leave, [181] 432; 2R. [182] 118
London (City) Traffic Regulation, 2R. [181] 894
London Gas, Comm. [182] 888
Metropolis—Hyde Park, [183] 1149
Metropolitan Local Government, Motion for a Committee, [181] 1215
Mines and Woods, Rating of, [181] 1405
Mutiny, Comm. cl. 22, [181] 1882

LOCKE, Mr. J.—*cont.*

- Public Health, Comm. [184] 1381
- Public Offices (Site), Leave, [181] 433
- Rating, Law of, [181] 990
- Representation of the People, Comm. [183] 1390
- Supply—Public Buildings, [182] 897
- Tests Abolition (Oxford), Comm. cl. 1, [184] 334
- Thames Embankment (North Approaches), &c. 2R. [181] 1090, 1092; Motion for a Committee, [182] 656
- Thames Navigation, 2R. [182] 1615; Comm. cl. 63, [184] 1138, 1139; cl. 85, 1141
- Theatres, Licensing of, [181] 344
- Weights and Measures, [181] 899

LONDON, Bishop of

- Bishoprics of Cape Town, Adelaide, and British Columbia, Petition, [184] 503, 787
- Colonial and Foreign Bishoprics, Motion for Returns, [184] 811
- Consecration of Churchyards (No. 2), Comm. [184] 1495, 1496
- Ecclesiastical Commission, Comm. cl. 4, [184] 368; cl. 28, 372; cl. 30, 373
- Established Church—Revision of the Lectionary, Motion for a Commission, [184] 103
- Gas Light and Coke Company, 2R. [184] 709
- Selling and Hawking Goods on Sunday, 3R. [183] 1678

London, Chatham, and Dover Railway

- Question, Major Dickson; Answer, Sir Stafford Northcote August 2, [184] 1902

London, Chatham, and Dover Railway (*New Lines, &c.*) Bill

- 1. Order for taking into Consideration the Standing Order No. 179, sect. 6 in order to its being dispensed with; read, and discharged; Bill read 3^a, with the Amendments, and passed, and sent to the Commons August 7, [184] 21

London (City) Corporation Gas Bill

- c. Read 1^o* Feb 26
- Moved, "That the Bill be now read 2^o" (*Mr. Crawford*) Mar 6, [181] 1597
- Amendt. to leave out "now," and add "upon this day six months" (*Viscount Cranbourne*), 1603; after long debate, Question, "That 'now,' &c.;" A. 219, N. 193; M. 26; main Question put, and agreed to
- Read 2^o, and committed to a Select Committee; Instruction to the Committee to inquire into the operation and results of "The Metropolis Gas Act 1860" (*Mr. Crawford*); List of the Committee
- See title *Gas Bills (Metropolis)*

London Gas Bill (Lords)

- c. Read 1^o* Mar 14
- Read 2^o April 9; Moved, "That the Bill be committed to the Select Committee on the London (City) Corporation Gas Bill" (*Mr. Alderman Lawrence*), [182] 888; after short debate, A. 73, N. 36; M. 37
- See title *Gas Bills (Metropolis)*

London Gas Bill (Lords)—*cont.*

- Moved, "That the Bill be now read 3^o" May 29, [183] 1434
- Amendt. to leave out "now," and add "upon this day fortnight" (*Mr. Ayrton*); Question, "That 'now,' &c.;" after debate, Amendt. withdrawn; main Question agreed to; Read 3^o, and passed

London (City) Traffic Regulation Bill

- e. Read 1^o* Feb 16
- Read 2^o after debate Feb 22, [181] 892, and committed to a Select Committee
- And, on March 9, Committee nominated as follows:—Sir William Jolliffe (Chairman), Mr. T. G. Baring, Lord Eustace Cecil, Mr. Gathorne Hardy, Mr. Locke King, Mr. Lawrence, Mr. T. J. Miller, Sir William Russell, Mr. Guinness, Sir William Hutt, Mr. Kekewich, and Mr. Labouchere

"London," Loss of the

- Question, Sir John Pakington; Answer, Mr. 181] Milner Gibson Feb 9, 307; Question, Sir John Pakington; Answer, Mr. Milner Gibson Feb 15, 507; Question, Colonel Williams; Answer, Mr. Milner Gibson Mar 1, 1234; Question, Mr. Corry; Answer, Mr. Milner Gibson Mar 5, 1497; Observations, Sir John Pakington; Reply, Mr. Milner 182] Gibson Mar 19, 524; Question, Mr. Grant; Answer, Mr. Milner Gibson Mar 22, 734; Question, Mr. Jasper More; Answer, Sir 184] Stafford Northcote August 3, 2037

LONG, Mr. R. P., Wiltshire, N.

- Cattle Diseases, Comm. cl. 11, [181] 519
- Parliamentary Oaths Amendment, 3R. [182] 517
- Representation of the People, Leave, [182] 185
- Sheep, Rinderpest among, [182] 137, 138

LONGFORD, Earl of († Under Secretary of State for War)

- Army—Artillery—Breech-loading Small Arms, [182] 1640; † [184] 784;—Sanitary Reform, 2002
- Established Church—Romish Ceremonials, [184] 217
- Ireland—Court of Queen's Bench, [182] 1638
- Jamaica Government, 2R. [182] 133
- Law of Capital Punishment Amendment, Comm. cl. 4, [183] 1546
- Parliamentary Oaths Amendment, Report, [182] 1760
- Patriotic Fund, Royal, [183] 1685

LOWE, Right Hon. R., *Calne*

- Address in Answer to the Speech, [181] 165
- Bankruptcy Law Amendment, 2R. [183] 707
- Cattle Disease—Orders in Council, [182] 850
- Cattle Diseases, 2R. [181] 483; Comm. cl. 21, 568; cl. 31, 618
- Devonport Election, [181] 1296
- Helston Election, [184] 716, 717; Report, 1075, 1541

[*cont.*

[*cont.*

LOWE, Right Hon. R.—*cont.*

Ireland—Queen's University and Queen's Colleges, [181] 812, 968; [184] 710, 864, 868, 870, 874, 900;—The Catholic University, [181] 1615

New Palace Yard, Works in, [181] 1522

Representation of the People, Leave, Motion for Adjournment, [182] 114, 141, 150, 163, 166; 2R. 1149, 1152, 1363, 1369, 1429; Motion for Adjournment, 1971, 2077, 2099, 2163; Comm. [183] 1625, 1644, 1916, 1918

Supply—British Museum, [184] 1552, 1559, 1566

Tenure and Improvement of Land (Ireland), 2R. [183] 1077

Tests Abolition (Oxford), 2R. [182] 696

LOWTHER, Mr. J. *York City*

Customs and Inland Revenue, 2R. Motion for Adjournment, [183] 1127

Elections (Returning Officers), 2R. [183] 1289; Comm. Amendt. [184] 1012; *cl.* 2, 1024

Fenians—Invasion of Canada, [184] 380

Helston Election, Report, [184] 1543

Representation of the People, 2R. [182] 1401

Lunacy Acts Amendment (Scotland) Bill
(*Mr. Adam, Lord Advocate, Sir George Grey*)

c. Ordered; read 1^o * *Mar* 21 [Bill 85]

Read 2^o * *April* 16

Committee *; Report *April* 30 [Bill 127]

Committee (*on re-comm.*); Report *May* 11, [183] 842

Read 3^o * *June* 1 [Bill 157]

l. Read 1^a * (*The Lord Privy Seal*) *June* 4

Read 2^a * *June* 11 (No. 138)

Committee * *June* 12

Amendment reported *June* 15, [184] 464

Read 3^a * *June* 18

Royal Assent *July* 16 [29 & 30 *Vict.* c. 51]

LUSK, Mr. Alderman A., *Finsbury*

Bankruptcy Law Amendment, 2R. [183] 705

Bribery at Elections, Res. [183] 1461

Chigwell, Recreation Ground at, [184] 2099

Dwellings for the Labouring Classes, [184] 1531

Emigrant Ships and the Cholera, [184] 1622

Gas Companies, [184] 1900

Gas Light and Coke Company, Consid. [184] 233

Hop Trade, 2R. [182] 1597; Consid. [183] 846

London Gas, 3R. [183] 1435, 1436

Metropolis—Shoreditch Workhouse, [184] 2165

Metropolis Water Supply, Motion for a Committee, [183] 617

Navigation Laws, Motion for Papers, [184] 2148

Navy, State of the, [184] 1217

Poor Law Amendment, Comm. *cl.* 15, [184] 1581

Postmaster General, 2R. [182] 1081

Public Health, Comm. *cl.* 28, [184] 1682; Consid. *cl.* 16, Amendt. 1906

Railways (Ireland) Temporary Advances, Comm. [184] 1633

Reformatory Schools, Comm. *cl.* 12, [184] 1613

Reigate Election, Motion for a Joint Address, [183] 278

LUSK, Mr. Alderman A.—*cont.*

Supply—Emigration, [183] 730;—Expedition, 731;—Special Missions, 738;—British Museum, [184] 1559;—Science and Art Department, 1572

Thames Navigation, Comm. *cl.* 3, [184] 768

LYTTELTON, Lord

Bishoprics of Cape Town, Adelaide, and British Columbia, [184] 522

Cattle Plague, The, [181] 806

Ecclesiastical Commission, Comm. *cl.* 14, [184] 370

Education, Minute of Council on—The Conscience Clause, [183] 852

Jamaica Government, 2R. [182] 133

Public Schools, Comm. *cl.* 17, [183] 1931; *cl.* 21, 1933

Rights of dramatizing Works of Fiction, 2R. [184] 360

LYTTON, Right Hon. Sir E. G. L. Bulwer,
Hertfordshire

Representation of the People, 2R. [182] 1237

LYVEDEN, Lord

Bishoprics of Cape Town, Adelaide, and British Columbia, Motion for an Address, [184] 802

British North American Provinces—Confederation of the, [184] 1700

Cattle Plague, Comm. *cl.* E, [181] 1700

East India Military, &c. Funds Transfer, Comm. [182] 1753

India—Grievances of Indian Officers, [184] 1268

Ireland—State of, Motion for a Committee, [182] 409

Lancaster Election, Motion for a Commission, [183] 1426, 1427

Metropolis—Protection of Hyde Park, [184] 1990

Railways (Ireland) Temporary Advances, 2R. [184] 1997, 1998

Selling and Hawking Goods on Sunday, 3R. [183] 1680

Transubstantiation, &c. Declaration Abolition, 2R. [184] 816

MACVOY, Mr. E., *Meath Co.*

Financial Statement, [182] 2076

India—Delhi Prize Money, [184] 237

Ireland—Medical Officers, Res. [183] 1948, 1955

Metropolis—St. Pancras Churchyard, [182] 2073; [184] 532

Representation of the People, Comm. *cl.* 5, [184] 629

McKENNA, Mr. J. N., *Youghal*

Blackwater (Youghal) Wooden Bridge, 3R. [184] 695

Representation of the People, 2R. [182] 1395

MACKIE, Mr. J., *Kirkcudbrightshire*

Valuation of Lands, &c. (Scotland), 2R. [182] 1092

McLAGAN, Mr. P., *Linlithgowshire*
 Agricultural Statistics, [184] 2162
 Cattle Disease Prevention Act, [182] 1121
 Cattle Diseases, Comm. *cl.* 11, Amendt. [181] 653
 Hares and Rabbits (Scotland), 2R. [184] 1263

McLAREN, Mr. D., *Edinburgh*
 Bribery at Elections, Res. [183] 1474
 Bright, Mr., and the Reform League, [184] 1667
 Cattle Diseases, Consid. *add. cl.* [181] 727
 Cattle Plague, Comm. *add. cl.* [181] 864; *cl.* 31, 931
 Charitable Donations and Bequests (Ireland), 2R. [184] 1468
 Elections (Returning Officers), Comm. *cl.* 2, [184] 1025
 Electoral Statistics, [182] 864
 Habeas Corpus Suspension (Ireland) Act Continuance, 2R. [184] 1982
 Hume, Mr., Bust of the late, Motion for an Address, [184] 489
 Ireland—Court of Admiralty, [181] 1390
 Lunacy Acts (Scotland) Amendment, Comm. *add. cl.* [183] 843
 Malt Tax, Res. [182] 1553
 Navy—Royal Dockyards, Res. [184] 1526
 Public Expenditure, Res. [181] 1128
 Public Libraries Act Amendment, Comm. *add. cl.* [184] 1454; Consid. *cl.* 50, 1909
 Railway Travelling (Ireland), 2R. [182] 249
 Reformatory Schools, Comm. *cl.* 10, [184] 1606, 1607; *cl.* 12, 1609, 1610, 1612; *cl.* 14, 1690, 1696, 1697; Amendt. 1698; Consid. *add. cl.* 1886
 Representation of the People, Comm. *cl.* 4, [184] 423
 Representation of the People (Scotland), Leave, [183] 525
 Scotland—Edinburgh Annuity Tax, Motion for a Committee, [183] 231;—Scotch Burghs, [184] 1070
 Supply—Non-conforming, &c. Ministers, [183] 830
 Veterinary Surgeons, Comm. [184] 998, 1444

MAGUIRE, Mr. J. F., *Cork City*
 Address in Answer to the Speech, [181] 240
 Admiralty Court (Ireland), Leave, [183] 281
 Army—Civil Officers of Royal Engineers, [182] 1645
 Army Estimates—Manufacturing Departments, [184] 1342
 Bright, Mr., and the Reform League, [184] 1668
 Cattle Disease, [181] 1805
 Emigrant Ships and the Cholera, [184] 1624
 Habeas Corpus Suspension (Ireland) Act Continuance, 2R. Amendt. [184] 1921, 1942
 182] Ireland—Fenian Prisoners in Waterford, 414, 447;—Daunt's Rock, 2071; [184] 530;
 183]—Official Oaths, 160;—Cholera in Cork
 . Harbour, 358, 359, 436;—Suspension of the
 . Habeas Corpus Act, Res. 453, 457; [184] 1665;—The Irish Bench, [183] 787, 800, 801,
 184] 803;—Imprisonments in, 498;—The
 . Queen's University, 888;—Appointment of
 . Mr. Blackburne, 1071, 2032;—Ecclesiastical
 . Commissioners, 1326;—Illegal Processions,
 . 1613; Resignation of Mr. Napier, 1659;—
 . Docks at Hawlboline, 2033

MAGUIRE, Mr. J. F.—*cont.*

“London,” Loss of the, [182] 548
 Poor Persons' Burial (Ireland), Comm. [182] 1578
 Prison Ministers' Act, Res. [184] 1439
 Railways (Ireland) Temporary Advances, 2R. [184] 1363
 Reformatory Schools, 3R. [184] 1910
 Representation of the People, 2R. Motion for Adjournment, [182] 1321, 1362, 1369
 Tenure and Improvement of Land (Ireland), Leave, [183] 230; 2R. [184] 1485

Maidstone Election

House informed, that William Lee, esquire, is duly elected a Burgess to serve in this present Parliament for the Borough of Maidstone. That James Whatman, esquire, is duly elected a Burgess to serve in this present Parliament for the Borough of Maidstone
April 23, [182] 1870

MAINWARING, Mr. T., *Denbigh, &c.*

Habeas Corpus Suspension (Ireland) Act—Sitting on Sunday, [181] 762

MALMESBURY, Earl of († Lord Privy Seal)

† Abyssinia—Imprisonment of British Subjects, [184] 1984

Art, Comm. *cl.* 3, [181] 886, 887; Report, 956
 Cattle Plague, [181] 447

Crown Lands, 2R. [183] 2026

† India—Grievances of Indian Officers, [184] 1269;—Rights of Occupancy in Oude, Motion for Papers, 1993

King of the Belgians, The late—Trust Estate of, [181] 1389

Law of Capital Punishment Amendment, 2R. [183] 242; Comm. *cl.* 13, [184] 454

Life Boats on the Coast, [181] 586, 591, 592

† Sale of Land by Auction, [184] 1277

Malt Duty, The

Question, The Chancellor of the Exchequer; Answer, Sir FitzRoy Kelly *April* 16, [182] 1358

Moved, “That upon any future remission of indirect taxation, this House will take into consideration the Duty upon Malt, with a view to its immediate reduction and ultimate repeal” (*Sir FitzRoy Kelly*) *April* 17, 1509

Amendt. to leave out from “That,” and add “in the present state of the taxation and resources of the Country, it is the duty of Parliament to make provision for the systematic reduction of the National Debt, and not to sanction any proposal for any repeal or change of taxes which is likely to be attended with a diminution of the Revenue” (*Mr. Neate*); Question, “That the words, &c.,” after long debate, Amendt. withdrawn; main Question put, A. 150, N. 234; M. 84; Division List, Ayes and Noes, 1574

MANCHESTER, Bishop of

Rochdale Vicarage, Comm. *cl.* 12, [184] 1656

*Manchester, Sheffield, and Lincolnshire
Railway (Central Station and Lines)
Bill*

c. Read 1^o * Feb 9

Read 2^o * Feb 14

Considered as amended June 5, [183] 1939

Clause (Compensation to owners of lands not taken, but injuriously affected) (*Mr. Hadfield*), brought up, and read 1^o; and after short debate, withdrawn

MANNERS, Lord G. J., Cambridgeshire
Cattle, Insurance of, [182] 732

MANNERS, Right Hon. Lord J. J. R.,
(† Chief Commissioner of Works,
&c.), *Leicestershire, N.*

Cattle Diseases, Leave, [181] 409; Comm.
cl. 13, 546; *cl.* 15, 553, 599; *cl.* 21, 602;
cl. 31, 623; *cl.* 33, 627; *cl.* 35, 629; *cl.* 50,
636

Cattle Plague, Lords Amendts. [182] 275, 497

Church Rates, [182] 2072; [183] 438

Compulsory Church Rate Abolition, Leave,
[183] 628, 1150; † 2R. [184] 1451, 1862

Congress, The Proposed, [184] 34

Day of Humiliation—Committees, [182] 504

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Europe—State of, [184] 169

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Gas Light and Coke Company, Consid. [184]
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Imperial Gas Company, 2R. [183] 579

Law Courts, The New, [183] 184; [184] 1847

Metropolis—Gas Works, Victoria Park, [183]
362; —† Bathing in the Thames, [184] 937;
—Public Parks, 1283; —The Nelson Column,
1529; —Recent Damage to Hyde Park, 1615,
1660; —Waterloo Bridge, 1762; —London
University, *ib.*; —St. Paul's Cathedral, 2137,
2138

Metropolitan Local Government, Motion for a
Committee, [181] 1216

† National Gallery and Burlington House, Res.
[184] 1320

Real Estate Intestacy, 2R. [183] 2005

Representation of the People, 2R. [182] 2175;
[183] 171; Comm. Motion for Adjournment,
1767, 1793, 1944; *cl.* 4, [184] 421

Royal Academy, Site of the, Motion for Papers,
[184] 61

Supply—University of London, [183] 189

Tests Abolition (Oxford), Comm. *cl.* 1, [184]
336

Manning, Dr.—Debate on the Address

Personal Explanation, Mr. Whalley Feb 17,
[181] 667

MANSFIELD, Earl of

Cattle Diseases, Comm. *cl.* 5, [181] 740

Cattle Plague, The, [181] 279

Marine Mutiny Bill

(*Mr. Dodson, Lord Cluvence Paget, Mr. Childers*)

c. Ordered; read 1^o * Mar 2

Read 2^o * Mar 5

Committee; Report Mar 8, [181] 1783

Read 3^o * Mar 9

Marine Mutiny Bill—cont.

l. Read 1^o * (*The Duke of Somerset*) Mar 12

Read 2^o * Mar 13

Committee *; Report Mar 15

Read 3^o * Mar 16

Royal Assent Mar 23 [29 *Vict.* c. 10]

MARLBOROUGH, Duke of

Art, Comm. *cl.* 3, [181] 885, 886; Preamble,
Amendt. 887

Cattle Diseases Act—Extension of time, [182]
571, 574

Cattle Plague, 2R. [181] 1184; Comm. *cl.* E,
1697; *add. cl.* 1703

Cattle Plague, The, [181] 437; Motion for Pa-
pers, 505, 506, 806; —Orders in Council, 890

Ecclesiastical Commission, Comm. *cl.* 1, [184]
365, 366

Ecclesiastical Commission—Conversion of Cu-
racies into Rectories, [181] 1495; —Aug-
mentation of Benefices, Motion for Returns,
[182] 575

Law of Capital Punishment Amendment, Comm.
cl. 14, [184] 460, 461; *cl.* 29, 463

Selling and Hawking Goods on Sunday, Comm.
cl. 2, [183] 948

Sheep, Small Pox in, [181] 1179

Marriage with a Deceased Wife's Sister

*Bill (Mr. Chambers, Mr. Hankey, Mr.
Morley)*

c. Ordered; read 1^o * Mar 6 [Bill 50]

Moved, "That the Bill be now read 2^o" (*Mr.
Chambers*) May 2, [183] 284

Amendt. to leave out "now," and add "upon
this day six months" (*Mr. Hunt*); after long
debate, Question, "That 'now' &c;" A.
154, N. 174; M. 20; words added; main
Question put, and negatived; second reading
put off for six months; Division List, Ayes
and Noes, 328

Marriages (Ireland) Bill

(*Mr. Serjeant Armstrong, Mr. Bryan*)

c. Ordered; read 1^o * April 10 [Bill 99]

Bill withdrawn * April 25

Marriages (Ireland) (No. 2) Bill

(*Mr. Serjeant Armstrong, Mr. Bryan*)

c. Ordered; read 1^o * April 25 [Bill 123]

Question, Mr. Dawson; Answer, Mr. Serjeant

Armstrong April 27, [183] 5

Bill withdrawn * August 6

Marriages (Sydmonton) Bill

(*Mr. Beach, Mr. Selater-Booth*)

v. Ordered after short debate May 29, [183] 1475

Read 1^o * May 30 [Bill 167]

Read 2^o * May 31

Committee *; Report June 1

Read 3^o * June 4

l. Read 1^o * (*The Lord Bishop of Winchester*)
June 5 (No. 141)

Moved, "That the Bill be now read 2^o" (*The
Bishop of Oxford*) July 10, [184] 772; after
short debate, read 2^o

Moved, "That the Order for Committee be
discharged" (*The Bishop of Oxford*) July 16,
817; Order discharged

MARSH, Mr. M. H., *Salisbury*

Address in Answer to the Speech, Report, [181] 323

Cattle Diseases, Leave, [181] 416; *cl.* 16, 562

Ceylon—Survey of the Coast, [184] 1164

Coffee, Duty on, [181] 963

Customs and Inland Revenue, 2R. [183] 1211

Public Expenditure, Res. [181] 1112

Public Money—Standing Orders, [182] 597

Re-distribution of Seats, [182] 1357

Representation of the People, Leave, [182] 60; Comm. [183] 1869

Victoria, Colony of—Motion for Papers, [182] 614

MARTIN, Mr. C. Wykeham, *Newport (Isle of Wight)*

Representation of the People, Comm. [183] 1739

MARTIN, Mr. P. Wykeham, *Rochester*

Business, Order of, [183] 1319

Cattle Diseases, Comm. *cl.* 14, [181] 552

Cattle Plague, Comm. *cl.* 35, [181] 855

Government Property, Rates on, Res. [182] 1994

Navy Estimates—Dockyard Salaries, [181] 1857

Representation of the People, Leave, [182] 68; 2R. 1176

Master and Servant

Select Committee appointed, "to inquire into the state of the Law as regards contracts of Service between Master and Servant, and as to the expediency of amending the same" (*Lord Elcho*) *Mar* 22, [182] 816

And, on *May* 8, Committee nominated as follows:—*Lord Elcho* (Chairman), *Sir James Fergusson*, *Colonel Wilson Patten*, *Mr. Jackson*, *Mr. Alderman Salomons*, *Mr. M'Lagan*, *Earl Grosvenor*, *Mr. George*, *Mr. Solicitor General*, *Mr. Gathorne Hardy*, *Mr. Dalglish*, *Mr. Algernon Egerton*, *Mr. George Olive*, *Mr. Fawcett*, *Mr. Edmund Potter*, and *Mr. Collier*

Report and Evidence *July* 30—(*Parl. P. No.* 449, 449-I)

Masters and Operatives Bill

(*The Lord St. Leonards*)

l. Presented; after short debate, read 1st *Mar* 22, [182] 717 (No. 59)

Order for 2R. read *July* 19, [184] 1059; after short debate, Order discharged; Bill withdrawn

MEATH, Earl of

Ireland—Daunt's Rock, [182] 1987

MELLER, Mr. W., *Stafford*

Newhaven Harbour of Refuge, Motion for a Committee, [184] 296, 298

Public Health, Comm. *cl.* 29, Amendt. [184] 1683

Representation of the People, Leave, [182] 187

MELVILLE, Viscount

Address in Answer to the Speech, [181] 104

Cattle Diseases, Comm. *cl.* 5, [181] 744; *cl.* 12, 751

Mercantile Marine

Moved, "That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to issue a Royal Commission to inquire into the present condition of the Seamen of the Mercantile Marine, with the view of ascertaining whether, within the last twenty years, the supply of British Seamen has or has not fallen off either in point of numbers or of efficiency; and, if in either a continuous decline should be apparent, then to ascertain further what are the causes which have led to such decline, and whether any remedy can be suggested" (*Mr. Graves*) *July* 17, [184] 943; after long debate, Motion withdrawn

Merchant Navy

Question, *Mr. Hanbury Tracy*; Answer, *Mr. Milner Gibson Feb* 26, [181] 1097

Merchant Service—Qualifications of Masters and Mates

Question, *Mr. Laird*; Answer, *Mr. Milner Gibson Mar* 23, [182] 842

Merchant Shipping Act (1854) Amendment Bill (*Mr. M. Gibson, Lord C. Paget*)

c. Resolution in Committee; Bill ordered * *Feb* 23 Read 1st * *Mar* 9 [Bill 58]

Question, *Mr. Laird*; Answer, *Sir Stafford Northcote July* 19, [184] 1072

Order for 2nd read and discharged; Bill withdrawn

Merchant Ships, Loss of

Question, *Sir John Pakington*; Answer, *Mr. Milner Gibson May* 11, [183] 771

"*European*," *Loss of the*, Question, *Mr. Graves*; Answer, *Mr. Milner Gibson May* 15, [183] 960

(See "*London*," also "*St. Abbs*," *Loss of the*)

Metalliferous Mines Bill

(*The Lord Kinnaird*)

l. Presented; read 1st * *Feb* 20 (No. 21)

Meteorological Observations

Question, *Colonel Sykes*; Answer, *Mr. Milner Gibson Mar* 2, [181] 1392

Metrical System, The

Question, *Mr. J. B. Smith*; Answer, *Lord Stanley August* 2, [184] 1899

Metropolis

Bathing in the Thames, Question, *Mr. Goldney*; Answer, *Lord John Manners July* 17, [184] 937

Cligwell—Recreation Ground at, Question, *Mr. Alderman Lusk*; Answer, *Mr. Walpole August* 6, [184] 2099

[cont.]

Metropolis—cont.

Epping Forest, Question, Mr. Doulton; Answer, Mr. Childers *Feb* 22, [181] 896

Finsbury Park, Question, Mr. McCullagh Torrens; Answer, Mr. Tite *April* 20, [182] 1771

Gas Supply, Question, Mr. T. J. Miller; Answer, Sir George Grey *June* 1, [183] 1691

Gas Works near Victoria Park, Question, Lord John Manners; Answer, Mr. Cowper *May* 3, [183] 362

See title *Gas Bills (Metropolis)*

Hainault Forest, Inclosure of, Question, Mr. J. Stuart Mill; Answer, Sir George Grey *April* 25, [182] 2012

Hyde Park, Proposed Public Meeting in, Question, Mr. P. A. Taylor; Answer, Mr. Walpole *July* 19, [184] 1073

Hyde Park, Reform Meeting in—Notice of Motion withdrawn (*The Earl of Shaftesbury*) *July* 20, [184] 1161; Question, Earl Granville; Answer, The Earl of Derby *July* 24, 1370

Hyde Park—Reform League Demonstration, Recent Damage to, Question, Mr. Powell; Answer, Lord John Manners *July* 27, [184] 1615—*Reparation of Damages*, Question, Mr. Darby Griffith; Answer, Lord John Manners *July* 30, [184] 1660

Hyde Park—The Serpentine, Question, Mr. Locke; Answer, Mr. Cowper *May* 18, [183] 1149; Question, Mr. Harvey Lewis; Answer, Mr. Cowper *June* 1, 1686

Lambeth Workhouse, Master of, Question, Mr. Oliphant; Answer, Mr. Gathorne Hardy *August* 6, [184] 2089

Leicester Square, Inclosure in—Gardens in Towns Protection Act, 1863, Question, Mr. Waldegrave-Leslie; Answer, Mr. Cowper *April* 10, [182] 969; Question, Mr. Waldegrave-Leslie; Answer, Mr. Tite *June* 8, [184] 24

London University—Mr. Pennethorne's Design, Question, Mr. Beresford Hope; Answer, Lord John Manners *July* 31, [184] 1762

Marylebone Workhouse, Question, Mr. O'Beirne; Answer, Mr. Gathorne Hardy *August* 3, [184] 2036

Metropolitan Board of Works, Offices of Public Works and Woods and Forests, Motion, "That an humble Address be presented to Her Majesty, that she will be graciously pleased to issue a Royal Commission to inquire into the constitution of the Metropolitan Board of Works, the Office of Public Works, and the Office of Woods and Forests, with the object of seeing whether some means may not be devised by which the improvements of the Metropolis may be carried out in a more comprehensive and economical manner, and with greater unity of purpose" (*Mr. Baillie Cochrane*) *June* 5, [183] 1955; after long debate, Motion withdrawn

Metropolitan District Railway, Question, Mr. Crawford; Answer, Mr. Milner Gibson *April* 19, [182] 1646

Metropolitan Jurisdictions, Conflicting, Observations, Lord Robert Montagu; Reply, Sir George Grey *Feb* 26, [181] 1135

Nelson Column, The, Question, Admiral Walcott; Answer, Lord John Manners *July* 26, [184] 1529

[cont.]

Metropolis—cont.

Public Boards and Metropolitan Improvements, Motion for a Royal Commission (*Mr. Baillie Cochrane*) *May* 18, [183] 1194; [House counted out]

Public Meeting Places in the, Observations, The Earl of Shaftesbury; Reply, The Earl of Derby; short debate thereon *July* 27, [184] 1588

Public Parks, Roads in the, Question, Mr. Dyce Nicol; Answer, Lord John Manners *July* 23, [184] 1283

Railway Bills affecting the City of London, *Petitions*, Question, The Earl of Carnarvon; Answer, Lord Redesdale *April* 19, [182] 1640

Railway Bridges in the, Question, Mr. O'Beirne; Answer, Mr. M. Gibson *Feb* 27, [181] 1196

Railways in the, Question, The Earl of Carnarvon; Answer, Earl Russell *Mar* 1, [181] 1275; Question, Colonel Wilson Patten; Answer, Mr. Milner Gibson *Mar* 1, 1286

Regent's Park, Question, Mr. Harvey Lewis; Answer, Mr. Cowper *Mar* 2, [181] 1392—*Ornamental Water in*, Question, Mr. Harvey Lewis; Answer, Mr. Cowper *Mar* 1, 1285

Removal of Offal and Manure, Question, Mr. Thomas Chambers; Answer, Mr. Baring *Mar* 20, [182] 577

St. Pancras Burial Ground, Question, Mr. MacEvoy; Answer, Sir George Grey *April* 26, [182] 2073; Question, Mr. MacEvoy; Answer, Sir George Grey *June* 18, [184] 532—*Workhouse Infirmary*, Question, Mr. Wilbraham Egerton; Answer, Mr. C. P. Villiers *Mar* 20, [182] 581

St. Paul's Cathedral, Question, Captain Gridley; Answer, Lord John Manners *August* 7, [184] 2137

Shoreditch Workhouse, Question, Mr. Oliphant; Answer, Mr. Gathorne Hardy *August* 7, [184] 2135; Question, Mr. Alderman Lusk; Answer, Mr. Gathorne Hardy *August* 10, 2165

Street Accidents, Motion for Returns (*The Marquess of Westmeath*); Motion agreed to; also, Motion for further Returns (*The Marquess of Westmeath*) *Feb* 26, [181] 1085; Motion agreed to—(*Parl. P. No. 44, 45*)—Question, The Marquess of Westmeath; Answer, Earl Granville *Mar* 22, [182] 721

Traffic in the, Question, Mr. Owen Stanley; Answer, Sir George Grey *April* 30, [183] 161

Waterloo Bridge, Question, Mr. Alderman Lawrence; Answer, Lord John Manners *July* 31, [184] 1762

Water Supply, Moved, "That a Select Committee be appointed to inquire into the Water Supply of the Metropolis" (*Mr. Hankey*) *May* 8, [183] 610; after long debate, Motion withdrawn

Metropolitan Local Government, &c.

Moved, "That a Select Committee be appointed to inquire into the Local Government and Local Taxation of the Metropolis" (*Mr. Ayrton*) *Feb* 27, [181] 1203; after debate, Motion agreed to

[cont.]

Metropolitan Local Government, &c.—cont.

And, on March 7, Committee nominated as follows:—Mr. Ayrton (Chairman), Mr. T. G. Baring, Mr. Bazley, Mr. Beecroft, Sir William Gallwey, Mr. Hanbury, Mr. Kekewich, Mr. Lawrence, Mr. Locke, Lord John Manners, Mr. Mill, Sir Matthew Ridley, Mr. Sandford, Mr. Tite, Mr. Turner; May 9, Mr. T. G. Baring disch., Mr. Knatchbull-Hugessen

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Metropolitan Railway (Additional Powers) Bill

l. Read 1st May 18
Moved, "That the Bill be now read 2^a" (*The Lord Redesdale*) June 4, [183] 1770; Read 2^a after short debate
Read 3^a June 18, [184] 502
Amendt. (*The Earl of Zetland*); after short debate, resolved in the negative; Bill passed and sent to the Commons

Metropolitan Workhouses

Question, Colonel Hogg; Answer, Viscount Enfield June 14, [184] 876; Question, Mr. Davenport Bromley; Answer, Mr. C. P. Villiers June 26, 683—and the Poor Law Board, Question, Mr. Fawcett; Answer, Mr. Gathorne Hardy July 17, [184] 939

Mid-London Railway Bill

c. Read 1st Feb 23
Moved, "That the Bill be now read 2^o" (*Mr. Harvey Lewis*) Mar 6, [181] 1592
Amendt. to leave out "now," and add "upon this day six months" (*Earl Grosvenor*); Question, "That 'now,' &c.," put, and negatived; words added; main Question, as amended, agreed to; Bill put off for six months

Militia Pay Bill

(*Mr. Dodson, The Marquess of Hartington, The Judge Advocate General*)

c. Ordered * Mar 19
Read 1^o * July 16
Read 2^o * July 17
Committee *; Report July 20
Read 3^o * July 23
l. Read 1st (*The Earl of Longford*) July 24
Read 2nd * July 26
Committee *; Report July 27
Read 3rd * July 30
Royal Assent August 6 [29 & 30 Vict. c. 60]

MILL, Mr. J. Stuart, Westminster

Cattle Diseases, 2R. [181] 488; Comm. cl. 31, 609, 620
Electoral Franchise, Motion for a Return, [184] 996
Extradition Treaties Act Amendment, 2R. [184] 2023; Comm. 2056, 2057; add. cl. 2115
Habeas Corpus Suspension (Ireland), Leave, [181] 705
Hainault Forest, Inclosure of, [182] 2012

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MILL, Mr. J. Stuart—cont.

Jamaica—Outbreak in, [184] 1064; Res. 1797;—State of, 2160
Lord Chief Baron, Motion for Papers, [184] 2165
Malt Duty, Res. [182] 1524
Navy—Royal Dockyards, [184] 2067
Public Health, Consid. cl. 39, [184] 1908
Reform Meeting in Hyde Park, [184] 1075, 1410, 1540, 1905
Representation of the People, 2R. [182] 1253, 1477, 2099; Comm. [183] 1590
Tenure and Improvement of Land (Ireland), 2R. [183] 1087

MILLER, Mr. S. B., Armagh City

Cattle Diseases (Ireland), Comm. cl. 10, Amendt. [181] 1235, 1236, 1237
Court of Chancery (Ireland), 2R. [182] 568; [183] 657, 658, 664, 667
Ireland—Proclamation of the County of Louth, [181] 815;—Fatal Riot at the Election for Monaghan, [182] 461;—Escape of Stephens, Motion for Papers, 772;—The Irish Bench, [183] 810;—Fisheries, Motion for Papers, [184] 47
Juries in Criminal Cases, 2R. [181] 874
Railway Travelling (Ireland), 2R. [182] 250
Representation of the People (Ireland), Leave, [183] 542
Supply—Non-conforming, &c. Ministers, [183] 830

MILLER, Mr. T. J., Colchester

Gas Light and Coke Company, Consid. [184] 234
Gas Supply, London, [183] 1691
Roman Catholic Prisoners in Westminster Prison, Explanation, [184] 2053
Thames Embankment (North Approaches), &c. 2R. [181] 1095

MILLER, Mr. W., Leith, &c.

Cattle Plague Commission, [181] 1501
Scotland—Storage of Gunpowder at Edinburgh Castle, &c. [183] 1049

MILLS, Mr. J. Remington, Wycombe (Chepping)

Jamaica Government, 3R. [181] 1268
Nottingham Writ, [183] 430
Supply—Justices, West Indies, [183] 726;—Special Missions, Amendt. 736, 737

MILTON, Viscount, Yorkshire, W.R.—S.

Cattle Diseases, Comm. cl. 15, Amendt. [181] 554
Cattle Plague, Comm. add. cl. [181] 863

Mines

Select Committee appointed, "to inquire into the operation of the Acts for the regulation and inspection of Mines, and into the complaints contained in Petitions from Miners of Great Britain with reference thereto, which were presented to the House during the last Session" (*Mr. Ayrton*) Feb 15, [181] 583; Question, Mr. Clive; Answer, Sir George Grey Feb 23, 962

[cont.]

Mines—cont.

And, on March 7, Committee nominated as follows:—Mr. Neate (Chairman), Mr. Bruce, Mr. Liddell, Mr. Greenall, Mr. Fawcett, Sir Philip Egerton, Mr. Kinnaird, Mr. Powell, Mr. Ayrton, General Dunne, Mr. Clive, Mr. Ferrand, Mr. Hussey Vivian, Viscount Cranbourne, and Mr. Woods; Mar 9, Mr. Bromley, Mr. W. O. Foster added
Report of Select Committee July 23—*Parl. P* No. 431, 431-I
Question, Mr. Clive; Answer, Mr. Walpole July 31, [184] 1762

Mines and Woods, Rating of

Question, Mr. Stephen Cave; Answer, Mr. C. P. Villiers; discussion thereon Mar 2, [181] 1394

Mines Assessment Bill

(*Mr. S. Cave, Mr. Henderson, Mr. Percy Wyndham, Mr. W. E. Duncombe*)

c. Ordered, after short debate May 1, [183] 279
Bill withdrawn * July 16

MINISTERS—Resignation of

184] *Ministerial Statements*, Earl Russell June 19, 644, and The Chancellor of the Exchequer (*Mr. Gladstone*) June 19, 648; Observations, Earl Russell June 25, 650; Observations, The Chancellor of the Exchequer (*Mr. Gladstone*) June 25, 652; Statement, Earl Russell; long debate thereon June 26, 654; The Chancellor of the Exchequer (*Mr. Gladstone*) June 26, 684—*Her Majesty's Acceptance*, Statement, The Chancellor of the Exchequer (*Mr. Gladstone*) June 28, 697; Moved, "That this House do now adjourn" (*Mr. Osborne*); after debate, Motion withdrawn—*Statement*, Observations, Earl Russell June 29, 706; The Chancellor of the Exchequer (*Mr. Gladstone*) July 5, 722
Ministerial Appointments, New Writs issued July 6, [184] 724
Ministerial Statement, The Earl of Derby July 9, [184] 726; Observations, Earl Russell, Lord Brougham

MITFORD, Mr. W. T., Midhurst

Cattle Diseases, Comm. cl. 29, [181] 607
Cattle Plague, Comm. cl. 17, [181] 786; cl. 27, 929
Representation of the People, Comm. [183] 1844

MOFFATT, Mr. G., Southampton

Bankruptcy Law Amendment, 2R. [183] 689, 696, 708
East India communications, Motion for a Committee, [181] 1230
Navy—East India Squadron, [182] 553
Navy Estimates—Dockyard Salaries, [181] 1877;—Half Pay, [182] 471, 554
Supply—Post Office Packet Service, [184] 915

Monetary Crisis—see Bank of England

MONK, Mr. C. J., Gloucester

Ballot, The, [183] 770
Court of Probate—District Registries, [182] 1505
Dockyard Voters, Disfranchisement of, [183] 482
Ecclesiastical Commission, Consid. Amendt. [184] 2055
Lea, River, Impure State of, [184] 2134
Marriage with a Deceased Wife's Sister, 2R. [183] 305
Navy Estimates—Dockyard Salaries, [181] 1870
Representation of the People, Comm. [183] 1917
Supply—Captured Negroes, [183] 733;—Civil Contingencies, 839;—Report, Gun Metal for the National Monument to the late Prince Consort, [184] 1604

MONSELL, Right Hon. W. († Paymaster of the Forces and Vice President of the Board of Trade), Limerick Co.

Charitable Donations and Bequests (Ireland), 2R. [184] 1468
† India—Delhi Prize Money, [182] 1769; [184] 237
Ireland—Sir Robert Peel and Professor Sullivan, [184] 1285; Explanation, Sir Robert Peel, 1302
† Iron Passenger Ships, Surveyors of, [183] 1686
Landed Estates Court (Ireland), Comm. cl. 6, [184] 1641; Explanation, 2031
† National Debt, [183] 486
Railways (Ireland) Temporary Advances, Comm. [184] 1632, 1634
Reformatory Schools, Comm. cl. 14, [184] 1989, 1692
Sea Coast Fisheries (Ireland), 2R. [184] 1462
† Speaker, Choice of a, [181] 4
Supply—Public Education (Ireland), [184] 1576

MONTAGU, Lord R., Huntingdonshire

Address in Answer to the Speech, [181] 136
Cattle Disease—Slaughtered Cattle, [183] 437
Cattle Diseases, Leave, [181] 374, 414; Comm. cl. 13, 532; cl. 14, 550; cl. 15, 553; cl. 16, 557; cl. 50, Amendt. 634, 635, 636, 653, 901; cl. 11, 652
Cattle Diseases (Ireland), Comm. cl. 10, [181] 1238
Cattle Plague, Comm. cl. 16, [181] 779; cl. 35, 858
Cattle Plague, The, [182] 972
Devonport Election, [181] 1304
Elective Franchise, 2R. [183] 1482, 1488
Electoral Statistics, [182] 871, 872
Europe, State of, [184] 145
Exchequer and Audit Departments, Consid. cl. 4, [183] 422
Metropolitan Jurisdictions, Conflicting, [181] 1135
Metropolitan Local Government, Motion for a Committee, [181] 1209
National Debt, Comm. Res. [183] 557, 562
Police at the Houses of Parliament, [183] 872, 1312
Public Health Acts, [182] 1771

MONTAGU, Lord R.—*cont.*

Representation of the People, Leave, [182] 73 ;
2R. 1282 ; Comm. [183] 1404, 1831, 1946 ;
cl. 5, [184] 589
Victoria, Colony of—Motion for Papers, [182]
604, 623 ; — Ministerial “ Dead Lock ” in,
[183] 1197

MONTROSE, Duke of (Postmaster General)

Cattle Diseases, 2R. [181] 737 ; Comm. *cl.* 5,
742 ; — Orders in Council, 890
Cattle Diseases Act—Extension of time, [182]
569
Cattle Plague, Comm. *add. cl.* [181] 1704
Public Schools, Comm. *cl.* 17, [183] 1930

MOORE, Mr. C., Tipperary Co.

Habeas Corpus Suspension (Ireland), Leave,
[181] 706

MORE, Mr. R. J., Shropshire, S.

Compulsory Church Rate Abolition, [184]
1536
“ London,” Loss of the, [184] 2037
Malt Duty, Res. [182] 1519

MORLEY, Earl of

Address in Answer to the Speech, [181] 36

MORLEY, Mr. S., Nottingham

Church Rates Abolition, 2R. [181] 1688
Labouring Classes’ Dwellings, 2R. [182] 118
Tests Abolition (Oxford), 2R. [182] 710

MORRIS, Mr. M., Galway Bo.

Army Estimates — Barrack Establishment,
[181] 1760, 1762
Ireland—Medical Officers, Res. [183] 1952 ; —
Poor Removal, Res. [184] 299
Representation of the People, Comm. *cl.* 4,
[184] 444
Supply — Probate and Divorce, &c. Courts,
[183] 210

MORRISON, Mr. W., Plymouth

Bridgwater Election, New Writ, [183] 1667
Poor Relief at Plymouth, [183] 1147
Tests Abolition (Oxford), Comm. *cl.* 1, [184]
333
Totnes Election, Motion for a Joint Address,
[183] 263
Ways and Means, Comm. Res. 7, [183] 552

Mortality of Troops (China)

Moved, That a Select Committee be appointed,
“ to inquire into the mortality in the Troops
in China, the causes which led to it, and into
the conduct of those Departments of the Go-
vernment whose duty it has been to admin-
ister to the wants of those troops ” (*Colonel*
North) Mar 20, [182] 644 ; after debate,
Motion agreed to

And, on April 10, Committee nominated as
follows :—Colonel North (Chairman), M. of
Hartington, Lord Hotham, Mr. Baxter, Mr.
Adderley, Lord Frederick Cavendish, Mr.
Roebuck (disch. May 7), Colonel Percy Her-
bert, Mr. Dalglish, Lord Henry Percy, Mr.

Mortality of Troops (China)—*cont.*

Calthorpe, Major Anson, Lord John Hay,
Mr. Trevelyan, and Major O’Reilly ; April 12,
General Dunne, Sir Harry Verney, May 7,
Mr. F. Stanley added
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**MOWBRAY, Rt. Hon. J. R., († Judge Ad-
vocate General), Durham City**

† Ballot, The, Res. [184] 983, 985
Day of Humiliation—Committees, [182] 507
Great Yarmouth Election, Motion for a Joint
Address, [183] 269
Representation of the People, Comm. [183]
1331, 1603
Westminster School, [181] 1804

Municipal Savings Banks

Question, Colonel Wilson Patten ; Answer,
The Chancellor of the Exchequer Mar 13,
[182] 135

Mutiny Bill

(*Mr. Dodson, The Marquess of Hartington, The*
Judge Advocate)

c. Ordered ; read 1^o * Mar 6

Read 2^o * Mar 7

Committee ; Report Mar 9, [181] 1880

Read 3^o after short debate and passed Mar 12,
115

l. Read 1^a * (*The Earl de Grey*) Mar 13

Read 2^a * Mar 15

Committee* ; Report Mar 19

Read 3^a * Mar 20

Royal Assent Mar 23 [29 Vict. c. 9]

**NAAS, Right Hon. Lord, († Chief Secre-
tary for Ireland), Cockermonth**

Address in Answer to the Speech, [181] 252

Army Estimates — Barrack Establishment,
[181] 1757, 1758, 1759

† Blackburne, Lord Chancellor, [184] 2032

† Carlow Lunatic Asylum, [184] 1530

Cattle Diseases (Ireland), 2R. [181] 1177 ;
Comm. *cl.* 10, 1236, 1237 ; *cl.* 13, Amendt.
1238

Cattle Plague, Motion for Papers, [181] 451,
1805 ; [183] 964

† Charitable Donations and Bequests (Ireland),
2R. [184] 1468

† Constabulary, The, [184] 933

† Court of Admiralty, Dublin, [184] 1551
Dublin, The late Fire, [184] 237

† Ecclesiastical Commissioners, [184] 1330

† Habeas Corpus Act Suspension, [184] 1532,
1666

† Habeas Corpus Suspension (Ireland) Act Con-
tinuance, Leave, [184] 1843 ; 2R. 1910

† Illegal Processions, [184] 1614

† Inland Fisheries, [184] 1072

† Irish Society’s Estates, [184] 1164

† Land Tenure, [184] 1660

† Landlord and Tenant (Ireland), [184] 25

† Medical Superintendents, [184] 1070

† Napier, Resignation of Mr., [184] 1659

[*cont.*

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NAAS, Right Hon. Lord—cont.

- National Education, Motion for a Committee, [183] 1831
 † Public Libraries Act Amendment, Comm. add. cl. [184] 1454
 † Railways, Motion for Returns, [184] 1182
 † Sea Coast Fisheries (Ireland), 2R. [184] 1463
 Stephens, Escape of, Motion for Papers, [182] 766
 Tenure and Improvement of Land (Ireland), Leave, [183] 222; 2R. Amendt. 1053; † [184] 1472, 1474, 1476, 1482
 † Waste Lands, [184] 1282

National Debt Acts—The Government Plan

Question, Sir FitzRoy Kelly; Answer, The Chancellor of the Exchequer May 4, [183] 439; Question, Mr. H. B. Sheridan; Answer, The Chancellor of the Exchequer May 7, 485

National Debt Acts

Considered in Committee; Resolution (Mr. Chancellor of the Exchequer) May 7, [183] 555; after short debate, Resolution agreed to

National Debt Reduction Bill

- (Mr. Chancellor of the Exchequer, Mr. Childers)
 c. Considered in Committee*; Resolution agreed to Feb 8
 Resolution reported; Bill ordered; read 1^o* Feb 9 [Bill 4]
 Read 2^o* Feb 15
 Committee*; Report Feb 19
 Committee* (on re-comm.); Report Feb 26
 Read 3^o* Feb 27
 l. Read 1^a* (The Lord Stanley of Alderley) Mar 2 (No. 32)
 Read 2^a* Mar 13
 Committee*; Report Mar 15
 Read 3^a* Mar 16
 Royal Assent Mar 23 [29 Vict. c. 11]

National Gallery and Burlington House

Amendt. on Committee of Supply July 23, To leave out from "That," and add "it is desirable that a new National Gallery be erected on the site of Burlington House Gardens" (Mr. Beresford Hope), [184] 1303; after long debate, Question, "That the words, &c.;" A. 94, N. 17; M. 77

National Gallery, Director of the—Mr. Boxall, R.A.

Question, Viscount Courtenay; Answer, The Chancellor of the Exchequer Feb 9, [181] 760

National Gallery—The Students

Question, Mr. Treeby; Answer, Mr. Cowper May 15, [183] 963

National Gallery Enlargement Bill

(Mr. Cowper, Mr. Childers)

- c. Ordered; read 1^o* April 27 [Bill 124]
 Moved, "That the Bill be now read 2^o" (Mr. Cowper) May 10, [183] 741; Read 2^o after short debate, and committed to a Select Committee

[cont.]

National Gallery Enlargement Bill—cont.

- And, on May 14, Committee nominated as follows:—Mr. Cowper (Chairman), Mr. Bentinck, Lord Pelham, Sir William Stirling-Maxwell, Earl Grosvenor, Mr. Holford, Sir Henry Rawlinson
 Report of Select Committee* June 5
 As amended by Select Committee [Bill 177] Committee* (on re-comm.); Report June 7
 After short debate, third reading deferred June 11, [184] 209
 Read 3^o* June 18
 l. Read 1^a* (The Lord President) June 19
 Moved, "That the Bill be now read 2^a" July 17, 924; after short debate, Motion agreed to; Bill read 2^a (No. 171)
 Committee* July 23
 Report* July 24
 Read 3^a* July 26
 Royal Assent August 6 [29 & 30 Vict. c. 83]

Naval Discipline Bill

- (Sir John Pakington, Lord Henry Lennox)
 c. Ordered; read 1^o* July 20 [Bill 231]
 Read 2^o* July 23
 Committee*; Report July 26 [Bill 245]
 Committee* (on re-comm.); Report July 30
 Read 3^o* July 31
 l. Read 1^a* (The Lord Privy Seal) August 2
 Read 2^a* August 3 (No. 258)
 Committee*; Report August 6
 Read 3^a* August 7
 Royal Assent August 10 [29 & 30 Vict. c. 109]

Naval Savings Banks Bill

- (Lord Clarence Paget, Mr. Childers)
 c. Ordered; read 1^o* April 19 [Bill 114]
 Read 2^o* May 7
 Committee*; Report May 17
 Read 3^o* May 28
 l. Read 1^a* (The Duke of Somerset) May 29
 Read 2^a* June 7 (No. 129)
 Committee*; Report June 8
 Read 3^a* June 11
 Royal Assent June 28 [29 & 30 Vict. c. 43]

Navigation Laws

After short debate, Copy ordered, "of any Papers or Correspondence relative to the abolition of the Navigation Laws in Foreign Countries" (Mr. Ayrton) August 7, [184] 2146

NAVY

- "Amazon" and the "Osprey," Collision of H.M.S., Question, The Earl of Hardwicke; Answer, The Earl of Orkney July 12, [184] 773; Question, Mr. Samuda; Answer, Sir John Pakington July 23, 1279; Question, Mr. Samuda; Answer, Mr. Stephen Cave July 26, 1529
 "Black Prince," Chaplain of the, Question, Mr. Whalley; Answer, Mr. Baring May 29, [183] 1441
 Board of Trade—Marine Department, Question, Mr. Laird; Answer, Mr. Cowper April 13, [182] 1224
 Captains' Pensions, Question, Admiral Erskine; Answer, Lord Clarence Paget Mar 19, [182] 490

[cont.]

NAVY—cont.

- De Courcey, Commodore*, Question, Mr. Graves; Answer, Mr. Baring *May* 18, [183] 1145
- Dockyard Expenditure*, Question, Mr. Seely; Answer, Sir J. Pakington *August* 10, [184] 2161; Explanation, Mr. Seely *August* 10, 2165
- Dockyards, Her Majesty's*, Amendt. on Committee of Supply *July* 26, To leave out from "That," and add "the course pursued in paving the roadways, workshops, and other places in the Dockyards with Iron Ballast was inexpedient" (Mr. Seely), [184] 1501; Question, "That the words, &c.," after debate, Amendt. and Motion withdrawn; Observations, Sir John Pakington; short discussion thereon *August* 4, 2057
- Dockyards, Officers of Her Majesty's*—Notice, Sir John Pakington *August* 3, [184] 2032
- East Indian Squadron*, Question, Mr. Moffatt; Answer, Lord Clarence Paget *Mar* 19, [182] 553
- Engineers of the Royal Navy*, Observations, Sir Edward Dering; Reply, Lord Clarence Paget *Mar* 9, [181] 1840—*Widows of Naval*, Question, Mr. Ferrand; Answer, Lord Clarence Paget *April* 19, [182] 1646
- Greenwich Hospital Estates*, Question, Mr. H. B. Sheridan; Answer, Lord Clarence Paget *Feb* 20, [181] 812
- Iron-Clad Ships*, Question, Mr. Graves; Answer, Lord Clarence Paget *Mar* 23, [182] 839—(Parl. P. No. 76, 121)—"Bellerophon," The, Question, Sir John Pakington; Answer, Lord Clarence Paget *Mar* 19, 490; Question, Mr. Henry Baillie; Answer, Mr. Baring *May* 29, [183] 1437; Question, Mr. Laird; Answer, Sir J. Pakington *August* 3, [184] 2038
- "*Lord Warden*," The, Question, Mr. Laird; Answer, Lord Clarence Paget *Mar* 23, [182] 842
- Masters and Staff Commanders in the Royal Navy*, Observations, Sir Lawrence Palk; Reply, Lord Clarence Paget *Mar* 1, [181] 1317; Question, Sir Lawrence Palk; Answer, Sir John Pakington *July* 16, [184] 822—(Report on Position of, Parl. P. No. 109)
- Naval Coast Volunteers*, Question, Mr. H. Berkeley; Answer, Admiral Seymour *August* 7, [184] 2138—(Parl. P. No. 506)
- Naval Reserve*, Question, Mr. Graves; Answer, Sir John Pakington *August* 4, [184] 2053
- Non-armour-Plated Ships*, Question, Mr. Graves; Answer, Sir J. Pakington *August* 3, [184] 2036
- "*Octavia*," *Small Pox on Board the*, Question, The Earl of Ellenborough; Answer, The Duke of Somerset *April* 24, [182] 1975—(Parl. P. No. 278)
- Pacific—Armour-Clad Ships for the*, Question, Mr. Graves; Answer, Sir John Pakington *August* 4, [184] 2054
- Re-construction of the*, Observations, Sir John Walsh; Reply, Lord Clarence Paget *Mar* 15, [182] 315
- "*Royal Sovereign*" The—*The Cupola System*, Question, Mr. O'Leirne; Answer, Mr. Baring *June* 8, [184] 24; Question, Mr. Osborne; Answer, Sir John Pakington

[cont.

NAVY—cont.

- July* 20, 1166—*Turret Ships*—*Captain Couper Coles*, Motion for Papers (Lord Dimsany) *Mar* 12, [182] 1; after debate, Motion agreed to
- Report of Committee—(Parl. P. No. 51-L)
- Report and Correspondence 85, 395-C
- Savings Banks*, Question, Mr. Kinnaird; Answer, Sir John Pakington *August* 10, [184] 2162
- Ships of War on Eastern Station of North America*, Question, Mr. Laird; Answer, Mr. Baring *June* 5, [183] 1940
- State of the*, Observations, Mr. Samuda; Reply, Sir John Pakington; long debate thereon *July* 20, [184] 1187
- Navy Estimates*—see *Supply*
- Navy and Army Expenditure (1864-5)*
- Resolutions considered in Committee *July* 17, [184] 999; Report *July* 18
- Navy and Army—Medical Officers in the*
- Question, Colonel North; Answer, The Marquess of Hartington *Mar* 19, [182] 487; Question, Colonel North; Answer, The Marquess of Hartington *May* 8, [183] 583—*Scarcity of*, Question, Sir John Hay; Answer, Mr. Baring *June* 11, [184] 114; Question, Colonel North; Answer, Mr. Childers *June* 14, 376; Question, Mr. Dyce Nicol; Answer, Sir John Pakington *July* 17, 938—(Parl. P. No. 515); Question, Colonel North; Answer, General Peel *July* 20, 1165—(Parl. P. No. 329, 515)
- NEATE, Mr. C., *Oxford City*
- Address in Answer to the Speech, Report, [181] 331
- Cattle Diseases, Comm. cl. 16, [181] 557; cl. 48, 633; cl. 50, 636; add. cl. 656
- China—Acting Governor of Hong Kong, [184] 2049
- Cholera, The—Advances to Boards of Guardians, [184] 2034, 2106
- Clerks to Justices, 2R. [183] 652
- Compulsory Church Rate Abolition, 2R. Amendt. [184] 1036, 1284, 1536
- Extradition Treaties Act Amendment, Comm. add. cl. [184] 2111, 2113
- Fellows of Colleges Declaration, 2R. [181] 1262; Comm. [182] 2047
- Houseless Poor, [184] 1334
- Juries in Criminal Cases, 2R. [181] 874
- Malt Duty, Res. Amendt. [182] 1521, 1573
- Marine Mutiny, Comm. cl. 39, [181] 1785, 1786, 1787
- Poor Law Amendment, Comm. cl. 15, [184] 1531
- Prince Alfred's Annuity, Comm. [181] 1630, 1631
- Public Health, Comm. cl. 5, [184] 1383
- Public Libraries Act Amendment, Comm. add. cl. [184] 1455
- Public Schools, 2R. [184] 2150
- Real Estate Intestacy, 2R. [183] 1999
- River Commission, The, [182] 732
- Supply—British Museum, [184] 1556

[cont.

NEATE, Mr. C.—*cont.*

Tests Abolition (Oxford), 2R. [182] 692; Comm. Amendt. [184] 307, 311, 312
Thames Navigation, 2R. [182] 1612; Comm. cl. 3, [184] 766; cl. 85, 1141, 1142
Toomer, Neville Maskelyne, Case of, [184] 2140

NELSON, Earl

Crown Lands, 2R. [183] 2021, 2023
Gas Light and Coke Company, 2R. Amendt. [184] 707
Law of Capital Punishment Amendment, Comm. cl. 16, Amendt. [184] 462
Metropolitan Railway (Additional Powers), 3R. cl. 42, [184] 503
New Forest, Motion for Returns, [183] 1685, 1792
Patriotic Fund, Royal, [183] 1683, 1684; Explanation, 1769
Postmaster General, 2R. [184] 1160
Public Companies, 2R. [184] 927, 929

Neutrality Law, Inadequacy of our

Observations, Mr. Labouchere; Reply, The Attorney General; long discussion thereon
Feb 23, [181] 994

NEVILLE-GRENVILLE, Mr. R., *Somersetshire, E.*

Cattle Diseases, 2R. [181] 500
Municipal Boroughs in Somersetshire, [183] 352, 353
Representation of the People, Comm. cl. 4, [184] 415
Ways and Means—Financial Statement, Comm. Res. 1, [183] 413

NEWDEGATE, Mr. C. N., *Warwickshire, N.*

Army—Breech-loading Guns, [184] 831, 839
Bribery at Elections, Res. [183] 1466
Cattle Diseases, Leave, [181] 402; Comm. cl. 13, 533, 545, 549; cl. 14, 552; cl. 7, 645
Cattle Plague, Comm. Preamble, [181] 763; cl. 18, 795; cl. 35, Amendt. 858, 859; cl. 30, 950; Lords Amendts. [182] 276
Cattle Plague—The Commission, [181] 312
Church Rates Commutation (No. 2), 2R. [184] 1855
Compulsory Church Rate Abolition, Leave, [183] 625; 2R. [184] 1032, 1449, 1874, 1883
Extradition Treaties Act Amendment, Comm. add. cl. Amendt. [184] 2112
Fortifications (Provisions for Expenses), 2R. [184] 1675
Italy—Monastery of Monte Cassino, Motion for Papers, [184] 1841
Ministerial Crisis, [184] 702
Parliamentary Oaths, Leave, [181] 456; 2R. 1712; Amendt. 1727; Comm. [182] 291; cl. 1, 298, 300, 308; Schedule, 314; Consid. 480; * 3R. 509
Poor Law Amendment, Comm. add. cl. [184] 1585, 1587
Prison Ministers' Act, Res. [184] 1436
Public Health, Comm. cl. 23, [184] 1651
Qualification for Offices Abolition, Leave, [181] 277; 2R. Amendt. 1240, 1255
Reformatory Schools, Comm. cl. 12, [184] 1612, 1613; cl. 14, 1687, 1691, 1693, 1696

[*cont.*]

NEWDEGATE, Mr. C. N.—*cont.*

Representation of the People, 2R. [182] 2172; [183] 60; Comm. 1324; cl. 4, 2068; [184] 197, 201, 208, 435
Representation of the People—The Franchise, [182] 734, 735
Tenure and Improvement of Land (Ireland), 2R. [184] 1484
Tests Abolition (Oxford), Comm. cl. 1, [184] 332
Transubstantiation, &c. Declaration Abolition, 2R. [183] 640; Comm. [184] 85; add. cl. 89, 90, 92
Turnpike Acts Continuance, Lords Amendts. [184] 2152
Veterinary Surgeons, 2R. [183] 655; Comm. [184] 1442

New Forest

Address for Returns (*Earl Nelson*) June 1, [183] 1685; Motion agreed to—(*Parl P. No. 147*)
Moved, That there be laid before this House, any Report or Suggestions made to the Commissioners of Woods and Forests or to the Treasury, by Mr. Clutton or others, as to the Value of the New Forest if leased for shooting Purposes; and as to the best Mode of dividing the same for the Purposes of public Tender; and any Correspondence on the Subject either with Mr. Clutton or the Deputy Surveyor" (*The Earl Nelson*) June 4, [183] 1792; after debate, Motion withdrawn

New Forest Poor Relief Bill

(*Viscount Enfield, Mr. Villiers*)

c. Ordered; read 1^o * *Mar 8* [Bill 57]
Read 2^o * *Mar 21* and referred to a Select Committee
And, on May 24, Committee nominated as follows:—Viscount Enfield (Chairman), Mr. Beach, Mr. Eckersley, Colonel H. H. Fane, Sir John Gray, Sir Jervoise Jervoise, Mr. Thorold, Mr. Waldegrave-Leslie, Mr. H. Wyndham
Report of Select Committee * *June 15*
Committee *; Report *July 16* [Bill 193]
Read 3^o * *July 17*
l. Read 1^a * (*The Earl of Devon*) *July 19*
Read 2^a * *July 24* (No. 203)
Committee *; Report *July 30*
Read 3^a * *July 31* (No. 205)
Royal Assent *August 6* [29 & 30 *Vict. c. 66*]

Newhaven Harbour of Refuge

Moved, "That a Select Committee be appointed to consider the importance of creating a Harbour of Refuge at Newhaven" (*Mr. Meller*)
June 12, [184] 296; after short debate, Motion withdrawn

New Peers

June 8—His Royal Highness Prince Alfred Ernest Albert—having been created Earl of Ulster, Earl of Kent and Duke of Edinburgh, was introduced between His Royal Highness the Prince of Wales and His Royal Highness the Duke of Cambridge, the Gentleman Usher of the Black Rod, the Garter King of Arms, the Deputy

[*cont.*]

New Peers—cont.

- Earl Marshal, and the Deputy Lord Great Chamberlain attending, and was placed in the Chair on the left Hand of the Throne
- June 22*—William Meredith Baron Athlumney, in that Part of the United Kingdom of Great Britain and Ireland called Ireland, having been created Baron Meredith of Dollardstown in the County of Meath—Was in the usual Manner introduced
- June 25*—Edwin Richard Wyndham Earl of Dunraven and Mount Earl, in that Part of the United Kingdom of Great Britain and Ireland called Ireland, having been created Baron Kenry of Kenry in the County of Limerick — Was in the usual Manner introduced
- July 23*—John Baron Wodehouse, having been created Earl of Kimberley in the County of Norfolk—Was in the usual Manner introduced

John Baron Henniker, in that Part of the United Kingdom of Great Britain and Ireland called Ireland, having been created Baron Hartismere of Hartismere in the County of Suffolk—Was in the usual Manner introduced

- July 26*—Richard Baron Cremorne, in that Part of the United Kingdom of Great Britain and Ireland called Ireland, having been created Earl of Dartrey of Dartrey in the County of Monaghan — Was in the usual Manner introduced

The Right Honourable Sir Edward George Earle Lytton Bulwer Lytton, Baronet, having been created Baron Lytton of Knebworth in the County of Hertford — Was in the usual Manner introduced

Sir William George Hylton Jolliffe, Baronet, having been created Baron Hylton of Hylton in the County Palatine of Durham and of Petersfield in the County of Southampton—Was in the usual Manner introduced

- August 6*—Lieutenant-General the Right Honourable Sir Hugh Henry Rose, G.C.B., G.C.S.I., General Commanding Her Majesty's Forces in Ireland, having been created Baron Strathnairn of Strathnairn in the County of Nairn and of Jhansi in the East Indies—Was in the usual Manner introduced

Edmund Gordon Douglas Pennant, Esquire, having been created Baron Penrhyn of Llandegai—Was in the usual Manner introduced

New Writs Issued

- Feb 21*—*For* Tiverton, *v.* Right Hon. Viscount Palmerston, deceased
- For* Brecknock, *v.* Colonel John Lloyd Vaughan Watkins, deceased
- For* Lancaster County (Northern Division), *v.* Right Hon. Marquess of Hartington, Secretary of State
- For* London, *v.* Right Hon. George Joachim Goschen, Chancellor of the Duchy of Lancaster
- For* Limerick County, *v.* Right Hon. William Monsell, Vice President of the Board of Trade

[*cont.*

New Writs Issued—cont.

- For* Sunderland, *v.* Henry Fenwick, esquire, Commissioner of the Admiralty
- For* Ripon, *v.* Right Hon. Sir Charles Wood, Baronet, Manor of Northstead
- For* Leominster, *v.* Gathorne Hardy, esquire, who has elected to sit for the University of Oxford
- Feb 26*—*For* Richmond, *v.* Hon. John Charles Dundas, deceased
- Mar 6*—*For* Kerry, *v.* Right Hon. Henry Arthur Herbert, deceased
- Mar 13*—*For* Louth, *v.* Right Hon. Chichester Samuel Fortescue, Chief Secretary to the Lord Lieutenant of Ireland
- For* Tewkesbury, *v.* William Edward Dowdeswell, esquire, Chiltern Hundreds
- Mar 14*—*For* Worcester County (Western Division), *v.* Hon. F. Lygon, now Earl of Beauchamp
- Mar 20*—*For* Wigan, *v.* Major General the Hon. James Lindsay, Manor of Northstead
- Mar 21*—*For* Boston, *v.* Thomas Parry, esquire, not duly elected
- Mar 22*—*For* Bridgnorth, *v.* Sir John Emerick Dalberg Acton, not duly elected
- Mar 23*—*For* Ripon, *v.* Lord John Hay, Commissioner of the Admiralty
- For* Honiton, *v.* Frederic David Goldsmid, esquire, deceased
- April 16*—*For* Cambridge Borough, *v.* William Forsyth, esquire, void Election
- April 23*—*For* Helston, *v.* Adolphus William Young, esquire, void Election
- April 30*—*For* Sandwich, *v.* Lord Clarence Paget, Chiltern Hundreds
- For* Reading, *v.* George John Shaw Lefevre, esquire, Commissioner of the Admiralty
- For* Devon (Northern Division), *v.* Hon. Charles Henry Rolle Trefusis, now Lord Clinton
- May 3*—*For* Stamford, *v.* Sir Stafford Henry Northcote, baronet, Manor of Northstead
- For* Nottingham Town, *v.* Sir Robert Jukes Clifton, baronet, and Samuel Morley, esquire, void Election
- For* New Windsor, *v.* Sir Henry Ainslie Hoare, and Henry Labouchere, esquire, void Election
- For* Northallerton, *v.* Charles Henry Mills, esquire, void Election
- May 7*—*For* Aberdeenshire, *v.* William Leslie, esquire, Chiltern Hundreds
- May 10*—*For* Kildare, *v.* Lord Otho Augustus Fitzgerald, Treasurer of Her Majesty's Household
- May 14*—*For* Devonport, *v.* John Fleming, esquire, and William Ferrand, esquire, void Election
- May 28*—*For* Winchester, *v.* John Bonham-Carter, esquire, Commissioner of the Treasury
- For* Waterford County *v.* John Esmonde, esquire, Commissioner of the Treasury
- May 31*—*For* Bridgwater, *v.* Henry Westropp, esquire, void Election

[*cont.*

New Writs Issued—cont.

June 11—For Nottingham County (Southern Division), v. Lord Stanhope, now Earl of Chesterfield

June 25—For Hertford Borough, v. Sir Walter Minto Townsend Farquhar, Baronet, deceased

July 6—For Buckingham County, v. Right Hon. Benjamin Disraeli, Chancellor of the Exchequer

For Cambridge University, v. Right Hon. Spencer Horatio Walpole, Secretary of State

For King's Lynn, v. Lord Stanley, Secretary of State

For Huntingdon Borough, v. Right Hon. Jonathan Peel, Secretary of State

For Stamford, v. Viscount Cranbourne, Secretary of State

For Droitwich, v. Right Hon. Sir John Somerset Pakington, First Commissioner of the Admiralty

For Devon County (Northern Division), v. Right Hon. Sir Stafford Henry Northcote, President of the Board of Trade

For Oxford University, v. Gathorne Hardy, esquire, Commissioner of the Poor Laws

For Northampton County (Northern Division), v. Lord Burghley, Treasurer of the Household

For Cambridge County, v. Viscount Royston, Comptroller of the Household

For Tyrone, v. Lord Claud Hamilton, Vice Chamberlain of the Household

For Tyrone, v. Right Hon. Henry Thomas Lowry Corry, Vice President of the Committee of Council on Education

For Leicester County (Northern Division), v. Lord John Manners, First Commissioner of Works

For Rutland, v. Hon. Gerard James Noel, Commissioner of the Treasury

For Stamford, v. Rear Admiral Sir John Charles Dalrymple Hay, Commissioner of the Admiralty

For Belfast, v. Sir Hugh M'Calmont Cairns, Attorney General

For Guildford, v. William Bovill, esquire, Solicitor General

For Durham City, v. Right Hon. John Robert Mowbray, Judge Advocate General

For Bridgwater, v. George Patton esquire, Lord Advocate

For Antrim County, v. Rear Admiral George Henry Seymour, C.B., Commissioner of the Admiralty

For Cockermouth, v. Lord Naas, Chief Secretary to the Lord Lieutenant of Ireland

July 9—For Essex (Northern Division), v. Charles Du Cane, esquire, Commissioner of the Admiralty

For New Shoreham, v. Stephen Cave, esquire, Vice President of the Board of Trade

[*cont.*]*New Writs Issued—cont.*

July 16—For Bridgnorth, v. Henry Whitmore, esquire, Commissioner of the Treasury

For Peeblesshire, v. Sir Graham Graham Montgomery, Baronet, Commissioner of the Treasury

For Suffolk (Eastern Division), v. Sir FitzRoy Kelly, Knight, Lord Chief Baron of Her Majesty's Court of Exchequer

For Suffolk (Eastern Division), v. Right Hon. Baron Henniker, now Baron Hartismere

For Petersfield, v. Right Hon. Sir William George Hynton Jolliffe, Baronet, now Baron Hynton

For Hertford County, v. Right Hon. Sir Edward George Earle Lytton Bulwer Lytton, Baronet, now Baron Lytton

July 20—For Eye, v. Sir Edward Clarence Kerrison, Baronet, Manor of Northstead

July 23—For the College of the Holy Trinity, Dublin, v. The Right Hon. James Whiteside, Chief Justice of the Court of Queen's Bench in Ireland

July 24—For Galway Town, v. Michael Morris, esquire, Solicitor General for Ireland

August 1—For Abingdon, v. Lieutenant Colonel the Hon. Charles Hugh Lindsay, Groom in Waiting

August 6—For Carnarvon County, v. The Hon. Edward Gordon Douglas Pennant, now Lord Penrhyn

August 10—For Salop (Northern Division), v. The Hon. Charles Henry Cust, Chiltern Hundreds

New Members Sworn

Feb 26—Right Hon. George Joachim Goschen, London

Feb 27—Lord John Hay, Ripon

*Mar 1—Richard Arkwright, esq., Leominster
The Earl of Brecknock, Brecknock
The Marquess of Hartington, Lancaster County (Northern Division)*

Mar 5—Right Hon. William Monsell, Limerick County

Hon. George Denman, Tiverton

Mar 6—John Candlish, esq., Sunderland

Mar 7—Marmaduke Wyvill, esq., Richmond

Mar 21—Meaburn Staniland, esq., Boston

Mar 22—Henry Whitmore, esq., Bridgnorth

Mar 23—Sir Edmund Anthony Harley Lechmere, Baronet, Tewkesbury

April 9—Henry Arthur Herbert, esq., Kerry

April 10—The Right Hon. Chichester Samuel Fortescue, Louth

Nathaniel Eckersley, esq., Wigan

April 11—William Edward Dowdeswell, esq., Worcester County (Western Division)

April 12—Lord John Hay, Ripon

April 16—Julian Goldsmid, esq., Honiton

April 25—John Eldon Gorst, esq., Cambridge Borough

May 7—George John Shaw Lefevre, esq., Reading

John Campbell, esq., Helston

[*cont.*]

New Members Sworn—cont.

- May 8—Sir John Charles Dalrymple Hay, baronet, *Stamford*
 May 10—Charles Capper, esq., *Sandwich*
 Charles Edwards, esq., *New Windsor*
 Sir Stafford Henry Northcote, baronet, *Devon County (Northern Division)*
 Roger Eykyn, esq., *New Windsor*
 May 14—Ralph Bernal Osborne, esq., and Viscount Amberley, *Nottingham Town*
 May 15—Hon. Egremont William Lascelles, *Northallerton*
 May 24—Lord Eliot, and Montagu Chambers, esq., *Devonport*
 Lord Otho Augustus Fitzgerald, *Kildare*
 May 28—William Dingwall Fordyce, esq., *Aberdeenshire*
 June 5—John Bonham-Carter, esq., *Winchester*
 June 8—George Patton, esq., *Bridgwater*
 June 11—John Esmonde, esq., *Waterford County*
 June 18—Thomas Blackborne Thoroton Hildyard, esq., *Nottingham County (Southern Division)*
 July 2—Robert Dimsdale, esq., *Hertford Borough*
 July 5—William Baliol Brett, esq., *Helston*
 July 16—Right Hon. Benjamin Disraeli, *Buckingham County*
 Right Hon. Viscount Cranbourne, *Stamford*
 Sir Hugh M'Calmont Cairns, Knight, *Belfast*
 Right Hon. Sir John Somerset Parkinson, Baronet, *Droitwich*
 Charles Du Cane, esq., *Essex (Northern Division)*
 Right Hon. Gathorne Hardy, *Oxford University*
 Right Hon. John Robert Mowbray, *Durham City*
 Right Hon. Stephen Cave, *New Shoreham*
 Philip Vanderbyl, esq., *Bridgwater*
 Right Hon. Jonathan Peel, *Huntingdon Borough*
 Sir John Charles Dalrymple Hay, Baronet, *Stamford*
 William Bovill, esq., *Guildford*
 Right Hon. Lord Burghley, *Northampton County (Northern Division)*
 Right Hon. Lord Stanley, *King's Lynn*
 Right Hon. Lord Naas, *Cockermouth*
 Hon. Gerard James Noel, *Rutland*
 Right Hon. Spencer Horatio Walpole, *Cambridge University*
 July 17—Right Hon. Lord John Manners, *Leicester County (Northern Division)*
 Right Hon. Sir Stafford Henry Northcote, Baronet, *Devon County Northern Division*
 July 19—Rear Admiral George Henry Seymour, *Antrim*
 July 20—Right Hon. Lord Claud Hamilton, *Tyrone*
 Right Hon. Henry Thomas Lowry Corry, *Tyrone*

New Members Sworn—cont.

- Right Hon. Viscount Royston, *Cambridge County*
 July 23—Henry Whitmore, esq., *Bridgnorth*
 July 24—William Nicholson, esq., *Petersfield*
 Abel Smith, esq., *Hertford County*
 July 25—Sir Graham Graham Montgomery Baronet, *Peeblesshire*
 July 27—Hon. John Major Henniker-Major, *Suffolk (Eastern Division)*
 July 30—Hon. George William Barrington, *Eye*
 July 31—John Edward Walsh, L.L.D., *Dublin University*
 August 3—Sir Edward Clarence Kerrison, Baronet, *Suffolk (Eastern Division)*
 August 4—Michael Morris, esq., *Galway Town*
 August 6—Hon. Colonel Lindsay, *Abingdon*

Mar 13 — *Dumbartonshire*, double Return — Return of James Stirling, esq., taken off the file

New South Wales and Van Diemen's Land Government Bill [H.L.]
(The Earl of Carnarvon)

- l. Presented; read 1^a * July 16 (No. 195)
 Read 2^a * July 19
 Committee *; Report July 20
 Read 3^a * July 23
 c. Read 1^o * July 25 [Bill 242]
 Read 2^o * July 26
 Committee *; Report July 27
 Read 3^o * July 30 [Bill 244]
 Royal Assent August 6 [29 & 30 Vict. c. 74]

Newspapers, Postage Stamp for

Question, Mr. Darby Griffith, 979; Answer, The Chancellor of the Exchequer Feb 23, [181] 1036

New Windsor Election

House informed, That Sir Henry Ainslie Hoare is not duly elected a Burgess to serve in this present Parliament for the Borough of New Windsor. That Henry Labouchere, esquire, is not duly elected a Burgess to serve in this present Parliament for the Borough of New Windsor. That the last Election for the said Borough is a void Election April 26, [182] 2070

New Windsor Writ

New Writ Ordered May 3, [183] 434

New Zealand

Bishopric of Nelson, Question, Mr. Selwyn; Answer, Mr. Cardwell April 24, [182] 1988
Division of, Question, Mr. Adderley; Answer, Mr. Cardwell April 24, [182] 1989
 Further Papers relating to Affairs of, [3601], [3695], [3750]

New Zealand Guarantee Bill

(*Mr. Dodson, Mr. Hunt, Mr. Adderley*)

c. Considered in Committee; Resolution *July* 18,
[184] 1053

Resolution reported; Bill ordered; read 1^o *
July 19 [Bill 225]

Read 2^o * *July* 26

Committee *; Report *July* 30

Considered as amended * *July* 31

Read 3^o * *August* 1

l. Read 1^a * (*The Earl of Belmore*) *August* 2

Read 2^a * *August* 3 (No. 261) *

Committee *; Report *August* 6

Read 3^a * *August* 7

Royal Assent *August* 10 [29 & 30 *Vict. c.* 104]

NICOL, Mr. J. Dyce, *Kincardineshire*

Cattle Plague, Comm. *cl.* 17, [181] 782, 1096

Fishery (Scotland) Act (1862), Motion for a
Committee, [182] 588

Hares and Rabbits (Scotland), [184] 943; 2R.
1266

Metropolis—Public Parks, [184] 1283

Navy—Medical Officers, [184] 938

Poor Law (Scotland), [181] 1708

Norfolk Island, Registry of

Question, The Earl of Limerick; Answer, The
Earl of Carnarvon *July* 23, [184] 1277

NORMANBY, Marquess of

Address in Answer to the Speech, [181] 27

British North American Provinces, Confedera-
tion of the, [184] 1702

NORTH, Colonel J. S., *Oxfordshire*

Army—Employment of Native Troops in China,
[181] 1805;—Mortality of Troops (China),
Motion for a Committee, [182] 644;—Medical
Officers, [183] 583; Motion for Papers,
597; [184] 376, 377;—Troops at Hong
Kong, [183] 768;—Military Pardons, [184]
375, 376;—The 11th Hussars and Breech-
loading guns, 828

181. Army Estimates—Land Forces, 1542, 1558;

. —Native Indian Troops, 1582, 1583;—Pay
and Allowances, Motion for Adjournment,

. 1586;—Commissariat, 1749;—Volunteer
Corps, 1770;—Military Education, [182] 473,
476

Cattle Diseases, Comm. *cl.* 10, [181] 648; *cl.* 11,
649

Compulsory Church Rate Abolition, 2R. Motion
for Adjournment, [184] 1450

Devonport Election, [181] 1302

Fenianism in the Army, [181] 310, 311, 312

India—Banda and Kirwee Prize Money, [184]
1664

Jamaica—Disturbances in, Res. [184] 1765,
1830

Japan—Exchanges in, [184] 2034, 2035

Marine Mutiny, Comm. *cl.* 39, [181] 1785,
1786

Medical Officers—Army and Navy, [182] 487;
[184] 1165

Navy Estimates—Half Pay, [182] 469

Vaccination, Comm. [182] 1111

Northallerton Election

House informed, that the Committee had de-
termined, That Charles Henry Mills, esquire,
is not duly elected a Burgess to serve in this
present Parliament for the Borough of North-
allerton. That the last Election for the said
Borough is a void Election. And the said
Determinations were ordered to be entered in
the Journals of this House. House further
informed of certain Resolutions of the Com-
mittee *April* 30, [183] 159

New Writ Ordered May 3, [183] 433

NORTHBROOK, Lord

Exchequer and Audit Departments, 2R. [183]
1683; Comm. [184] 22

**NORTHCOTE, Right Hon. Sir S. H., († Pre-
sident of the Board of Trade), *Devon-
shire, N.***

† Agricultural Statistics, [184] 2039, 2162

Annuities—Exchequer Bills, [183] 2036

Army Estimates—Administration of the Army,
[182] 801

† Board of Trade—Meteorological Department,
[184] 1660

Business, Order of, [183] 1317

Cattle Plague, Comm. *cl.* 16, [181] 780; *cl.* 18,
794; *cl.* 28, 800, 801; *add. cl.* 954

† Compulsory Church Rate Abolition, 2R. [184]
1452

Corn and Meat, Consumption of, [181] 815

† Currency and Banking, Motion for a Commis-
sion, [184] 1729

Customs and Inland Revenue, 2R. [183] 1215

Customs' Clerks, Salaries of the, [181] 1198

Elective Franchise, 2R. [183] 1533

Electoral Statistics, [182] 869

Exchequer and Audit Departments, 2R. [181]
1370; Comm. *cl.* 1, [182] 1863

† Fortifications (Provisions for Expenses), 2R.
[184] 1677

† Ireland—Harbours of Refuge on the East
Coast, [184] 1761;—Wrecks on the East
Coast, 2094

† London, Chatham, and Dover Railway, [184]
1902

† "London," Loss of the, [184] 2037

† Mercantile Marine, Motion for a Commission,
[184] 963

† Merchant Shipping Act Amendment, [184]
1072

† Privileges of the House—Return of Writs,
[184] 942

† Proxy Voting in Public Companies, [184]
1617

Public Expenditure, Res. [181] 1115

Public Schools, [182] 135

† Railways, Motion for a Commission, [184]
1549

Re-distribution of Seats, 2R. [183] 919

Representation of the People, 2R. [182] 1815;
Comm. [183] 1941; *cl.* 4, Amendt. [184]
449, 450

Supply—Metropolitan Police, [183] 212;—

† Supplementary Estimates, [184] 1297

Terminable Annuities, 2R. [183] 1231

Tests Abolition (Oxford), 2R. Amendt. [182]
671, 715; Comm. *cl.* 1, [184] 328

† Thames Navigation, Comm. *cl.* 63, [184] 1137;
cl. 64, Amendt. 1139; *cl.* 68, 1140; *cl.* 77,
ib.; *cl.* 85, 114

NORWOOD, Mr. C. M., *Kingston-upon-Hull*
 Army Estimates—Military Education, Motion for Adjournment, [182] 473, 476
 Cattle Plague—Rinderpest in Holland, [184] 647
 Holderness Embankment, &c. 2R. Amendt. [183] 1970

Nottingham Town Election

House informed, That Sir Robert Jukes Clifton, baronet, was not duly elected a Burgess to serve in this present Parliament for the Borough of Nottingham. That Samuel Morley, esquire, was not duly elected a Burgess to serve in this present Parliament for the Borough of Nottingham. That the last Election for the said Borough is a void Election. House informed of certain other Resolutions of the Committee April 20, [182] 1766

Nottingham Town Election Petition—Contempt of this House

After short debate, Mr. Deputy Speaker ordered to issue his warrant that James Pringle be taken into custody of the Serjeant-at-Arms April 10, [182] 968

Nottingham Writ

Motion, "That Mr. Speaker do issue his Warrant to the Clerk of the Crown to make out a New Writ for the electing of two Burgesses to serve in this present Parliament for the Town and County of the Town of Nottingham, in the room of Sir Robert Jukes Clifton, baronet, and Samuel Morley, esquire, whose elections have been determined to be void" (*Mr. Ayrton*) May 3, [183] 430

Amendt. To leave out from "That," and add "the Minutes of the Evidence taken before the Nottingham Election Committee be laid before this House" (*Sir Harry Verney*); Question, "That the words, &c.;" after short debate, agreed to; main Question agreed to

Nuisances Removal Bill

(*Mr. Knatchbull-Hugessen, Sir G. Grey*)

c. Ordered; read 1^o * May 17 [Bill 164]
 Read 2^o * May 24
 Committee*; Report May 28
 Read 3^o * May 30
 l. Read 1^a * (*Lord Stanley of Alderley*) May 31
 Read 2^a * June 7 (No. 132)
 Committee*; Report June 8
 Read 3^a * June 11
 Royal Assent June 28 [29 & 30 *Vict.* c. 41]

*O'BEIRNE, Mr. J. S., *Cashel**

Army Estimates—Land Forces, [181] 1570;—
 Rifled Ordnance, [182] 489, 1225;—Surgeons
 in the Guards, 890
 Fortifications (Provisions for Expenses), 2R.
 [184] 1679
 Habeas Corpus Suspension (Ireland) Act Continuance, 2R. [184] 1952
 Ireland—The Constabulary, [184] 937;—Resignation of Mr. Napier, 1658
 Iron Passenger Ships, Surveyors of, [183] 1686

O'BEIRNE, Mr. J. S.—cont.

Landed Estates Court (Ireland), Comm. add. cl.
 [184] 1642, 1643
 "London," Loss of the, [182] 550
 Metropolis—Marybone Workhouse, [184] 2036
 Navy Estimates—Naval Stores, [182] 348
 Navy—The "Royal Sovereign," [184] 24
 Railway Bridges in the Metropolis, [181] 1196
 Transubstantiation, &c. Declaration Abolition, 2R. [183] 641, 642; Comm. add. cl. [184] 92

*O'BRIEN, Sir P., *King's Co.**

Address in Answer to the Speech, [181] 257
 Ireland—King's County Return, [181] 351;
 —Fatal Riot at the Election for Monaghan, [182] 451;—The Queen's University, [184] 893;—Appointment of Mr. Blackburne, 1072
 Railway Travelling (Ireland), 2R. [182] 251
 Supply—Nonconforming, &c. Ministers, [183] 833
 Transubstantiation, &c. Declaration Abolition, Comm. add. cl. [184] 91, 93

Obsolete Statutes

Question, Mr. Hadfield; Answer, The Attorney General Mar 9, [181] 1808

*O'CONOR DON, The, *Roscommon Co.**

Elections (Returning Officers), Comm. cl. 2, [184] 1024
 Emigrant Ships and the Cholera, [184] 1618
 International Maritime Law, Motion for an Address, [181] 1460
 Ireland—National Education, Motion for a Committee, [183] 999
 Prison Ministers' Act, Res. [184] 1417, 1440
 Representation of the People (Ireland), Leave, [183] 638
 United States and Canada—The Reciprocity Treaty, [183] 1175

*O'DONOGHUE, The, *Tralee**

Address in Answer to the Speech, Motion for Adjournment, [181] 187; Amendt. 195, 217, 273
 Army—Militia—War Office Commission, [183] 770
 Cattle Plague (Ireland), [181] 509
 Court of Chancery (Ireland), 2R. [182] 568
 Habeas Corpus Suspension (Ireland), Leave, [181] 711, 720
 Ireland—King's County Return, [181] 351;—
 Fenian Prisoners, [182] 732, 733;—Armagh
 Roman Catholic Cathedral, 847;—Established Church, 1034, 1044
 Representation of the People, 2R. [183] 34

Office of the Clerk of the Parliaments and Office of the Gentleman Usher of the Black Rod

First Report from the Select Comm. (No. 183)
 Second Do. Do. . . (No. 283)

Ogilvy, Sir J., Dundee

Cattle Plague, [182] 497
Valuation of Lands, &c. (Scotland), 2R. [182] 1091

OLIPHANT, Mr. L., Stirling, &c.

Army Estimates—Military Stores, [181] 1777 ;
—Manufacturing Departments, [184] 1341
Army—Military Store Department, [182] 578 ;
[184] 1165 ;—Breech-loading Rifles, 840, 938 ;—Purday's Expanding Bullet, 1661
Austria and Prussia—Prolongation of the Armistice, [184] 1616
Boroughs, Boundaries of, [182] 1072
Business, Order of, [182] 854
Elections (Returning Officers), Comm. cl. 2, [184] 1028
Fenianism in America, [181] 1046
International Maritime Law, Motion for an Address ; Motion for Adjournment, [181] 1479
Metropolis—Master of Lambeth Workhouse, [184] 2089 ;—Shoreditch Workhouse, 2135
Reform Meeting in Hyde Park, [184] 1398
Scotland—Postal Arrangements in Fifeshire, Res. [183] 775
South American Meat, [184] 2135
Supply—Expedition, [183] 731 ;—Special Missions, 737, 738
United States and Canada—The Reciprocity Treaty, [183] 1172

O'LOGHLEN, Sir C. M., Clare Co.

Admiralty Court (Ireland), Leave, [183] 281
Bank Notes (Ireland), Leave, [181] 848 ; 2R. [182] 1599, 1609
Convicts' Property, Comm. [183] 430
Exchequer and Audit Departments, Comm. cl. 18, [182] 2009 ; Consid. cl. 4, Amendt. [183] 421
Ireland—Imprisonments in, Res. [184] 499
Juries in Criminal Cases, 2R. [181] 868, 879
Labouring Classes' Dwellings, Comm. cl. 9, [182] 814
Landlord and Tenant (Ireland), Leave, [184] 298
Public Money—Standing Orders, [182] 601
Railway Travelling (Ireland), 2R. [182] 243, 262
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Supply—New Houses of Parliament, [182] 914, 927 ;—University of London, [183] 184, 185 ;—Holyhead and Portpatrick Harbours, 194 ;—Public Buildings (Ireland), 195 ;—Audit Office, 199 ;—Probate and Divorce, &c. Courts, 210
Transubstantiation, &c. Declaration Abolition, Leave, [182] 641 ; 2R. 2008 ; Comm. [183] 2134 ; [184] 89
Votes and Proceedings, [181] 106

O'NEILL, Mr. E., Antrim Co.

Cattle Plague, [183] 1688
Ireland—City Prisons in, [184] 36
Supply—Non-conforming, &c. Ministers, [183] 829

ONslow, Mr. G. J., Guildford

Ballot, The, Res. [184] 990
Representation of the People, 2R. [182] 1971 ; Comm. [183] 1917

O'REILLY, Mr. M. W., Longford Co.

Army—Cavalry Horses, [181] 1711 ;—Indian Reliefs, [182] 518 ;—Regiments in India, 1509 ;—War Office Warrants, [183] 669
Army Estimates—Land Forces, [181] 1551 ;
—Native Indian Troops, 1583 ;—Pay and Allowances, 1586 ;—Clothing Establishments, 1753 ;—Disembodied Militia, 1767 ;
—Military Education, [182] 473, 476 ;
—Administration of the Army, 799, 807
Ireland—Fatal Riot at the Election for Monaghan, [182] 452, 453 ; Explanation, [183] 438 ;—Drilling of Tenants, [182] 488 ;—Official Oaths, [183] 160 ;—National Education, Motion for a Committee, 990, 1029
Navy Estimates—Half Pay, [182] 468
Papal States—Brigandage in the, [182] 841
Prison Ministers' Act, Res. [184] 1435
Reformatory Schools, Comm. cl. 12, Amendt. [184] 1610, 1611
Saturday Half Holiday, [183] 172, 174, 177
Supply—Ancient Laws, &c. (Ireland), [183] 835 ;—Post Office Salaries, &c. [184] 912

ORKNEY, Earl of

Navy—Collision of H.M.S. "Amazon" and the "Osprey," [184] 774

OSBORNE, Mr. R. B., Nottingham

Army—Breech-loading Guns, [184] 832, 837 ;
—Lancaster Rifle, 1662 ;—Cavalry Barracks at Nottingham, 2134
Bribery at Elections, Res. [183] 1450, 1458
Fortifications (Provisions for Expenses), 2R. [184] 1669, 1671
Habees Corpus Suspension (Ireland) Act Continuance, 2R. [184] 1957
Ireland—The Irish Bench, [184] 883 ;—Habees Corpus Act Suspension, 1532
Ministerial Crisis, Motion for Adjournment, [184] 698
Navy—The "Royal Sovereign," [184] 1166, 1167
Reform Meeting in Hyde Park, [184] 1385, 1536
Representation of the People, Comm. [183] 1323, 1333, 1314 ; cl. 4, [184] 434 ; cl. 5, 627

OTWAY, Mr. A. J., Chatham

Army Estimates—Military Education, [182] 478, 479
Bribery at Elections, Res. [183] 1468
Contagious Diseases, Comm. Schedule, [182] 2178
Dockyard Franchise and the Ballot, [182] 284 ;—Voters, 1508
Fenianism in America, [181] 1044
Frankfort—British Minister at, [184] 1665
India—Expedition to Bhootan, [181] 1198 ;—Transfer of the Capital to Simlah, [184] 1615
Labouring Classes' Dwellings, Comm. cl. 4, [182] 813
Limited Liability Companies, [184] 499
Marine Mutiny, Comm. cl. 39, [181] 1787
Mutiny, Comm. cl. 22, [181] 1883
Navy—Engineers in the, [181] 1845
Navy Estimates—Dockyard Salaries, Motion for Adjournment, [181] 1874, 1877 ;—Half Pay, [182] 468
Prussian Requisitions on Frankfort, [184] 1535
Reform Meeting in Hyde Park, [184] 1414
Representation of the People, 2R. [182] 2138
Supply—University of London, [183] 188

Outlawries Bill

c. Bill "for the more effectual preventing Clannestine Outlawries" read 1^o * Feb 6

Overseers of the Poor (Small Parishes) Bill (*Mr. Howes, Mr. Bagge, Mr. De Grey*)

c. Ordered; read 1^o * July 17 [Bill 214]

Read 2^o * July 19

Committee*; Report July 23

Read 3^o * July 24

l. Read 1^o * (*Earl of Devon*) July 26 (No. 225)

OVERSTONE, Lord

Art, 2R. [181] 808; Comm. cl. 1, 885

Companies' Act (1862) Amendment, Comm. [183] 2028, 2033

Gas Light and Coke Company, 2R. [184] 709

Public Loan Acts, [181] 594

Railway Companies' Borrowing Powers, [181] 338

Railways, Finance of, [183] 867

Royal Academy—Burlington House, [183] 1035

West Middlesex Water, Comm. [182] 1978

OXFORD, Bishop of

Bishoprics of Cape Town, Adelaide, and British Columbia, [184] 518; Motion for an Address, 808

Colonial Bishoprics, [184] 918

Ecclesiastical Commission, Comm. cl. 1, [184] 367; cl. 4, 368; cl. 28, 372; cl. 2, Amendt. 373

Law of Capital Punishment Amendment, 2R. [183] 244; Comm. cl. 13, [184] 457

Marriages (Sydmonton), 2R. [184] 772; Comm. 817

Persia—Nestorians in, [183] 566

Selling and Hawking Goods on Sunday, Comm. [183] 945

Oyster Bed Licences (Ireland) Bill

(*Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland, Mr. C. Fortescue*)

c. Ordered; read 1^o * June 4 [Bill 175]

Read 2^o * June 12

Committee*; Report July 16

Considered as amended* July 17

Read 3^o * July 18

l. Read 1^o * (*The Earl of Devon*) July 19

Read 2^o * July 23 (No. 205)

Committee* July 26

Report* July 27

Read 3^o * July 30

Royal Assent August 6 [29 & 30 Vict. c. 88]

Oyster Cultivation (Ireland) Bill

(*Lord Naas, Mr. Hunt*)

c. Ordered; read 1^o * July 25 [Bill 243]

Read 2^o * July 26

Committee*; Report July 27

Considered as amended* July 30

Read 3^o * July 31

l. Read 1^o * (*The Earl of Belmore*) August 2

Read 2^o * August 3 (No. 257)

Committee*; Report August 6

Read 3^o * August 7

Royal Assent August 10 [29 & 30 Vict. c. 97]

Oyster Culture—Sea Fisheries Commissioners, Report of the

Observations, Mr. Hunt; Reply, Mr. Milner Gibson April 9, [182] 891; Observations; Question, The Marquess of Clanricarde; Answer, Lord Stanley of Alderley April 20, 1753—Report, Vol. 1. [3596, 3596-1]

Oyster Fisheries Bill

(*Mr. Milner Gibson, Mr. Monsell*)

c. Ordered* May 29

Read 1^o * May 30

Read 2^o * June 4

Committee; Report July 16, [184] 915

Considered as amended* July 19

Read 3^o * July 20

l. Read 1^o * (*The Earl of Belmore*) July 23

Read 2^o July 26, 1497 (No. 212)

Committee* July 27 (No. 239)

Report* July 30 (No. 243)

Read 3^o * July 31

Royal Assent August 6 [29 & 30 Vict. c. 85]

Oyster Fisheries, Deep Sea

Question, Mr. Stephen Cave, 970; Answer, Mr. Milner Gibson Feb 23, [181] 1023; discussion thereon

Oyster Fisheries—New Shoreham Authorities

Question, Mr. Stephen Cave; Answer, Mr. Milner Gibson April 26, [182] 2075

PACKE, Colonel G. H., *Lincolnshire, S.*

Cattle Plague, Comm. cl. 30, [181] 945

PACKE, Mr. C. W. *Leicestershire, S.*

Cattle Diseases, Comm. cl. 21, [181] 573

Clerks to Justices, 2R. [183] 650

PAGET, Vice-Admiral Lord C. E. (Secretary of the Admiralty), *Sandwich*

"Bellerophon," The, [182] 491

Captains' Pensions, [182] 490

Contagious Diseases, 2R. [182] 814; Comm. 15, 2177

Devonport Election, [181] 1291, 1296, 1299,

1303; Explanation, 1505, 1513, 1808

East India Squadron, [182] 553

Engineers, Naval, [184] 1843, 1844

Greenwich Hospital Estates, [181] 813

Iron-Clad Ships, [182] 839

"Lord Warden," The, [182] 812

Marine Mutiny, Comm. cl. 28, [181] 1781

Masters in the Navy, [181] 1321

181] Navy Estimates—Men and Boys, 1142, 1161,

1162, 1169, 1173, 1330, 1332, 1335, 1336,

1338, 1350, 1351, 1352, 1358, 1366;—Coast-

guard Service, 1367;—Marine Divisions,

1368, 1779;—Admiralty Office, 1848;—

182] Naval Stores, 326, 329, 331, 340, 344, 345,

347, 352;—Half Pay, 467, 470, 472, 555,

562, 563

Re-construction of the Navy, [182] 319, 321

Whitworth Guns, [182] 839

Widows of Civil Engineers, [182] 1647

Paget, Lord Clarence, and the Holy Father

Question, Mr. Whalley; Answer, Lord Henry Lennox *July 20*, [184] 1258

PAKINGTON, Right Hon. Sir J. S. († First Lord of the Admiralty), *Droitwich*

— Address in Answer to the Speech, Motion for Adjournment, [181] 273, 274; Report, 312

† Armour-clad Ships for the Pacific, [184] 2054

“Bellerophon,” The, [182] 490; † [184] 2038

Cattle Disease—Compensation for Slaughtered Cattle, [182] 283, 496

Cattle Diseases, Comm. *cl.* 13, [181] 542; *cl.* 31, Amendt. 613

Cattle Plague, Comm. *cl.* 18, [181] 790

Cattle Plague, The, [183] 1688

† Ceylon—Survey of the Coast, [184] 1165

† Collision between the “Amazon” and the “Osprey,” [184] 1279

Devonport Election, [181] 1287, 1306, 1507, 1808

Education—Committee of Council, [181] 451

Elective Franchise, 2R. [183] 1495

Gas Light and Coke Company, Consid. [184] 229

“Great Northern” Steamship, [184] 49

† Ireland—Docks at Hawlboline, [184] 2033

Jamaica Government, [181] 450, Leave, 583; 2R. 918

“London,” Loss of the, [181] 307, 507, 508; [182] 524, 539, 540, 551

† Masters and Staff Commanders, [184] 822

Medical Officers, [184] 115, † 938

Merchant Ships, Loss of, [183] 771

† Naval Reserve, [184] 2053

Navy Estimates, [181] 1142; —Men and Boys, 1146, 1149, 1157, 1173, 1327, 1343; —Naval Stores, [182] 331, 337, 352, 354; —Half Pay, 469, 471, 472, 557

† Navy, State of the, [184] 1194

† Non-armour-plated Ships, [184] 2036

Palmerston, Viscount, Monument to, Comm. Res. [181] 917

Representation of the People, Leave, [182] 45; Comm. [183] 1572, 1946

† Royal Dockyards, Res. [184] 1514, 1516, 1518, 1523, 2057, 2062, 2068

† Royal Dockyards, Officers of, [184] 2032

† “Royal Sovereign,” The, [184] 1166

† Savings Banks for Navy, [184] 2162

† Supply—Supplementary Estimates, [184] 1299;

—Public Education, Great Britain, 1358; —Science and Art Department, 1573

Ways and Means—Financial Statement, Comm. Res. 1, [183] 411

PALE, Sir L., *Devonshire, N.*

Duchy of Cornwall, [183] 362

Electoral Returns, [182] 1777

Members’ Appropriation of Seats in the House, [182] 1766

Navy—Masters and Staff Commanders in the, [181] 1317; [184] 822

New Palace Yard, Works in, [181] 1525

Representation of the People, [183] 166; Comm. 1326; *cl.* 4, [184] 200, 427, 429, 430

Shipwrecks in Torbay, [183] 463, 468

Spain and Chile—War between, [183] 965

Supply—University of London, [183] 186, 191

PALMER, Sir R., (see also ATTORNEY GENERAL, The), *Richmond*

Compulsory Church Rate Abolition, 2R. [184] 1046, 1052, 1851, 1852

Elections (Returning Officers), Comm. Preamble, [184] 1023; *cl.* 2, Amendt. 1025

Extradition Treaties Act Amendment, 2R. [184] 2026, 2028

Jamaica—Disturbances in, Res. [184] 1831

Reformatory Schools, Comm. *cl.* 14, [184] 1697

Palmerston, Viscount, Monument to

[181] Notice, The Chancellor of the Exchequer *Feb 20*, 818; considered in Committee, and

an humble Address agreed to *Feb 22*, 910; Resolution reported, and agreed to *Feb 23*,

1059; Her Majesty’s Answer to Address reported *Feb 27*, 1199

Parishes (Scotland) Act (1844) Amendment Bill

(Mr. Waldegrave-Leslie, Sir James Fergusson)

c. Ordered; read 1^o * *July 23* [Bill 232]

Read 2^o * *July 25*

Committee *; Report *July 26*

Read 3^o * *July 27*

l. Read 1^a * (The Earl Graham) *July 27*

Read 2^a * *July 30* (No. 235)

Committee *; Report *July 31*

Read 3^a * *August 2*

Royal Assent *August 6* [29 & 30 *Vict.* c. 77]

PARKER, Major Windsor, *Suffolk, W.*

Cattle Plague, Comm. *cl.* 18, [181] 790

Parliament

MEETING OF THE NEW PARLIAMENT.

The Parliament opened by Commission *Feb 1*

The Session of Parliament opened by THE QUEEN in Person *Feb 6*, [181] 21; The LORD

CHANCELLOR, taking direction from HER MAJESTY, delivered

Her Majesty’s Most Gracious Speech

LORDS—

ADDRESS TO HER MAJESTY in Answer to Her

Most Gracious Speech, moved by The Marquess of NORMANBY (the Motion being seconded by The Earl of MORLEY) and, after

long debate, agreed to *Feb 6*, [181] 27

HER MAJESTY’S ANSWER TO THE ADDRESS reported *Feb 9*, [181] 278

Chairman of Committees—The Lord Redesdale

appointed, *Nine Dissentiente*, to take the Chair in all Committees of this House for

this Session *Feb 6*, [181] 105

Approaches, Houses of Parliament, Question, The Earl of Shrewsbury; Answer, Earl

Granville *Mar 6*, [181] 1591

Committee of Selection—nominated *Feb 8*

Easter Recess—The House adjourns from *March 23* to *April 12*

Conferences—Resolved, That the Lords are willing to receive from the Commons, by Message, without a Conference, any Communication desiring the Concurrence of this House to any Address to Her Majesty, under

[cont.]

PARLIAMENT—LORDS—*cont.*

the Provisions of the Act Fifteenth and Sixteenth Victoria, Chapter Fifty-seven, to which the Commons may have agreed, unless at any Time the Commons should desire to communicate the same at a Conference: And a Message sent to the Commons, to acquaint them therewith (*The Chairman of Committees*) April 24, [182] 1985

Conferences—Message from the Commons to acquaint their Lordships, "That the Commons are willing to send to the Lords by Message, without a Conference, any Communication desiring the Concurrence of the Lords to any Address to Her Majesty, under the provisions of the Act 15th and 16th Vict. Cap. 57, to which the Commons may have agreed, unless at any Time the Lords should desire to receive the same at a Conference" April 27, [183] 3

Oath to be taken by Peers—Standing Order, Resolved, That the Oath appointed by the Act of the present Session of Parliament, intituled "An Act to amend the Law relating to Parliamentary Oaths," to be made and subscribed by Members of both Houses of Parliament on taking their Seats in every Parliament, be made and subscribed by Members of the House of Peers betwixt the Hours of Nine in the Morning and Five in the Afternoon May 3, [183] 335

Private Bills—Standing Order No. 184, Select Committee nominated June 8, as follows:—*Ld. President*, D. Cleveland, M. Lansdowne, M. Salisbury, M. Bath, E. Lucan, E. Belmore, E. Grey, E. Stradbroke, V. Eversley, L. Redesdale, L. Somerhill, L. Portman, L. Stanley of Alderley, L. Overstone; June 11, Viscount Halifax, The Earl of Bessborough, Lord Taunton added

Standing Orders Committee—appointed Feb 8
Whitsuntide Recess—On Motion of Earl Russell May 18, [183] House adjourned to Monday the 28th instant

The Parliament Prorogued to Thursday, 25th October next, August 10

COMMONS—

MEETING OF THE NEW PARLIAMENT Feb 1

The House, being summoned by the Yeoman Usher of the Black Rod, goes up to the House of Peers; and a Commission having been read for opening and holding the Parliament, The LORDS COMMISSIONERS directed the House to proceed to the Election of a Speaker Feb 1

Choice of a Speaker, The Right Hon. John Evelyn Denison unanimously called to the Chair Feb 1, [181] 4;—*Mr. Evelyn Denison*, Speaker Elect of the House of Commons, presented and approved Feb 2, 17;—*Illness of Mr. Speaker*—*Mr. Dodson*, the Chairman of the Committee of Ways and Means, sat as Deputy Speaker Mar 9, and on subsequent occasions

THE QUEEN'S SPEECH reported; Resolution for an humble ADDRESS thereon moved by Lord FREDERICK CAVENDISH (the Motion being seconded by Mr. GRAHAM); after long debate, Debate adjourned Feb 6, [181] 107; Adjourned Debate on Resolution for an Address Feb 8, 195

PARLIAMENT—COMMONS—*cont.*

Amendt. to leave out from "our," and add "deep regret to Her Majesty that wide-spread disaffection exists in Ireland, and humbly to represent to Her Majesty that this wide-spread disaffection is the result of grave causes, which it is the duty of Her Majesty's Ministers to examine into and remove" (*The O'Donoghue*); Question, "That the words, &c.;" after long debate, Amendt. withdrawn

Amendt. to add same words at the end of the paragraph (*The O'Donoghue*); Question, "That the words, &c.;" A. 25, N. 346; M. 321

Original Question agreed to; Committee appointed, to draw up an Address to be presented to Her Majesty upon the said Resolution; Report of Address brought up, and read; after long debate, agreed to; to be presented by Privy Councillors Feb 9, [181] 312

HER MAJESTY'S ANSWER TO THE ADDRESS reported Feb 12, [181] 434

Votes and Proceedings of this House—Certain alterations adopted Feb 6, [181] 106

Sub-Committee for the Journals—appointed Feb 6

Controverted Elections, General Committee of Elections (*by Mr. Speaker's Warrant*), List of the Committee Feb 21, [181] 879

Printing Committee appointed and nominated Feb 8, [181] 277

Public Petitions—Committee appointed and nominated Feb 12, [181] 434

Standing Orders—Select Committee on, nominated Feb 12, [181] 342

Committee of Selection nominated Feb 12, [181] 342

Chairman's Panel reported Feb 27, [181] 1238

Business of the House, Government Notices of Motion, Question, Mr. Darby Griffith; Answer, Sir George Grey Feb 9, [181] 307

Fire and Marine Assurances, Terminable Annuities Bill, Question, Mr. Laing; Answer, Mr. Hubbard May 24, [183] 1199

Terminable Annuities Bill, Question, Mr. H. B. Sheridan; Answer, The Chancellor of the Exchequer June 15, [184] 475

Business, Order of, on Friday Evenings (Mr Baillie Cochrane) May 28, [183] 1312

Committees—Ascension Day, Ordered, That no Committees have leave to sit To-morrow, being Ascension Day, until Two of the Clock (*Mr. Chancellor of the Exchequer*) May 9, [183] 644

Committees—Resignation of Ministers, Leave given to all Committees to sit notwithstanding the Adjournment of the House June 19

Conferences—Lords Message [24th April] considered April 26

Day of Humiliation—Committees—Moved, "That no Select Committees do meet To-morrow, before One of the clock" (*Mr. Chancellor of the Exchequer*) Mar 19, [182] 498; after long debate. A. 259, N. 112; M. 147;—Totnes, Great Yarmouth, Nottingham, and Bridgnorth Election Committees to meet at One of the clock Mar 19

Easter Recess, The, Question, Colonel Wilson Patten; Answer, The Chancellor of the Exchequer Mar 8, [181] 1711

[*cont.*]

[*cont.*]

PARLIAMENT—COMMONS—*cont.*

Easter Recess, Order of Public Business, Question, Mr. Baillie Cochrane; Answer, The Chancellor of the Exchequer *Mar 23*, [182] 839; Statement, The Chancellor of the Exchequer *Mar 23*, 856

Easter Recess—The House adjourns from *March 23* to *April 9*

Members' Appropriation of Seats in the House, Question, Major Stuart Knox; Answer, Mr. Speaker; short discussion thereon *April 20*, [182] 1764

Morning Sitings, Moved, "That the House do at Twelve o'clock To-morrow resolve itself into Committee of Supply" (Mr. Chancellor of the Exchequer) *June 18*, [184] 535; after short debate, Motion agreed to

New Palace Yard, Works in, Observations, Mr. Powell; Reply, Mr. Cowper *Mar 5*, [181] 1520

Oaths of Members—Resolved, That Members may take and subscribe the Oath required by Law, at any time during the sitting of the House, before the Orders of the Day and Notices of Motions have been entered upon, or after they have been disposed of; but no debate or business shall be interrupted for that purpose (Sir George Grey) *April 30*, [183] 162; Ordered, That the said Resolution be a Standing Order of this House

Standing Order of the 15th day of August 1860, relative to the swearing of persons professing the Jewish religion, read, and repealed

Police at the Houses of, Question, Lord Robert Montagu; Answer, Mr. Knatchbull-Hugessen *May 14*, [183] 872; *May 28*, 1312

Privileges of the House—Return of Writs, Explanation, Sir Stafford Northcote *July 17*, [184] 942

Public Business—see *Ministers, Resignation of*

Public Money—Standing Orders, Resolutions (Mr. Ayrton) agreed to, after debate *Mar 20*, [182] 591; Ordered, That the said Resolutions be Standing Orders of this House

Standing Order 19th July, 1854, Committee—Amendments on Motion, "That Mr. Speaker, &c.;" Question, Mr. Darby Griffith; Answer, Mr. Speaker *June 5*, [183] 1946

Standing Order, Standing Order No. 52 read; Amendt. To add at the end "and shall specify by a denoting mark against each name, which, if any, of the persons named in such book of reference as owners or reputed owners, lessees or reputed lessees, and occupiers, belonging to the labouring classes; and all weekly tenants and lodgers shall be deemed to belong to the labouring classes" (Mr. Thomas Hughes) *Mar 9*, [181] 1792; Question, "That those words, &c.;" after debate, Amendt. withdrawn

Whitsuntide Recess—Question, Mr. Bouverie; Answer, The Chancellor of the Exchequer *May 7*, [183] 484

On Motion of The Chancellor of the Exchequer *May 18*, House adjourned to Thursday the 24th instant

Prorogation of the Parliament, The House attends the Lords Commissioners in the House of Peers *August 10*, [184] 2166

Parliamentary Oaths

Observations, Lord Ravensworth *Feb 8*, [181] 188; Question, Sir Henry Winston Barron; Answer, Mr. Disraeli *Mar 9*, 180

Parliamentary Oaths Bill

(Sir G. A. Grey, Mr. Chancellor of the Exchequer)

181] c. Acts read; considered in Committee; after long debate, Resolution agreed to; Bill ordered; read 1^o *Feb 13*, 450 [Bill 13]

. Moved, "That the Bill be now read 2^o" (Sir George Grey) *Mar 8*, 1712; Amendt. to leave out "now," and add "upon this day six months" (Mr. Newdegate); after long debate, Question, "That 'now,' &c.;" A. 293, N. 5; M. 293; List of the Noes, 1736; main Question agreed to; Read 2^o *Mar 8*

182] Order for Committee read; Moved, "That Mr. Deputy Speaker do now leave the Chair" (Sir George Grey) *Mar 15*, 289; after debate, Motion agreed to

. Bill considered in Committee and reported, 297

. Considered as amended *Mar 16*, 480

. Moved, "That the Bill be now read 3^o" (Sir George Grey) *Mar 19*, 509; Read 3^o after long debate

l. Read 1^a* (Earl Russell) *Mar 20* (No. 54)

. Moved, "That the Bill be now read 2^a" *April 16*, 1322; Read 2^a after long debate

. Protest against the second reading, 1354

. Committee; Amendts. made *April 19*, 1616

(No. 76)

. Amendts. reported; after short debate, agreed to *April 20*, 1759

Read 3^a* *April 23* (No. 119)

. c. After short debate, Lords' Amendts. agreed to *April 26*, 2176

l. Royal Assent *April 30* [29 Vict. c. 19]

Parliamentary Reform, &c.—see Representation of the People Bill

Parochial Buildings (Scotland) Act Amendment Bill

(Mr. Waldegrave-Leslie, Mr. W. Miller, Sir William Stirling-Maxwell)

c. Ordered; read 1^o* *July 19* [Bill 222]

Read 2^o* *July 20*

Committee*; Report *July 23*

Read 3^o* *July 24*

l. Read 1^a* (The Duke of Montrose) *July 26*

Read 2^a* *July 30* (No. 226)

Committee*; Report *July 31*

Read 3^a* *August 2*

Royal Assent *August 6* [29 & 30 Vict. c. 75]

Patent Office — Proceedings against Mr. Edmunds

Question, Sir James Fergusson; Answer, The Attorney General *May 10*, [183] 767

Patents, Specifications of

Question, Mr. Darby Griffith; Answer, The Attorney General *May 15*, [183] 961

Patriotic Fund Bill

(General Peel, Sir J. Pakington, Mr. J. A. Smith)

- c. Ordered; read 1^o * July 31
 Read 2^o * August 1 [Bill 257]
 Committee*; Report August 2
 Read 3^o * August 4
 l. Read 1^a * (The Lord President) August 4
 Read 2^a * August 6 (No. 277)
 Committee*; Report August 7
 Read 3^a * August 8
 Royal Assent August 10 [29 & 30 Vict. c.120]

Patriotic Fund, The Royal

Question, Earl Nelson; Answer, The Duke of Somerset June 1, [183] 1683; Explanation, Earl Nelson June 4, 1769

PATEN, Colonel J. W., Lancashire, N.

- Cattle Diseases, Comm. cl. 13, [181] 539; cl. 33, 628
 Cattle Plague, Comm. cl. 18, [181] 796
 Cattle Statistics, [181] 761
 Committee of Selection, [181] 342, 343
 Easter Recess, [181] 1711
 Helston Election, [184] 716
 Holderness Embankment, &c. 2R. [183] 1972
 Mid-London Railway, 2R. [181] 1595
 Municipal Savings Banks, [182] 135
 Railways (Ireland) — Metropolitan Railway Schemes, [181] 1018, 1285, 1286
 Standing Order No. 52, [181] 1796
 Thames Embankment (North Approaches), &c. Motion for a Committee, [182] 653, 655

PAULL, Mr. H., St. Ives

- Bribery at Elections, Res. [183] 1455
 Gas Light and Coke Company, Consid. [184] 230
 Helston Election, Report, [184] 1543
 Imperial Gas Company, 2R. [183] 582
 Public Health, Comm. cl. 10, Amendt. [184] 1383
 Thames Navigation, Comm. cl. 3, [184] 769

Paupers (Scotland) Bill

(Mr. Cumming-Bruce, Mr. Patton)

- c. Ordered; read 1^o * June 19 [Bill 197]
 Read 2^o * July 19
 Committee*; Report July 20
 Read 3^o * July 23
 l. Read 1^a * (The Earl Graham) July 24
 Read 2^a * July 26 (No. 223)

PEASE, Mr. J. W., Durham, S.

- Coal, Motion for a Commission, [184] 292
 Harbours of Refuge, [183] 1436
 Representation of the People, Comm. cl. 4, [183] 2100

PEEL, Right Hon. Sir R., Tamworth

- Admiralty Court, Leave, [183] 281
 Coal Fields of the United Kingdom, [183] 672; Motion for a Commission, [184] 285
 Compulsory Church Rate Abolition, Leave, [183] 632, 634
 County Prisons, [183] 671
 Established Church, Res. [182] 997
 Gas Light and Coke Company, Consid. [184] 232

PEEL, Right Hon. Sir R.—cont.

- Irish Bench, The, [183] 800, 801, 802
 Public Health, Comm. cl. 23, [184] 1680
 Queen's University and Queen's Colleges, [181] 811, 812, 964, 905; [184] 755, 821, 842, 856, 857, 891, 896, 897, 899
 Reformatory Schools, Comm. cl. 14, [184] 1692, 1696; Motion for Adjournment, 1697, 1698
 Representation of the People, Comm. cl. 5, [184] 601
 Smoke Nuisance, The, [181] 448, 1810, 1823; [182] 1772
 Stephens, Escape of, Motion for Papers, [182] 760, 761, 762
 Sullivan, Professor, and Sir R. Peel, Explanation, [184] 1302; Observations, Mr. Monsell, 1285
 Supply—Embassies, &c. [183] 735, 736
 Tame Valley Viaduct, [181] 868, 969; [182] 140
 Tenants' Improvements in Ireland, [183] 769
 Vaccination, Comm. [182] 1105, 1106, 1111

PEEL, Right Hon. Lt.-Gen. J., († Secretary of State for War) Huntingdon

- Army Estimates, [181] 1525;—Land Forces, 1544, 1579;—Clothing Establishments, 1757;—Barrack Establishment, 1762;—Manufacturing Establishment, 1773, 1774; [182] 473;—Military Education, 473, 476, 479;—Administration of the Army, 797, 806, 808;—† Manufacturing Departments, [184] 1338, 1343
 † Artillery—Whitworth Guns, [184] 1531
 † Cavalry Barracks, Nottingham, [184] 2134
 Congress, Abandonment of the, [183] 1947
 † 11th Hussars and Breech-loading Guns, The, [184] 836, 840, 842, 938
 Europe—State of, [184] 141
 † Fortifications (Provisions for Expenses), 2R. [184] 1670, 1672, 1674
 † Insane Soldiers at Netley, Asylum for, [184] 1532
 † Lancaster Rifle, [184] 1663
 Medical Officers, Motion for Papers, [183] 593; † [184] 1165
 † Military Store Department, [184] 1266
 † Mutiny Act, The, [184] 2054
 † Ordnance Corps, [184] 1658
 † Prussian Cartridge Pouches, [184] 1662
 † Purday's Expanding Bullet, [184] 1661
 Re-distribution of Seats, Leave, [183] 514
 Representation of the People, 2R. [182] 1202
 † Royal Engineers, Commissions in the, [184] 823, 1534
 Royal Military College, Motion for a Commission, [182] 437
 † Supply—Increased Pay, &c. (Medical Officers, Royal Navy), [184] 1578, 1579
 Thames Embankment (North Approaches), &c. Motion for a Committee, [182] 651

PEEL, Mr. A. W., Warwick

- Cattle Diseases, Comm. cl. 26, [181] 606
 Compulsory Church Rate Abolition, 2R. [184] 1853
 Representation of the People, Leave, [182] 179; Comm. [183] 1746
 Thames Navigation, Comm. cl. 3, [184] 769; cl. 58, 936

PEEL, Mr. J., *Tamworth*
Agricultural Statistics, [181] 1504

PENNANT, Colonel Hon. E. G. DOUGLAS-
Carnarvonshire
Cattle Diseases, Comm. cl. 43, [181] 632
Cattle Plague, Comm. cl. 17, [181] 784; cl. 35,
854, 859
Cattle Plague, The, [182] 497
Turnpike Roads, 2R. [182] 2064
Turnpike Trusts, [182] 465

Pensions Bill

(Mr. Attorney General, Mr. Chancellor of the
Exchequer, Mr. Childers)

c. Ordered, after short debate; read 1° Feb 12,
[181] 427 [Bill 8]
Read 2° * Feb 19
Committee*; Report Feb 26 [Bill 40]
Committee* (on re-comm.); Report Mar 5
Read 3° * Mar 9
Lords Amendts July 31 [Bill 249]
l. Read 1° * (The Lord Chancellor) Mar 12
Read 2° * May 29 (No. 47)
Considered in Committee, after short debate
June 5, [183] 1934 (No. 144)
Report * June 7
Read 3° * June 8
Royal Assent August 6 [29 & 30 Vict. c. 68]

PERCY, Major-General Lord H. H. M.,
Northumberland, N.
Army Estimates—Clothing Establishments,
[181] 1753;—Martial Law, 1763, 1764
Army—Medical Officers, Motion for Papers,
[183] 587
Ballot, The, Res. [184] 989

Persia—Nestorians in

Question, Viscount Stratford de Redcliffe;
Answer, The Earl of Clarendon May 8, [183]
564

Petit Juries (Ireland) Bill

(Mr. Attorney General for Ireland, Mr.
Solicitor General for Ireland)

c. Ordered; read 1° * Feb 26 [Bill 41]
Bill withdrawn * July 16

PETO, Sir S. M., *Bristol*

Navy Estimates—Men and Boys, Motion for
Adjournment, [181] 1172, 1173, 1322;—
Dockyard Salaries, 1875
Navy—State of the, [184] 1210, 1214
Smoke Furnaces, [181] 1824

PHILIPS, Mr. R. N., *Bury*

Representation of the People, Leave, [182]
178

Pier and Harbour Orders Confirmation Bill

(Mr. Milner Gibson, Mr. Monsell)

c. Resolution in Committee; Bill ordered; read
1° * May 9 [Bill 148]
Read 2° * May 14

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Pier and Harbour Orders Confirmation Bill— cont.

Referred to Select Committee May 24; Com-
mittee nominated as follows:—Sir Lawrence
Palk (Chairman), Mr. Calcraft, Sir Edmund
Lechmere, and Captain Mackinnon

Report of Select Committee June 12

Committee* (on re-comm.) June 14

Committee* (on re-comm.); Report June 18

Read 3° * July 5 [Bill 188]

l. Read 1° * (The Earl of Belmore) July 6

Read 2° * July 17 (No. 185)

Committee* July 19

Report * July 20

Read 3° * July 23

Royal Assent August 6 [29 & 30 Vict. c. 56]

Pier and Harbour Orders Confirmation

(No. 2) Bill (Mr. M. Gibson, Mr. Monsell)

c. Resolution in Committee; Bill ordered *
May 29

Read 1° * May 30 [Bill 170]

Read 2° * June 4

Referred to Select Committee June 14

Report of Select Committee June 25

Committee*; Report July 5

Read 3° * July 9

l. Read 1° * (The Earl of Belmore) July 10

Read 2° * July 20 (No. 187)

Committee*; Report July 23

Read 3° * July 24

Royal Assent July 30 [29 & 30 Vict. c. 58]

PIE, Mr. J., *Dublin City*

Admiralty Court (Ireland), Leave, [183] 281

American Mails, [184] 2051

Charitable Donations and Bequests (Ireland),
2R. [184] 1468

Habeas Corpus Suspension (Ireland) Act Con-
tinuance, 2R. [184] 1982

Hop Trade, 2R. [182] 1597

Ireland—Railways, Motion for Returns, [184]
1179;—Court of Admiralty, 1551

Landed Estates Court (Ireland), Comm. cl. 2,
[184] 1638; cl. 6, 1640; add. cl. 1643

Marriage with a Deceased Wife's Sister, 2R.
[183] 316

Railway Travelling (Ireland), 2R. [182] 254

Representation of the People, 2R. [182] 1186;
Comm. [183] 1838

Representation of the People (Ireland), Leave,
[183] 539

Tenure and Improvement of Land (Ireland),
Leave, [183] 228; 2R. 1102

Transubstantiation, &c. Declaration Abolition,
Leave, [182] 643

PLATT, Mr. J., *Oldham*

Electoral Statistics, [182] 865

Policemen in Plain Clothes

Question, Lord Henry Lennox; Answer, Sir
George Grey Feb 16, [181] 597 (See Fergu-
son, Mr., Case of)

POLLARD-URQUHART, Mr. W., *Westmeath Co.*

- Bribery at Elections, Res. [183] 1465
 County Infirmaries (Ireland), 2R. [182] 241
 Ireland—Established Church, Res. [182] 1025 ;
 —Medical Officers, Res. [183] 1954
 Malt Duty, Res. [182] 1540
 Navy Estimates—Half Pay, [182] 468
 Supply—Charity Commission, [183] 202 ;—
 Non-conforming, &c. Ministers, 829 ;—Civil
 Contingencies, 840
 Ways and Means, Comm. Res. 9, [183] 553

POLWARTH Lord

- Cattle Diseases, Comm. cl. 5, [181] 741 ;
 Orders in Council, 891
 Cattle Plague, The, [181] 437

Poor Law

- Casual Poor*—*Clerkenwell Workhouse*, Question, Mr. Kinnaird ; Answer, Mr. C. P. Villiers *Mar* 9, [181] 1809 ; Question, Lord Burghley ; Answer, Viscount Enfield *Mar* 23, [182] 846
Clerkenwell Union, Guardians of the, Question, Mr. Kinnaird ; Answer, Mr. C. P. Villiers *April* 30, [183] 161
Farnall, Mr., Removal of, from the Metropolis, Question, Mr. C. P. Villiers ; Answer, Mr. Gathorne Hardy *August* 6, [184] 2096
Houseless Poor, Observations, Mr. Davenport-Bromley ; Reply, Mr. Gathorne Hardy *July* 23, [184] 1332
Lambeth Workhouse, Master of, Question, Mr. Oliphant ; Answer, Mr. Gathorne Hardy *August* 6, [184] 2089
Marylebone Workhouse, Question, Mr. O'Beirne ; Answer, Mr. Gathorne Hardy *August* 3, [184] 2036
Medical Officers of Unions—Motion, "That, in the opinion of this House, Her Majesty's Government should now adopt the recommendations of the Select Committee of 1855, which recommended 'Her Majesty's Government to take into consideration the Claims of Ireland to a grant of the half-cost of Medical Officers of Unions, with the view of providing for the same in future, as is now the practice in England and Scotland,' fortified as such recommendation is, by the Report of the Select Committee on Taxation of Ireland in June 1865, who reported that with regard to the grants for Poor Law Medical Officers and Workhouse Schoolmasters, 'it would be reasonable that the same aid should be extended to Ireland as is already extended to England' " (Mr. MacEvoy) *June* 5, [183] 1948 ; after debate, Motion withdrawn
Metropolitan Workhouses, Question, Colonel Hogg ; Answer, Viscount Enfield *June* 14, [184] 376 ; Question, Mr. Davenport-Bromley ; Answer, Mr. C. P. Villiers *June* 26, 683
Metropolitan Workhouses and the Poor Law Board, Question, Mr. Fawcett ; Answer, Mr. Gathorne Hardy *July* 17, [184] 939
Mines and Woods, Rating of, Question, Mr. Stephen Cave ; Answer, Mr. C. P. Villiers *Mar* 2, [181] 1394

Poor Law—cont.

- Outdoor Relief*, Question, Sir Percy Burrell ; Answer, Mr. C. P. Villiers *Mar* 5, [181] 1499
Plymouth, Poor Relief at, Question, Mr. Morrison ; Answer, Mr. Childers *May* 18, [183] 1147
Police Stations, Medical Assistance at, Question, The Marquess Townshend ; Answer, Lord Stanley of Alderley *June* 18, [184] 525
Poor in the Metropolis, Question, Viscount Cranbourne ; Answer, Mr. C. P. Villiers *Feb* 12, [181] 345
Poor Law Board, Edinburgh, Question, Mr. Henry Baillie ; Answer, The Lord Advocate *April* 23, [182] 1872
Poor Law Expenditure—Motion, "That, in the opinion of this House, it is expedient that all items of Poor Law expenditure throughout the United Kingdom, not being in-maintenance or out-relief, or otherwise under the immediate control and direction of Boards of Guardians or Parish Officers, should become a National charge" (Mr. Knight) *April* 24, [182] 2002 ; after debate, Question put, and negatived
Poor Law Officers, Retiring Pensions to, Question, Mr. De Grey ; Answer, Mr. C. P. Villiers *Mar* 15, [182] 286
Poor Law (Scotland), Question, Mr. Dyce Nicol ; Answer, The Lord Advocate *Mar* 6, [181] 1708 ; Question, Mr. Crum-Ewing ; Answer, The Lord Advocate *Mar* 13, [182] 135 ; Observations, Mr. Baxter ; Reply, The Lord Advocate *May* 4, [183] 472
Poor Removal (Ireland), Moved, "That the state of the Law of Removal from Great Britain to Ireland of persons receiving relief is a subject deserving the consideration of Parliament" (Mr. Michael Morris) *June* 12, [184] 299 ; after short debate, Motion withdrawn
Rating, Law of, Question, Mr. Gathorne Hardy ; Answer, Mr. C. P. Villiers ; discussion thereon *Feb* 23, [181] 980
Religious Rights in Workhouses, Question, Mr. Thomas Chambers ; Answer, Mr. C. P. Villiers *April* 19, [182] 1643
St. Pancras Workhouse Infirmary, Question, Mr. Wilbraham Egerton ; Answer, Mr. C. P. Villiers *Mar* 20, [182] 581
Shoreditch Workhouse, Question, Mr. Oliphant ; Answer, Mr. Gathorne Hardy *August* 7, [184] 2135 ; Question, Mr. Alderman Lusk ; Answer, Mr. Gathorne Hardy *August* 10, 2165
Strand Union Workhouse, Question, The Marquess Townshend ; Answer, Earl Granville *April* 20, [182] 1758 ; Observations, The Earl of Carnarvon ; Reply, Earl Granville *April* 23, 1868
Union Chargeability, Extension of, to Scotland, Question, Mr. E. Craufurd ; Answer, The Lord Advocate *Feb* 16, [181] 596
Workhouse Infirmaries, Question, The Earl of Carnarvon ; Answer, Earl Granville *May* 18, [183] 1143

Poor Law Amendment Bill

(Mr. Gathorne Hardy, Mr. Earle)

- c. Ordered; read 1^o * July 18. [Bill 221]
 Read 2^o * July 19
 Committee; Report July 26, [184] 1581
 Considered as amended * July 27
 Read 3^o * July 30
 l. Read 1^a * (The Earl of Devon) July 31
 Read 2^a * August 2 (No. 248)
 Committee*; Report August 6
 Read 3^a * August 7
 Royal Assent August 10 [29 & 30 Vict. c. 113]

Poor Law Officers Superannuation (Scotland) Bill (The Lord Advocate, Mr. Solicitor General for Scotland, Sir George Grey)

- c. Read 1^o * Mar 12 [Bill 66]
 Read 2^o * Mar 20
 Bill withdrawn * July 26

Poor Persons' Burial (Ireland) Bill

(Sir H. Bruce, Sir C. O'Loughlen, Mr. Peel Dawson)

- c. Ordered; read 1^o * Mar 22 [Bill 88]
 Read 2^o * April 10
 182] Committee; Report April 17, 1577
 Considered as amended * April 18
 Read 3^o * April 19
 l. Read 1^a * (The Earl of Belmore) April 20
 Read 2^a after debate April 26, 2039 (No. 77)
 Committee * April 30
 Report * May 3 (No. 94)
 Read 3^a * May 4
 Commons Reasons for disagreeing to a certain Amendment of the Lords considered June 4, 183] 1791; on Question, Whether to insist on the said Amendment? resolved in the negative
 Royal Assent June 11 [29 Vict. c. 38]

Poor Relief (Ireland) Law Amendment Bill (Mr. C. R. Barry, Major Gavin)

- c. Ordered; read 1^o * May 10 [Bill 153]
 Moved, "That the Bill be now read 2^o" (Mr. C. R. Barry), [184] 344; after debate, Debate adjourned June 13
 Bill withdrawn * July 30

PORTARLINGTON, Earl of

Land Tenure and Improvement (Ireland), 1R. [182] 837

PORTMAN, Lord

Private Bills—Standing Order No. 184, [183] 1787, 1789
 Selling and Hawking Goods on Sunday, Report, [183] 1044; 3R. Amendt. 1140, 1141, 1142, 1673

Postmaster General Bill

(Mr. Darby Griffith, Mr. Hatfield)

- c. Ordered; read 1^o * Feb 20 [Bill 25]
 Moved, "That the Bill be now read 2^o" (Mr. Darby Griffith) April 11, [182] 1077; read 2^o after debate
 Committee*; Report April 16
 Considered as amended * April 17
 Read 3^o * April 18

Postmaster General Bill—cont.

- l. Read 1^a * (The Earl Nelson) April 19 (No. 75)
 Read 2^a, after short debate July 20, [184] 1160
 Committee*; Report July 23
 Read 3^a * July 24
 Royal Assent July 30 [29 & 30 Vict. c. 55]

Post Office

Clerks, Question, Viscount Bangor; Answer, Lord Stanley of Alderley May 11, [183] 765

Postage Stamps for Newspapers, Question, Mr. Darby Griffith; Answer, The Chancellor of the Exchequer Feb 23, [181] 979, 1036

Savings Banks and Annuity Offices, Question, Lord Eustace Cecil May 11, [183] 777, Question, Lord Eustace Cecil; Answer, The Chancellor of the Exchequer May 29, 1438

Annual Account—(Parl. P. No. 146)

The General, Question, Mr. Crawford; Answer, Mr. Childers April 26, [182] 2076

Wages of Letter Carriers, Question, Mr. Fawcett; Answer, The Chancellor of the Exchequer Feb 23, [181] 961

POTTER, Mr. T. B., Rochdale

Address in Answer to the Speech, Report, [181] 327

Ireland—Established Church, Res. [182] 990

POWELL, Mr. F. S., Cambridge

Bribery at Elections, Res. [183] 1448

Cattle Plague, Comm. cl. 18, [181] 791

Commons (Metropolis), Leave, [182] 626, 629

Courts of Justice, The New, Res. [182] 786, 787; [183] 183

Education—The Revised Code, [181] 1393, 1394; [183] 1794

Elections (Returning Officers), Comm. cl. 2, [184] 1027

Europe—State of, [184] 160

Fellows of Colleges Declaration, 3R. [183] 2013

Finsbury Estate, 2R. [184] 306

Metropolis—Recent Damage to Hyde Park, [184] 1615

New Palace Yard, Works in, [181] 1520, 1524

Public Health, Comm. [184] 1381; cl. 5, 1383; cl. 23, 1679; cl. 29, Amendt. 1683;

Consid. add. cl. 1906; cl. 19, 1907

Public Libraries Act Amendment, Leave, [181] 1234; Comm. add. cl. [184] 1454

Reformatory Schools, Comm. cl. 10, Amendt. [184] 1606; cl. 12, Amendt. 1612; cl. 23, Amendt. 1698, 1699

Representation of the People, Comm. cl. 5, [184] 582

Royal Academy, Site of the, Motion for Papers, [184] 60

Standing Order No. 52, [181] 1802

Supply—Patent Office, [182] 945, 948; Report, 1074;—University of London, [183]

185;—Labuan, 728;—Emigration, *ib.*;

Public Education, Great Britain, [184]

1348, 1351, 1360

Ways and Means, Comm. Res. 7, [183] 551

POWERSCOURT, Viscount
Tenure (Ireland), 2R. [183] 753

POWIS, Earl of
Consecration of Churchyards (No. 2), Comm. [184] 1497
Ecclesiastical Commission, Comm. cl. 1, [184] 365; Report, cl. 25, 1499
"Greatham Hall" Privateer—Captain Foley, [184] 817
Labouring Classes' Dwellings, 2R. [183] 569
National Gallery Enlargement, 2R. [184] 926
Public Loan Acts, [181] 592
Public Schools, Comm. cl. 5, [183] 1923
Rochdale Vicarage, 2R. [184] 1495; Comm. cl. 12, Amendt. 1655
Straits Settlements, Report, [184] 1994

Practice and Procedure (Ireland) Act
(1853) Amendment Bill
(Mr. Whiteside, Mr. George)

c. Ordered; read 1^o * Mar 16 [Bill 76]

Prince Alfred, Provision for H.R.H.

l. Message from THE QUEEN Feb 20, [181] 807
Ordered, That the said Message be taken into consideration on Thursday next
Her Majesty's Message considered; an humble Address of Thanks and Concurrence ordered
Nemine Dissentiente to be presented to Her Majesty Feb 22, 891
c. Message from THE QUEEN Feb 20, [181] 817
Message from Her Majesty considered in Committee; a Resolution agreed to Feb 22, 902
Resolution reported and agreed to; Bill ordered Feb 23

Prince Alfred's Annuity Bill

(Mr. Dodson, Mr. Chancellor of the Exchequer,
Sir G. Grey)

c. Ordered * Feb 23; read 1^o * Feb 27 [Bill 43]
Moved, "That the Bill be now read 2^o" (Mr. Chancellor of the Exchequer) Feb 28, [181] 1269; read 2^o, after short debate
Committee *; Report Mar 5 [Bill 48]
Committee; Report Mar 6, 1630
Read 3^o * Mar 7
l. Read 1^o * (The Lord President) Mar 8
Moved, "That the Bill be now read 2^a"
Mar 9, 1791; on Question, agreed to;
read 2^a (No. 40)
Committee *; Report Mar 12
Read 3^a * Mar 13
Royal Assent Mar 23 [29 Vict. c. 8]

Princess Helena, Marriage of H.R.H. The

l. Message from THE QUEEN Feb 20 [181] 807
Her Majesty's Message considered; an humble Address of Thanks and Concurrence ordered
Nemine Dissentiente to be presented to Her Majesty Feb 22, 891
c. Message from THE QUEEN Feb 20, [181] 817
Message from Her Majesty considered in Committee; a Resolution agreed to Feb 22, 902
Resolution reported and agreed to; Bill ordered Feb 23
Message considered in Committee of Supply—
Vote £30,000, Marriage Portion of H.R.H. The Princess Helena, agreed to Feb 23;
Resolution reported Feb 26

Princess Helena's Annuity Bill

(Mr. Dodson, Mr. Chancellor of the Exchequer,
Sir G. Grey)

c. Ordered * Feb 23; read 1^o * Feb 27
Read 2^o * Feb 28 [Bill 42]
Committee *; Report Mar 2
Read 3^o * Mar 5
l. Read 1^o * (The Lord President) Mar 8 (No. 39)
Moved, "That the Bill be now read 2^a" Mar 9,
[181] 1789; read 2^a, after short debate
Committee *; Report Mar 12
Read 3^a * Mar 13
Royal Assent Mar 23 [29 Vict. c. 7]

Princess Mary of Cambridge, Marriage
of the

183] Lords—Message from the Queen June 5, 1933
Lords—Her Majesty's Message considered; and an humble Address thereon agreed to *nemine dissentiente* June 7, 2020
Commons—Message from Her Majesty brought up, and read by Mr. Speaker June 5, 1969
Queen's Message [5th June] considered in Committee June 7, 2038; after short debate, Resolved, That the annual sum of Two Thousand Pounds be granted to Her Majesty out of the Consolidated Fund of Great Britain and Ireland, the said Annuity to be settled on Her Royal Highness the Princess Mary Adelaide Wilhelmina Elizabeth, younger daughter of his late Royal Highness the Duke of Cambridge, for her life in such manner as Her Majesty shall think proper, and to commence from the date of the marriage of Her Royal Highness with his Serene Highness Francis Paul Louis Alexander, Prince of Teck, such Annuity to be in addition to the Annuity now enjoyed by Her Royal Highness under the Act of the thirteenth and fourteenth years of Her present Majesty, cap. 77

Princess Mary of Cambridge's Annuity
Bill

(Mr. Dodson, Mr. Chancellor of the Exchequer,
Sir George Grey, Mr. Childers)

c. Ordered; read 1^o * June 8 [Bill 183]
Read 2^o * June 11
Committee *; Report June 12
Read 3^o * June 13
l. Read 1^o * (The Earl Russell) June 14
Read 2^a * June 19 (No. 158)
Read 3^a * June 21
Royal Assent June 28 [29 & 30 Vict. c. 48]

Printing

Select Committee appointed Feb 8, as follows:
—Mr. Bonham-Carter, Sir John Pakington, Mr. Walpole, Mr. Henley, Mr. Secretary Cardwell, Mr. Gaskell, Sir Stafford Northcote, The O'Connor Don, Mr. Hastings Russell, and Mr. Childers

Prison Ministers' Act

Moved, "That, in the opinion of this House, the Prison Ministers' Act has to some extent failed to carry out the intentions of the Legislature, and that its amendment is

[cont.]

Prison Ministers' Act—cont.

therefore a subject which should receive the early consideration of Her Majesty's Ministers" (*The O'Connor Don*) July 24, [184] 1417; after debate, Motion withdrawn

Prisons Act, 1865

Question, The Earl of Carnarvon; Answer, Earl Russell Feb 13, [181] 435; Address for Papers (*The Earl of Carnarvon*) Feb 15, 505; Motion agreed to—(*Parl. P.* No. 28); Question, Mr. Hibbert; Answer, Sir George Grey Mar 1, 1282

Prisons Bill

(*Mr. Secretary Walpole, Mr. Solicitor General*)

- c. Ordered; read 1^o * July 27 [Bill 250]
 Read 2^o * July 30
 Committee*; Report July 31
 Read 3^o * August 1
 l. Read 1st * (*The Earl of Belmore*) August 2
 Read 2nd * August 3 (No. 263)
 Committee*; Report August 6
 Read 3rd * August 7
 Royal Assent August 10 [29 & 30 Vict. c. 100]

Prisons (Ireland) Bill

(*Mr. Chichester Fortescue, Mr. Attorney General for Ireland*)

- c. Ordered; read 1^o * July 5 [Bill 207]
 Bill withdrawn * July 30

Private Bills

LORDS—

Opposed Private Bills, Committee of Selection appointed Feb 8:—Ld. Steward, L. Colville of Culross, L. Colchester, L. Stanley of Alderley, with the Chairman of Committees, a Committee to select and propose to the House the Names of the Five Lords to form a Select Committee for the Consideration of each *Opposed Private Bill*

Standing Order, Committee on, appointed Feb 8: The Lords following, together with the Chairman of Committees, were named of the Committee:—Ld. President, D. Somerset, M. Winchester, M. Lansdowne, M. Bath, M. Ailesbury, E. Devon, E. Airlie, E. Hardwicke, E. Carnarvon, E. Romney, E. Chichester, E. Powis, E. Verulam, E. Saint Germain, E. De Grey, E. Stradbroke, E. Amherst, Ld. Chamberlain, V. Hutchinson, V. Eversley, Ld. Steward, L. Camoys, L. Saye and Sele, L. Colville of Culross, L. Sondes, L. Foley, L. Dinevor, L. Sheffield, L. Colchester, L. Silchester, L. De Tabley, L. Wynford, L. Portman, L. Stanley of Alderley, L. Aveland, L. Belper, L. Ebury, L. Churston, L. Egerton

Ordered, "That no Private Bill brought from the House of Commons shall be read a Second Time after Friday the 29th day of June next;" and other Orders (*The Chairman of Committees*) April 23, [182] 1868

Resolved, That Standing Order 179. Secs. 1. and 2. be suspended; and that the time for depositing Petitions praying to be heard against Private Bills, be extended to Monday the 28th instant May 17

[cont.]

Private Bills—LORDS—cont.

Moved, That the Standing Orders be considered in order to their being amended; Standing Order No. 184, Secs. 2 and 3, to be omitted, and certain other sections added (*The Chairman of Committees*) June 4, [183] 1772

Amendt. to leave out from ("That,") and insert ("a Select Committee be appointed to consider how far it is expedient to amend the Standing Orders relating to Railways") (*The Marquess of Clanricarde*) June 4; after long debate, Amendt. withdrawn; original Motion withdrawn, and a Select Committee appointed to consider alterations in Standing Order No. 184, proposing that a Subscription Contract shall be entered into in certain cases by the Promoters of Second Class Bills

Standing Order No. 184, Select Committee nominated June 8 as follows:—Ld. President, D. Cleveland, M. Lansdowne, M. Salisbury, M. Bath, E. Lucan, E. Belmore, E. Grey, E. Stradbroke, V. Eversley, L. Redesdale, L. Somerhill, L. Portman, L. Stanley of Alderley, L. Overstone; June 11, Viscount Halifax, The Earl of Bessborough, and Lord Taunton added

Standing Orders class., classiv., classv.—considered and amended July 27, [184] 1592; after debate, Ordered, That the said Standing Orders as amended be printed (No. 237)

Standing Orders amended (The Chairman of Committees) August 7, [184] 2128

Private Bills

COMMONS—

Opposed Private Bills—Committee of Selection nominated Feb 12 as follows:—Mr. Bonham-Carter, Mr. Dunlop, Mr. Gregory, Lord Hotham, Mr. Mowbray, and the Chairman of the Select Committee on Standing Orders

Standing Orders Committee nominated Feb 12 as follows:—Colonel Wilson Patten, Mr. Bonham-Carter, Mr. Dunlop, Mr. Edward Egerton, Mr. Gregory, Mr. Henley, Mr. Hankey, Lord Hotham, Mr. Lefroy, and Mr. Walpole

Probate, Court of

Question, Mr. Locke; Answer, Mr. Childers April 9, [182] 889 — *District Registries*, Question, Mr. Monk; Answer, Mr. Childers April 17, 1505

PROBY, Right Hon. Lord (Comptroller of the Household) Wicklow Co.

Address in Answer to the Speech—Her Majesty's Reply, [181] 434

Lancaster Borough Election, Reigate Borough Election, Great Yarmouth Borough Election, Totnes Borough Election—Replies to Addresses, [184] 379

Prosecution Expenses Bill

(*Mr. Goldney, Mr. Goddard*)

- c. Ordered; read 1^o * Feb 20 [Bill 28]
 Read 2^o * Mar 14
 Committee; Report April 18, [182] 1610
 Considered as amended * April 20
 Read 3^o * April 24

[cont.]

Prosecution Expenses Bill—cont.

- l. Read 1st * (*The Lord Chelmsford*) April 26
Moved, "That the Bill be now read 2^a"
May 7, [183] 477; read 2^a, after short
debate (No. 88)
Committee * June 12 (No. 155)
Report * June 14
Read 3^a * June 15
Royal Assent July 23 [29 & 30 Vict. c. 52]

Proxy Voting in Public Companies

Observations, Mr. Darby Griffith; Reply, Sir
Stafford Northcote July 27, [184] 1617

Public Accounts

Select Committee of Public Accounts nomi-
nated Feb 9, as follows:—Mr. Bouverie
(Chairman), Mr. Childers, Mr. Hankey, Mr.
Howes, Mr. Laing, Lord Robert Montagu
(*vac.* July 6), Sir Stafford Northcote (*vac.*
July 6), Mr. Pollard-Urquhart, Mr. Walpole;
July 30, Mr. Hunt, Mr. Selater-Booth added
Parl Papers—
Special Report 113
Report 475

*Public Accounts, Select Committee—Army
and Militia Services Account*

Question, Sir James Fergusson; Answer Mr.
Childers June 26, [184] 683

Public Companies Bill

(*Mr. Darby Griffith, Mr. Robert Torrens*)

- c. Ordered; read 1st * Feb 23 [Bill 35]
Moved, "That the Bill be now read 2^a" (*Mr.*
Darby Griffith) April 18, [182] 1580; read
2^a, after short debate April 18
Committee *; Report May 2
Read 3^a * May 10
l. Read 1st * (*The Earl Nelson*) May 11 (No. 105)
Moved, "That the Bill be now read 2^a"
July 17, [184] 927; after short debate,
Moved, "That the order for second read-
ing be discharged" (*The Earl Nelson*);
Motion agreed to; Order discharged

Public Companies, Proxy Voting in

Observations, Mr. Darby Griffith; Reply, Sir
Stafford Northcote July 27, [184] 1617

Public Expenditure

Amendt. on Committee of Supply Feb 26, To
leave out from "That," and add "the expen-
diture of the Government has of late years
been excessive. That it was and is now
'taken in great measure out of the earnings
of the People, and forms in no small degree
a deduction from the scanty store which is
necessary to secure to them a sufficiency, not
of the comforts of life, but even of the prime
necessaries of food, of clothing, of shelter,
and of fuel'" (*Mr. White*), [181] 1098;
Question, "That the words, &c.;" after long
debate, Amendt. withdrawn

Public Health Acts

Question, Lord Robert Montagu; Answer, Mr.
H. A. Bruce April 20, [182] 1771

Public Health Bill

(*Mr. Bruce, Mr. C. Fortescue, Sir G. Grey*)

- c. Ordered * June 5
Read 1st * June 6 [Bill 180]
184] Moved, "That the Bill be now read 2^a"
(*Mr. Bruce*) June 12, 306; after short
debate, Bill read 2^a, and committed to a
Select Committee
And, on June 14, Committee nominated as
follows:—Mr. Bruce (Chairman), Mr. Ad-
derley, Mr. Stephen Cave, Mr. Evans, Mr.
Chichester Fortescue, Sir John Gray, Sir
Frederick Helygate, Mr. Thomas Hughes,
Mr. Leeman, Mr. Lowe, Lord Robert Mon-
tagu, Lord Naas, Sir Colman O'Loughlin,
Sir Robert Peel, Mr. Powell, Sir Charles
Russell, Mr. Selater-Booth; June 25, Sir
Charles Russell disch., Mr. Knight added
Report of Select Committee June 29 [Bill 202]
Committee July 24, 1876; Comm. R.P.
Committee (*on re-comm.*) July 27, 1644 R.P.
Committee; Report July 30, 1679
Considered as amended August 2, 1905; read
3^a after short debate [Bill 253]
l. Read 1st * (*The Lord President*) August 2
(No. 270)
Moved, "That the Bill be now read 2^a"
August 6, 2070; after short debate, read 2^a;
Committee negative; Standing Orders Nos.
37 and 38 considered and dispensed with;
read 3^a
Royal Assent August 7 [29 & 30 Vict. c. 90]

Public Income and Expenditure

Accounts of Net Public Income and Expendi-
ture of Great Britain and of Ireland; of
gross Income and Expenditure from 1688 to
1800; and from 1800 to present time (*Mr.*
Gladstone) July 24, [184] 1441

Public Journals, Forged Letters to the

Question, Mr. Darby Griffith; Answer, Mr.
Layard June 5, [183] 1940

Public Libraries Act Amendment Bill

(*Mr. W. Ewart, Mr. Dunlop*)

- c. Ordered; read 1st Feb 27, [181] 1234 [Bill 44]
Read 2nd * April 11
Committee *; Report April 16
Committee (*on re-comm.*); Report July 25,
[184] 1453 [Bill 104]
Considered as amended * July 26 [Bill 241]
Read 3rd * July 30
l. Read 1st * (*The Earl of Shaftesbury*) July 31
Moved, "That the Bill be now read 2^a"
August 3, 1995; read 2^a after short debate
(No. 249)
Committee *; Report August 6 (No. 279)
Read 3^a * August 7
Royal Assent August 10 [29 & 30 Vict. c. 114]

Public Loan Acts, Treasury Minute 1859

Observations, The Earl of Powis; Reply, Earl
Russell Feb 16, [181] 592

Public Money—Standing Orders

Resolutions (*Mr. Ayrton*) agreed to, after debate *Mar 20*, [182] 591; Ordered, That the said Resolutions be Standing Orders of this House

Public Offices (Site) Bill

(*Mr. Couper, Mr. Childers*)

c. Ordered, after short debate; read 1^o *Feb 12*, [181] 433 [Bill 10]
Read 2^o * *Feb 23* and referred to a Select Committee

And, on March 1, Committee nominated as follows:—*Mr. W. Couper* (Chairman), *Mr. Baillie Cochrane*, *Mr. G. G. Glyn*, Captain *Grosvenor*, *Mr. Holford*, *Mr. Beresford Hope*, and *Lord John Manners*

Report of Select Committee *Mar 12*
Committee*; Report *Mar 19* [Bill 62]
Read 3^o * *April 9*

l. Read 1^a * (*Lord Stanley of Alderley*) *April 12*
Read 2^a * *April 24* (No. 67)
Report * *April 26*
Committee*; Report *April 27*
Read 3^a * *April 30*
Royal Assent *May 18* [29 *Vict. c. 21*]

Public Schools

Question, *Mr. Grant Duff*; Answer, The Chancellor of the Exchequer *Feb 23*, [181] 959;
Question, *Sir Stafford Northcote*; Answer, *Sir George Grey* *Mar 13*, [182] 135

Public Schools Bill

(*The Earl of Clarendon*)

l. Presented; read 1^a * *May 11* (No. 110)
183] Moved, "That the Bill be now read 2^a"
May 29, 1408; read 2^a after long debate

. Considered in Committee *June 5*, 1923;
Amendts. made
Report * *June 14* (No. 143)

184] Read 3^a *June 18*, 526; after short debate, Amendt. after ("applies") to insert ("save and except the Power of altering by Statute the Constitution of the Governing Body") (*The Earl of Derby*); after further short debate, Cont. 28, Not-Cont. 27; M. 1;
. List of Cont. and Not-Cont., 529; further Amendts. made

c. Read 1^o * *July 16* [Bill 212]
. Order for 2^o read *August 7*, 2149; after short debate, Order discharged

Public Works, Harbours, &c. [Advances] Bill

(*Mr. Dodson, Mr. Chancellor of the Exchequer, Lord Naas, Mr. Hunt*)

c. Resolution reported; Bill ordered; read 1^o * *July 17* [Bill 218]

Read 2^o * *July 19*
Committee*; Report *July 20*
Read 3^o * *July 23*

l. Read 1^a * (*The Earl of Belmore*) *July 24*
Read 2^a * *July 26* (No. 219)
Committee*; Report *July 27*
Read 3^a * *July 30*
Royal Assent *August 6* [29 & 30 *Vict. c. 72*]

Public Works Loans (Ireland) Bill

(*Mr. Dodson, Mr. Chancellor of the Exchequer, Lord Naas, Mr. Hunt*)

c. Read 1^o * *July 17* [Bill 219]

Read 2^o * *July 19*
Committee*; Report *July 20*
Read 3^o * *July 23*

l. Read 1^a * (*The Earl of Belmore*) *July 24*
Read 2^a * *July 26* (No. 220)

Committee*; Report *July 27*
Read 3^a * *July 30* (No. 226)

Royal Assent *August 6* [29 & 30 *Vict. c. 73*]

PUGH, Mr. D., Carmarthenshire

Cattle Diseases, Comm. [181] 511

Cattle Plague, Comm. cl. 17, [181] 785; Lords Amendts. [182] 267

Qualification for Offices Abolition Bill

(*Mr. Hadfield, Sir M. Peto, Mr. Baines*)

c. Resolution in Committee; Bill ordered; read 1^o * *Feb 8* [Bill 1]

181] Moved, "That the Bill be now read 2^o" (*Mr. Hadfield*) *Feb 23*, 1239

Amendt. to leave out "now," and add "upon this day six months" (*Mr. Newdegate*); after long debate, Question, "That 'now,' &c.;" A. 176, N. 55; M. 121; read 2^o

. Division List, Ayes and Noes, 1255
Committee*; Report *Mar 2*
Read 3^o * *Mar 6*

l. Read 1^a * (*The Lord Houghton*) *Mar 8*

182] Moved, "That the Bill be now read 2^a" *April 24*, 1980; read 2^a after debate (No. 41)

183] Committee; Report *May 1*, 258

Read 3^a * *May 3*
Royal Assent *May 18* [29 *Vict. c. 22*]

Queen's Bench Prison

Question, *Mr. Thomson Hankey*; Answer, The Attorney General *Mar 5*, [181] 1499

Railway Companies' Securities Bill

(*Mr. Milner Gibson, Mr. Dodson*)

c. Ordered; read 1^o * *May 10* [Bill 151]

Read 2^o * *May 24* and referred to a Select Committee

And, on June 1, Committee nominated as follows:—*Mr. Milner Gibson* (Chairman), *Mr. Ayrton*, *Sir James Fergusson*, *Mr. Goldney*, *Sir Francis Goldsmid*, *Mr. Hankey*, *Mr. Leeman*, *Mr. Scourfield*, *Mr. Talbot*; *July 18*, *Sir Stafford Northcote* added

Report of Select Committee *July 23* [Bill 233]
Committee*; Report *July 26*

Considered as amended * *July 27*

Read 3^o * *July 27*
Lords Amendments [Bill 260]

l. Read 1^a * (*The Earl of Belmore*) *July 30*

Read 2^a * *July 31*, [184] 1704 (No. 240)

Committee*; Report *August 2* (No. 267)

Read 3^a * *August 3*
Royal Assent *August 10* [29 & 30 *Vict. c. 108*]

Railway Construction Facilities Act (1864) Amendment Bill

(Mr. Whalley, Mr. Locke)

- c. Ordered; read 1^o* July 19
Bill withdrawn* July 24 [Bill 226]

Railway Debentures, &c. Registry Bill

(Mr. Scourfield, Mr. Hankey)

- c. Ordered; read 1^o after debate April 17, [182] 1577
Bill withdrawn* July 23 [Bill 109]

Railway Traffic Protection Bill

(The Lord Redesdale)

- . Presented; read 1^a* July 2 (No. 180)
Moved, "That the Bill be now read 2^a"
July 10, [184] 771; read 2^a after short debate
Order of the day for the House to be put into Committee read
Moved, "That the Order be discharged" (The Lord Redesdale) July 27, 1802; after short debate, Motion agreed to; Order discharged

Railway Travelling (Ireland) Bill

(Sir C. O'Loughlen, Major Gavin, Capt. Staacpoole)

- c. Ordered; read 1^o* Feb 8 [Bill 2]
Moved, "That the Bill be now read 2^o" (Sir Colman O'Loughlen) Mar 14, [182] 243
Amendt. to leave out "now," and add "upon this day six months" (Mr. Blake); Question, "That 'now' &c.;" A. 83, N. 200; M. 117; words added; main Question, as amended, agreed to; Bill put off for six months

Railways

Accidents, Moved, "That there be laid before this House, Return of the Expenses incurred by the Board of Trade (exclusive of the Salaries of Officers of the Department) in investigating and reporting upon Railway Accidents during the Five years ending 1st July 1866: Also, Return of any Regulations, Rules, or Byelaws which may have been enforced by the Board of Trade upon any Railway Companies in consequence of such Investigations and Reports" (The Marquess of Clanricarde) July 27, [184] 1600; after short debate, Motion withdrawn

Amendt. on Committee of Supply July 26, To leave out from "That," and add "an humble Address be presented to Her Majesty, praying that She will be graciously pleased to issue a Royal Commission to inquire into the condition of the Railways of this country, as regards their ability to fulfil their engagements to the public, having due regard to the interests of all parties concerned" (Major Jervis), [184] 1544; Question, "That the words, &c.;" after short debate, Amendt. withdrawn

Caterham Junction, Collision at the, Question, Mr. Buxton; Answer, Mr. Milner Gibson May 29, [183] 1439

Companies' Borrowing Powers, Question, The Earl of Belmore; Answer, Earl Russell Feb 12, [181] 335

Railways—cont.

Companies, Financial Arrangements of—Cork and Youghal Railway Bill, Observations, Lord Redesdale; Reply, Earl Russell Mar 23, [182] 817

Moved, "That the Report from the Select Committee to whom the Cork and Youghal Railway Bill was referred, be printed" (The Lord Redesdale) Mar 23; Motion agreed to —(Parl. P. No. 63); Observations, Lord Redesdale; Reply, Lord Stanley of Alderley May 14, [183] 858 — *Railway Companies (Metropolis)*—see *Metropolis*

Debentures Registration, Question, Mr. Thomson Hankey; Answer, Mr. Milner Gibson Feb 19, [181] 759

In the Metropolis, Question, The Earl of Carnarvon; Answer, Earl Russell Mar 1, [181] 1275; Question, Colonel Wilson Patten; Answer, Mr. Milner Gibson Mar 1, 1286

Share Capital of Companies, Question, Mr. Henry Seymour; Answer, Mr. Milner Gibson Mar 15, [182] 282—(See *Railway Companies' Financial Arrangements*)

Signals, Question, Sir William Galloway; Answer, Mr. Milner Gibson Feb 23, [181] 969

Railways Clauses Bill

(Mr. Milner Gibson, Mr. Monsell)

- c. Ordered; read 1^o* Mar 9 [Bill 60]
Read 2^o* April 11
Committee*; Report April 16 [Bill 103]
Question, Mr. Horsfall; Answer, Mr. Milner Gibson June 1, [183] 1691
Bill withdrawn* July 16

Railways (Guards' and Passengers' Communication) Bill

(Mr. H. B. Sheridan, Mr. Hardcastle)

- c. Ordered Feb 27, [181] 1199
Read 1^o* Mar 20 [Bill 81]
Read 2^o* April 11
Referred to Select Committee April 25
And, on July 18, Committee nominated as follows:—Mr. H. B. Sheridan (Chairman), Colonel Barttelot, Viscount Galway, Mr. Milner Gibson, Lord Richard Grosvenor, Captain Meller, Viscount Milton, Sir Stafford Northcote, Mr. O'Beirne, Colonel Packe, Mr. Sherriff, Captain Staacpoole, Mr. Watkin
Special Report of Select Committee August 2 —(Parl. P. No. 465)

Railways (Ireland) Temporary Advances Bill

(Mr. Dodson, Mr. Chancellor of the Exchequer, Lord Naas, Mr. Hunt)

- c. Ordered; read 1^o* July 17 [Bill 220]
Moved, "That the Bill be now read 2^o" (Mr. Chancellor of the Exchequer) July 23, [184] 1361; read 2^o after short debate
Committee; Report July 27, 1633
Considered as amended* July 30
Read 3^o* July 31
i. Read 1^a* (The Earl of Belmore) August 2
Moved, "That the Bill be now read 2^a" August 3, 1996; read 2^a after debate (No. 255)
Committee*; Report August 6
Read 3^a* August 7
Royal Assent August 10 [29 & 30 Vict. c. 95]

Rateable Property (Ireland) Bill

(*Mr. Childers, Mr. Chichester Fortescue, Mr. Attorney General for Ireland*)

c. Ordered; read 1^o * May 3 [Bill 135]
Bill withdrawn * July 23

Rates on Government Property

Motion, "That, in the opinion of this House, Her Majesty's Government should consider the expediency of recommending to Parliament that all lands and buildings used and occupied for public purposes ought to be liable to local rates in the same manner as other property, and pay rates accordingly" (*Mr. Alderman Salomons*) April 24, [182] 1990; after debate, Motion withdrawn

RAVENSWORTH, Lord

Austria, Prussia, and Italy—The War, [184] 650
Established Church—Romish Ceremonials, [184] 215
Gas Light and Coke Company, 2R. [184] 708
Parliamentary Oaths, [181] 188
Parliamentary Oaths Amendment, 2R. [182] 1336
Selling and Hawking Goods on Sunday, 3R. [183] 1137
West Middlesex Water, Comm. [182] 1977

RAWLINSON, Sir H. C., *Frome*

India—Russian March upon Bokhara, [182] 421

READ, Mr. C. S., *Norfolk, E.*

Agricultural Statistics, [184] 2039
Barley, Foreign, [181] 1497
Cattle Disease—Transit of Cattle by Railway, [182] 580;—Slaughter of Cattle, 891; [183] 360;—Sale of Cattle at Markets and Fairs, 672, 1144;—Disease Act, [184] 1384
Cattle Plague, Lords Amends. [182] 275, 498
Cattle Statistics, [181] 963
Church Rate Returns, [182] 419
Compulsory Church Rate Abolition, Leave, [183] 634
Malt Duty, Res. [182] 1528
Supply—University of London, [183] 192;—Governors of Colonies, 726;—Services in China, Japan, &c. 734;—Inspectors of Corn Returns, 834;—Agricultural Statistics, 836, 838;—Civil Contingencies, 839
Tenure and Improvement of Land (Ireland), 2R. [183] 1105
Turnpike Acts, [183] 360

Real Estate Intestacy Bill

(*Mr. Locke King, Mr. Bowrie, Mr. Coleridge*)

c. Ordered; read 1^o * Mar 13 [Bill 69]
Moved, "That the Bill be now read 2^o" (*Mr. Locke King*) June 6, [183] 1975
Amend. to leave out "now," and add "upon this day six months" (*Mr. Beresford Hope*); Question, "That 'now,' &c.;" after long debate, A. 84, N. 281; M. 197; words added; main Question agreed to; Bill put off for six months

REARDEN, Mr. D. J., *Athlone*

Address in Answer to the Speech, [181] 234
Army Estimates—Manufacturing Departments, [184] 1341
Habeas Corpus Suspension (Ireland) Act Continuance, Comm. cl. 1, Amendt. [184] 2056
Ireland—Waste Lands, [184] 1282;—Land Tenure, 1659
Marine Mutiny, Comm. cl. 39, [181] 1786
Poor Law Amendment, Comm. add. cl. [184] 1583
Reformatory Schools, Consid. add. cl. [184] 1887
Representation of the People (Ireland), Leave, [183] 541
Supply—University of London, [183] 190;—Registrars of Friendly Societies, 200;—Printing and Stationery, 203;—Probate and Divorce, &c. Courts, 210;—Metropolitan Police, 212
Tenure and Improvement of Land (Ireland), Leave, [183] 231

REBOW, Mr. J. G., *Colchester*

Cattle Diseases, Leave, [181] 403
Oyster Fisheries, Deep Sea, [181] 976

Reciprocity Treaties

Question, Mr. Layard; Answer, Mr. Watkin; April 30, [183] 162; Observations, Mr. Watkin May 4, 475; May 18, 1151
(See *France, Extradition Treaty* with)

Record of Title Office (Ireland)

Motion for Papers (*The Earl of Belmore*) Mar 22, [182] 718; after short debate, Motion withdrawn
Then, Copy of a Memorial from the Registration of Title Association and others, Inhabitants of Ireland, to the Chancellor of the Exchequer, ordered to be laid before the House (*The Earl of Belmore*)

Records of Great Britain and Ireland

Observations, General Dunne; Reply, Mr. Childers May 18, [183] 1178

REDESDALE, Lord (Chairman of Committees)

Cattle Diseases, Orders in Council, [181] 890
Companies' Act (1862) Amendment, Comm. [183] 2028
Consecration of Churchyards, 1R. [184] 812; 2R. 1365
Consecration of Churchyards (No. 2), Comm. [184] 1495, 1496, 1497; 3R. 1654, 1655
County Assessments, 2R. Amendt. [184] 1656
Crown Lands, 2R. [183] 2022
Dogs, 2R. [184] 814
Ecclesiastical Commission, Comm. [184] 361
Established Church—Revision of the Lectionary, Motion for a Commission, [184] 109
Gas Light and Coke Company, 2R. [184] 709, 710
Hundred Bridges, 2R. Previous Question moved, [184] 1600
Law of Capital Punishment Amendment, 2R. [183] 250

REDESDALE, Lord—*cont.*

- London, Chatham, and Dover Railway (New Lines, &c.), 3R. [184] 2126
 Metropolitan Railway (Additional Powers), 2R. [183] 1770, 1771
 Ministerial Statement, [184] 645
 Private Bills — Standing Order No. 184, Amendt. [183] 1772, 1784, 1788, 1790; [184] 23, 113
 Prosecution Expenses, 2R. [183] 478
 Public Companies, 2R. [184] 928
 Public Meeting Places in the Metropolis, [184] 1591
 Railway Bills affecting the City of London, [182] 1641
 Railway Companies—Financial Arrangements of, [182] 817
 Railway Traffic Protection, 2R. [184] 771; Comm. 1602, 1603
 Railways, Finance of, [183] 857, 869
 Railways in the Metropolis, [181] 1280
 Selling and Hawking Goods on Sunday, Report, Amendt. [183] 1040; 3R. 1134, 1139, 1141, 1142; *cl.* 4, Amendt. 1672, 1681
 Sewage and Pollution of Rivers, Motion for a Committee, [184] 1062
 Standing Orders, No. 180, Amendt. [184] 1593; No. 184, Amendt. 1593, 1596; No. 185, Amendt. 1598, 1599
 Suburban Commons (*now* Metropolitan Commons), Comm. [184] 1703
 West Middlesex Water, Comm. [182] 1976

Re-distribution of Seats Bill—see Representation of the People Bill

Reformatory Schools Bill

(Mr. Knatchbull-Hugessen, Sir George Grey)

- c. Ordered; read 1^o * May 17 [Bill 162]
 Read 2^o * May 28
 Committee*; Report June 11 [Bill 184]
 184] Committee (*on re-comm.*) R.P. July 27, 1606
 . Committee; Report July 30, 1687
 . Considered as amended August 1, 1885
 Read 3^o and passed, after short debate August 2, 1910
 i. Read 1^o * (*The Earl of Devon*) August 2
 Read 2^o * August 3 (No. 269)
 . Committee; Report August 6, 2074 (No. 281)
 Read 3^o * August 7
 Royal Assent August 10 [29 & 30 Vict. c. 117]

Regent's Park

St. Dunstan's Villa, Question, Mr. Harvey Lewis; Answer, Mr. Cowper Mar 2, [181] 1392—*Ornamental Water in*, Question, Mr. Harvey Lewis; Answer, Mr. Cowper Mar 1, [181] 283

Reigate Election

House informed, that the Committee had determined, That Granville William Gresham Leveson Gower, esquire, is not duly elected a Burgess to serve in this present Parliament for the Borough of Reigate. That the last Election for the said Borough is a void Election April 16, [182] 1356

Motion for a Joint Address—Moved, "That an humble Address be presented to Her Majesty, praying for the appointment of

[*cont.*]Reigate Election—*cont.*

Thomas Allen, esquire, Frederick James Smith, esquire, and T. D. Archibald, esquire, as Commissioners for the purpose of making inquiry into the existence of corrupt practices at Reigate (*Mr. Hussey Vivian*) May 1, [183] 273; after debate, Motion agreed to
 Ordered, That the said Address be communicated to the Lords, and their concurrence desired thereto (*Mr. Hussey Vivian*)
 Their Lordships concur in joint Address
 June 13
 The Queen's Answer reported June 14

Representation of the People — Parliamentary Reform

LORDS—

- Electoral Returns*, Motion for Returns (*Lord Campbell*) Feb 27, [181] 1187; after short debate, Motion withdrawn
 Moved, "That a Select Committee be appointed to examine the Electoral Returns laid upon the Table with a view to the Changes they suggest as desirable or necessary in the Rights of Voting; and to inquire into the Conditions upon which the Occupation Franchise may be lowered with Advantage in Counties or in Boroughs of England and Wales" (*The Lord Campbell*) April 17, [182] 1492; on Question, resolved in the negative
Hyde Park—Protection of—Postponement of Question (*Earl Russell*) August 2, [184] 1896; Question, Earl Russell; Answer, The Earl of Derby August 3, 1991 — *Reform Meeting in*, Notice of Motion withdrawn (*The Earl of Shaftesbury*) July 20, [184] 1161; Question, Earl Granville; Answer, The Earl of Derby July 24, 1370
Reform League and the Home Secretary, Question, The Earl of Shaftesbury; Answer, The Earl of Derby July 26, [184] 1484

COMMONS—

- Questions, Mr. H. Berkeley, Viscount Cranbourne, Lord Elcho; Answer, Sir George Grey Feb 9, [181] 305; Questions, Mr. Craufurd; Answer, The Chancellor of the Exchequer Mar 5, 1503
Artizan Voters, Increase of, Question, Lord Elcho; Answer, The Chancellor of the Exchequer Mar 23, [182] 843
Boroughs, &c., Boundaries of, Observations, Mr. Oliphant; Reply, The Chancellor of the Exchequer April 10, [182] 1072; Question, Mr. Goldney; Answer, Sir George Grey May 4, [183] 470
Copyhold and Leasehold Franchise, Question, Sir Frederick Heygate; Answer, The Chancellor of the Exchequer Mar 16, [182] 422
County Voters, Question, Mr. Du Cane; Answer, The Chancellor of the Exchequer Mar 20, [182] 581
Dockyard Voters and the Ballot, Question, Mr. Otway; Answer, The Chancellor of the Exchequer Mar 15, [182] 284; Question, Mr. Otway; Answer, The Chancellor of the Exchequer April 17, 1508; Question, Mr. Ferrand; Answer, The Chancellor of the Exchequer April 26, 2074

[*cont.*]

Representation of the People (COMMONS)—cont.

- Dockyard Voters, Disfranchisement of, Question, Mr. Monk; Answer, Mr. Baring May 7, [183] 482*
- Elections, Corrupt Practices at, Question, Sir Arthur Buller; Answer, The Chancellor of the Exchequer Mar 20, [182] 579; Question, Major Dickson; Answer, The Chancellor of the Exchequer April 12, 1123*
- Elections, Expenses of, Question, Mr. Wentworth Beaumont; Answer, The Chancellor of the Exchequer Mar 22, [182] 731*
- Electoral Franchise, Address for "Return of the number of Freeholders, Householders, and others in England and Wales who, fulfilling the conditions of property or rental prescribed by Law as the qualification for the Electoral Franchise, are excluded from the Franchise by reason of their sex" (Mr. J. Stuart Mill) July 17, [184] 996; Motion agreed to; Return ordered*
- 181] *Electoral Statistics, Question, Mr. Bouverie; Answer, Sir George Grey Feb 26, 1098 — (Scotland), Question, Sir James Fergusson; Answer, The Chancellor of the*
- 182] *Exchequer Mar 12, 18 — Cities and Boroughs, Observations, Mr. Schreiber; Answer, The Chancellor of the Exchequer Mar 15, 322; Observations, Mr. Banks Stanhope Mar 23, 856; Question, Lord Burghley; Answer, Mr. C. P. Villiers April 19, 1644; Question, Mr. Hunt; Answer, Mr. C. P. Villiers; short debate thereon April 20, 1775—Petition of Electors*
- 183] *of Rochdale, Mr. Disraeli April 27, 4; Question, Viscount Cranbourne; Answer, The Chancellor of the Exchequer May 14, 873—County, Question, Colonel Dyott; Answer,*
- 184] *Mr. C. P. Villiers June 12, 239—Payment to Boards of Guardians, Question, Mr. Keke- wick; Answer, Viscount Enfield June 18, 530; Question, Mr. Horsman; Answer, Mr. Gathorne Hardy July 30, 1662—Municipal Boroughs (England and Wales), Question, Mr. Horsman; Answer, Mr. Walpole July 30, 1662*

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England—

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Population, E., W., and S., 1831 and 1861	287
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Representation of the People (COMMONS)—cont.

Ireland—

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Scotland—

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Franchise, The—Rating of Tenements, Question, Mr. Warner; Answer, The Chancellor of the Exchequer Mar 19, [182] 491; Question, Mr. Newdegate; Answer, The Chancellor of the Exchequer Mar 22, 734

Harden, Petition from, Motion, "That a Select Committee be appointed to inquire into the circumstances connected with the preparation of the Petition from Harden [presented upon Thursday last], and into the genuineness of the signatures thereto" (Mr. Ferrand) April 19, [182] 1750; Motion withdrawn; Order [24th April], for the appointment of a Select Committee, read; Moved, "That the said Order be discharged" (Mr. Ferrand) May 1, [183] 282; Motion withdrawn; Select Committee appointed May 3

And, on May 7, Committee nominated as follows:—Earl of Dalkeith, Sir David Dundas, Sir James Fergusson, Lord Henley, Mr. J. Peel; (Sir Francis Crossley and Mr. Ferrand were appointed to serve on the Committee to examine witnesses without the power of Voting.) This Committee never met

Hyde Park

Proposed Public Meeting in, Question, Mr. P. A. Taylor; Answer, Mr. Walpole July 19, [184] 1073

Reform League Demonstration, Question, Mr. Osborne; Answer, Mr. Walpole July 24, [184] 1385; Moved, "That this House do now adjourn" (Mr. Ayrton); after long debate, Motion withdrawn; Question, Mr. Osborne; Answer, Mr. Walpole July 26, 1536

Recent Damage to, Question, Mr. Powell; Answer, Lord John Manners July 27, [184] 1615

Riots in, Question, Mr. Edwards; Answer, Mr. Walpole July 26, [184] 1534; Petition presented (Mr. J. Stuart Mill); Question, Major Stuart Knox; Answer, Mr. J. Stuart Mill August 2, 1905; Question, Mr. P. A. Taylor; Answer Mr. Walpole August 7, 2133

Reparation of Damages, Question, Mr. Darby Griffith; Answer, Lord John Manners July 30, [184] 1660

Irish and Scotch Reform Bills, Question, Major Stuart Knox; Answer, The Chancellor of the Exchequer April 19, [182] 1647; Question, Major Stuart Knox; Answer, The Chancellor of the Exchequer May 8, [183] 584; Question, Colonel Sykes; Answer, The Chancellor of the Exchequer May 8, 584;

cont.

Representation of the People (COMMONS)—cont.

- Question, Sir Frederick Heygate; Answer, The Chancellor of the Exchequer *June 8, [184] 25*
Municipal Boroughs in Somersetshire, Question, Mr. Neville-Grenville; Answer, Sir George Grey *May 3, [183] 352*
Parliamentary Reform, Notice, Mr. Chancellor of the Exchequer *Mar 1, [181] 1286*
Re-distribution of Seats, Questions, Sir Henry Hoare; Answer, The Chancellor of the Exchequer *Mar 19, [182] 486*; Question, Mr. Marsh; Answer, The Chancellor of the Exchequer *April 16, 1357*—*Grouped Boroughs*, Question, Colonel C. Lindsay; Answer, The Chancellor of the Exchequer *May 29, [183] 1437*
Trafalgar Square, Meeting in, Question, Mr. Darby Griffith; Answer, Sir George Grey *July 2, [184] 713*
Voters (Cities and Boroughs Contested Elections), Motion for Returns, Mr. Darby Griffith; Reply, Mr. C. P. Villiers *Mar 20, [182] 582*
Voting Papers, Question, Sir William Stirling-Maxwell; Answer, The Chancellor of the Exchequer *June 4, [183] 1793*
Whitehall Yard, Intended Meeting in, Question, Mr. Baillie Cochrane; Answer, Sir George Grey *June 28, [184] 696*

Re-distribution of Seats Bill

(*Mr. Chancellor of the Exchequer, Sir George Grey, Mr. Villiers*)

- 183] *c. Motion for Leave (Mr. Chancellor of the Exchequer) May 7, 486*
 Bill ordered, after debate; read 1° [Bill 138]
 Moved, "That the Bill be now read 2°" (*Mr. Chancellor of the Exchequer*) *May 14, 874*;
 Read 2°, after long debate
 . Committee *May 31, 1554*

Representation of the People Bill

- c. Paragraphs in Queen's Speech at opening of the Session read*
 182] *Motion for Leave (Mr. Chancellor of the Exchequer) Mar 12, 18*
 After long debate, Debate adjourned
 . Debate resumed—Second Night *Mar 13, 141*
 After long debate, Motion, "That the Debate be now adjourned" (*Sir Rainald Knightley*) put, and negatived; original Question put, and agreed to
 Bill ordered (*Mr. Chancellor of the Exchequer, Sir George Grey, Mr. Villiers*); read 1° *Mar 13* [Bill 68]
 . Moved, "That the Bill be now read 2°" (*Mr. Chancellor of the Exchequer*) *April 12, 1124*
 . Amendt. to leave out from "That," and add "this House, while ready to consider, with a view to its settlement, the question of Parliamentary Reform, is of opinion that it is inexpedient to discuss a Bill for the reduction of the Franchise in England and Wales, until the House has before it the entire scheme contemplated by the Government, for the amendment of the Representation of the People" (*Earl Grosvenor*), 1152
 Question, "That the words, &c."
 After long debate, Debate adjourned

[cont.

Representation of the People Bill—cont.

- 182] Debate resumed—Second Night *April 13, 1227*; after long debate, Debate further adjourned
 . Debate resumed—Third Night *April 16, 1361*; after long debate, Debate further adjourned
 . Debate resumed—Fourth Night *April 19, 1648*; after long debate, Debate further adjourned
 . Debate resumed—Fifth Night *April 20, 1778*; after long debate, Debate further adjourned
 . Debate resumed—Sixth Night *April 23, 1874*; after long debate, Debate further adjourned
 . Debate resumed—Seventh Night *April 26, 2077*; after long debate, Debate further adjourned
 183] Debate resumed—Eighth Night *April 27, 6*; after long debate, Question put, A. 318, N. 313; M. 5; main Question agreed to
 Bill read 2°
 . Division List, Ayes and Noes, 152
 . *The Division—Ministerial Statement*, The Chancellor of the Exchequer *April 30, 163*, Moved, "That this House do now adjourn" (*Mr. E. P. Bouverie*), 167; after debate, Motion withdrawn
 . Order for Committee read; Ordered, That the Representation of the People Bill and the Re-distribution of Seats Bill be referred to the same Committee; Instruction to the Committee, that they have power to consolidate the said Bills into one Bill (*Mr. E. P. Bouverie*) *May 28, 1319*
 . Moved, "That it be an Instruction to the Committee that they have power to make provision for the better prevention of bribery and corruption at Elections" (*Sir Rainald Knightley*), 1320; Question put, A. 248, N. 238; M. 10; Division List, Ayes and Noes, 1344
 . Moved, "That Mr. Speaker do now leave the Chair" (*Mr. Chancellor of the Exchequer*), 1347
 . Amendt. To leave out from "That," and add "this House, while ready to consider the general subject of a Re-distribution of Seats, is of opinion that the system of grouping proposed by Her Majesty's Government is neither convenient nor equitable, and that the scheme is otherwise not sufficiently matured to form the basis of a satisfactory measure" (*Captain Hayter*); Question, "That the words, &c.;" after long debate, Moved, "That the debate be now adjourned" (*Major Jervis*), 1397; after further debate, Question agreed to; debate adjourned
 . Debate resumed—Second Night *May 31, 1554*; after long debate, Debate further adjourned
 . *Close of the Debate*—Observations, Mr. Disraeli; Reply, Sir George Grey *May 31, 1668*
 . Debate resumed—Third Night *June 1, 1697*; after long debate, Debate further adjourned
 . Question, Lord Elcho; Answer, Mr. Hladfield; short discussion thereon *June 4, 1794*
 . Debate resumed—Fourth Night *June 4, 1798*; and after further long debate, Question, "That the words, &c." put, and agreed to; main Question, "That Mr. Speaker do now leave the Chair," agreed to
 Bill considered in Committee
 . Moved, "That the Chairman do report Progress and ask leave to sit again" (*Mr. Chancellor of the Exchequer*), A. 403, N. 2; M. 401
 Committee R.R.

[cont.

Representation of the People Bill—cont.

- 183] Motion, "That Copies of the Representation of the People Bill, and the Re-distribution of Seats Bill, showing the Amendments to be proposed in Committee by Mr. Chancellor of the Exchequer, be printed" (*Mr. Chancellor of the Exchequer*) June 5, 1841; after debate, Motion withdrawn
- Committee June 7, 2042
- . cl. 1 and 2 agreed to
 - . cl. 3 postponed
 - . cl. 4 (Occupation Franchise for Voters in Counties)
- Motion, "That the Clause be postponed" (*Lord Stanley*); after long debate, A. 260, N. 287; M. 27; Division List, Ayes and Noes, 2071
- Amendt. in page 2, line 39, to leave out "fourteen," and insert "twenty" (*Mr. Walpole*), 2075
- Motion to report Progress, agreed to; House resumed
- . Motion, "That this House will this day [Friday] again resolve itself into the said Committee" (*Mr. Chancellor of the Exchequer*); Amendt. to leave out "this day," and insert "upon Monday next" (*Viscount Royston*); Question, "That the words 'this day,' &c.;" Amendt. withdrawn; main Question agreed to
- 184] Committee deferred June 8, 83
- . Committee June 11, 176
 - . cl. 4 (Occupation Franchise for Voters in Counties)
- Amendt. at the end of the second paragraph, to add the words, "such clear yearly value being the rateable value of the premises as ascertained for the purposes of the Poor Rate" (*Mr. Hunt*)
- After debate, Moved, "That the Chairman do report Progress, and ask leave to sit again" (*Colonel Gilpin*); A. 254, N. 303; M. 49
- After short debate, Moved, "That the Chairman do now leave the Chair" (*Major Stuart Knox*); A. 212, N. 254; M. 42
- After further short debate, Moved, "That the Chairman do report Progress, and ask leave to sit again" (*Mr. Bagge*) agreed to [R.P.]
- . Committee June 14, 382
 - . cl. 4 (Occupation Franchise for Voters in Counties)
- . Amendt. (*Mr. Hunt*) again proposed, 382; after long debate, Question, "That those words be there added;" A. 273, N. 280; M. 7; Division List, Ayes and Noes, 405
 - . Amendt. in page 2, line 41, to leave out Section 3, (The qualifying premises must consist of a house or other building which, either alone or with land held by the occupier in the county, is of the value aforesaid, with this proviso, that where the premises consist partly of a house or other building and partly of land, the building must either be the dwelling-house of the occupier, or must itself be of a clear yearly value of six pounds or upwards) (*Mr. Banks Stanhope*), 415; after long debate, Question, "That the words 'The qualifying premises, &c.' stand part of the clause;" A. 74, N. 361; M. 287, 445

[cont.]

Representation of the People Bill—cont.

- 184] Amendt. to omit, "Where the occupier is tenant of the qualifying premises, the whole must be held under the same landlord" (*Mr. Hunt*), 446; after short debate, Amendt. negatived
- . Amendt. at the end of the clause, to add the words, "In any case in which the occupier of any premises has sublet any portion thereof, he shall not be entitled to a vote in respect of such premises, unless the portion of them remaining in his own occupation be of the clear yearly value of £14, and in order in that case to ascertain the clear yearly value, the amount of the rent paid by any sub-tenant or sub-tenants shall be deducted from the gross estimated rental of the premises, and a proportionate deduction shall be made from the rateable value" (*Sir Stafford Northcote*), 449; after short debate, Amendt. withdrawn; after further debate, clause agreed to
- Committee R.P.
- Committee June 18
- . cl. 5 (Occupation Franchise for Voters in Boroughs), 536
 - . Amendt. to leave out "clear yearly," and insert "rateable" (*Lord Dunkellin*); after long debate, Question, "That the words 'clear yearly' stand part of the Clause," A. 304, N. 315; M. 11; Division List, Ayes and Noes, 639; Question, "That the word 'rateable' be there inserted"
- Moved, "That the Chairman do report Progress, and ask leave to sit again" (*Mr. Ayrton*), agreed to
- Committee A.P.
- Moved, "That the Orders of the Day for going into Committee on the Representation of the People Bills be discharged" (*Mr. Gladstone*) July 19, 1143
- Orders discharged; Bills withdrawn

Representation of the People (Ireland)

Bill (*Mr. C. Fortescue, Mr. Chancellor of the Exchequer, Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland*)

- c. Motion for Leave (*Mr. C. Fortescue*) May 7, [183] 529
- Ordered, after debate; read 1^o [Bill 140]
- Bill withdrawn * July 19

Representation of the People (Scotland)

Bill (*The Lord Advocate, Mr. Chancellor of the Exchequer, Sir G. Grey, Mr. Solicitor General for Scotland*)

- c. Motion for Leave (*The Lord Advocate*) May 7, [183] 517
- Ordered, after debate; read 1^o [Bill 139]
- Bill withdrawn * July 19

Revising Barristers' Qualifications Bill

(*Mr. Attorney General, Mr. Solicitor General, Sir G. Grey*)

- c. Ordered; read 1^o * July 5 [Bill 208]
- Read 2^o * July 6
- Committee; Report July 9, [184] 770
- Read 3^o * July 16

[cont.]

Revising Barristers' Qualifications Bill—cont.

- l. Read 1^a* (*The Lord Chancellor*) July 17
 Read 2^a* July 19 (No. 196)
 Committee*; Report July 20
 Read 3^a* July 23
 Royal Assent July 30 [29 & 30 Vict. c. 54]

RICHMOND, Duke of

- Address in Answer to the Speech, [181] 47
 Cattle Diseases, Comm. cl. 12, [181] 753
 Cattle Plague, Comm. cl. E, Amendt. [181] 1696
 Law of Capital Punishment Amendment, Comm. cl. 4, [183] 1546; cl. 13, [184] 452
 Sheep, Small Pox in, [181] 1179

RIDLEY, Sir M. W., Northumberland, N.

- Address in Answer to the Speech, [181] 146
 Army Estimates—Military Stores, [181] 1777, 1778, 1779
 Army—Woolwich Arsenal, [182] 140
 Cattle-carrying Vessels, [181] 1614
 Cattle Plague, Comm. add. cl. [181] 864;
 Lords Amendts. [182] 276
 Labouring Classes' Dwellings, 2R. [182] 117;
 Comm. cl. 4, 812
 Metropolitan Railway (Additional Powers), 3R. cl. 42, [184] 502
 Qualification for Offices Abolition, 2R. [181] 1251
 Reigate Election, Motion for a Joint Address, [183] 277
 Representation of the People, Comm. [183] 1406, 1918
 Supply—Public Buildings, [182] 905;—Emigration, [183] 730, 731

Rights of Dramatizing Works of Fiction Bill [H.L.] (*The Lord Lyttelton*)

- l. Presented; read 1^a* June 5 (No. 142)
 Moved, "That the Bill be now read 2^a" June 14, [184] 360
 Amendt. to leave out "now," and insert "this day six months" (*The Lord Taunton*); after short debate, on Question, "That 'now,' &c.;" Cont. 11, Not-Cont. 89; M. 78; resolved in the negative; and Bill to be read 2^a on this day six months; List of Cont. and Not-Cont. 364

RIPON, Bishop of

- Established Church—Revision of the Lctionary, Motion for a Commission, [184] 110

River Commission, The

- Question, Mr. Neate; Answer, Mr. Baring Mar 22, [182] 732

Rivers, &c., Pollution of

- Petition, The Earl of Shrewsbury July 17, [184] 930; after short debate, Petition ordered to lie upon the table

ROBERTSON, Mr. D., Berwickshire

- Re-distribution of Seats, Leave, [183] 516

Rochdale Vicarage Bill

(*Mr. Walpole, Mr. Bowdrie*)

- c. Ordered; read 1^o* Feb 23 [Bill 38]
 Read 2^o* May 28 and referred to a Select Committee
 And, on June 4, Committee nominated as follows:—Mr. Walpole (Chairman), Mr. Bright, Lord Charles Bruce, Mr. Beresford Hope, Mr. T. B. Potter, Mr. Powell, Sir Frederick Ileygate, Mr. K. Hodgson, Mr. Robartes, Mr. Sandford, Mr. Selwyn
 Report of Select Committee June 19 [Bill 196]
 Minutes of Evidence—(*Parl. P.* No. 390)
 Committee*; Report July 16
 Considered as amended* July 17
 Read 3^o* July 18
 l. Read 1^a* (*The Earl of Chichester*) July 19
 Moved, "That the Bill be now read 2^a" July 26, [184] 1495; Read 2^a (No. 204)
 Committee July 30, 1655 (No. 241)
 After short debate, Amendments made
 Report* July 31 (No. 251)
 Read 3^a* August 2
 Royal Assent August 6 [29 & 30 Vict. c. 86]

ROEBUCK, Mr. J. A., Sheffield

- Devonport Election, [181] 1513
 Habeas Corpus Suspension (Ireland), Leave, [181] 677, 695
 Ireland—Fishery Piers, [181] 1391;—Chief Justice Lefroy, [183] 356
 London (City) Corporation Gas, 2R. [181] 1610, 1613
 London Gas, Comm. [182] 889
 Mid-London Railway, 2R. [181] 1595
 Municipal Savings Banks, [182] 137
 Neutrality Law, Inadequacy of our, [181] 999, 1000
 Thames Embankment (North Approaches), &c.
 Motion for a Committee, [182] 652, 658

ROMILLY, Lord

- Administration of Justice Chancery Amendment, 2R. [184] 777
 Law of Capital Punishment Amendment, 2R. [183] 245, 256; Comm. cl. 4, 1548
 Pensions, Comm. [183] 1934
 Qualification for Offices Abolition, 2R. [182] 1984
 Sale of Land by Auction, Comm. [181] 881; cl. 8, Amendt. 884; [182] 2068

ROMNEY, Earl of

- Cattle Plague, 2R. [181] 1186
 Hop Trade, 2R. [183] 1310
 Hundred Bridges, 2R. [184] 1599
 Jamaica, Condition of, [184] 1888
 Law of Capital Punishment Amendment, Comm. cl. 13, [184] 454

Rowe, William.—Game Laws, Infraction of the

- Question, Colonel Sykes; Answer, Mr. Childers April 12, [182] 1118

Royal Academy, Site of

Question, Lord Overstone; Answer, Earl Granville *May* 17, [183] 1035; Question, Mr. Beresford Hope, [184] 51; Answer, Mr. Cowper *June* 8, 57

Amendt. on Committee of Supply *June* 8, To leave out from "That," and add "there be laid before this House, Copy of any further Correspondence relative to the refusal by the Royal Academy of a site at Burlington House" (*Mr. Beresford Hope*); Question, "That the words, &c.;" after debate, Amendt. withdrawn

Royal Academy. The, Constitution of

Question, Mr. Gregory; Answer, Mr. Cowper *April* 17, [182] 1606
(See *National Gallery*)

ROYSTON, Viscount, Cambridgeshire

Representation of the People, 2R. [182] 2130;
Comm. Amendt. [183] 2133

RUSSELL, Earl († First Lord of the Treasury)

+ Address in Answer to the Speech, [181] 101, 103

+ Art, Comm. Preamble, [181] 887

+ Austria, Prussia, and Italy, [183] 575, 576; —
The War, [184] 650

+ Bishoprics of Cape Town, Adelaide, and British Columbia, [184] 517

+ British Museum, The, [181] 341

+ Cattle Diseases, Comm. *cl.* 5, [181] 743; *cl.* 10, 746

+ Cattle Plague—Day of Humiliation, [181] 190;
—Conference at St. James' Hall, 294, 295, 444

+ Children, Employment of, [182] 1504

+ Danubian Principalities, Motion for Papers, [184] 1158

+ Day of Humiliation, [182] 485

+ Ecclesiastical Commission, Comm. *cl.* 1, [184] 367

+ Electoral Returns, Motion for Returns, [181] 1187; + Motion for a Committee, [182] 1501

+ Established Church—Revision of the Lectionary, Motion for a Commission, [184] 108
Foreign Policy—War in Germany, [184] 650, 1271, 1274

+ Habeas Corpus Suspension (Ireland), [181] 585; 2R. 658

+ India—Court of Small Causes (Bombay)—Mr. Manockjee Cursetjee; Motion for Papers, [183] 1300

+ Ireland—Pay of the Constabulary, [181] 278, 279; —† State of, Motion for a Committee, [182] 413

Jamaica—Condition of, [184] 1894

+ Jamaica Government, 2R. [182] 120

+ King of the Belgians, The late—Trust Estate of 1834, [181] 1388, 1389

+ Lancaster Election, Motion for a Commission, [183] 1416, 1422, 1427, 1432, 1433; [184] 10

+ Land Tenure and Improvement (Ireland), 1R. [182] 836

+ Law of Capital Punishment Amendment, Comm. *cl.* 4, [183] 1546, 1547

Metropolis—Protection of Hyde Park, [184] 1896, 1884, 1887, 1891, 1892

[cont.]

RUSSELL, Earl—cont.

+ Ministerial Statement, [184] 644, 645, 650, 654, 674, 682, 706, 714, 744, 750

+ Parliamentary Oaths Amendment, 2R. [182] 1322, 1324, 1330, 1346, 1351; Comm. *cl.* 1, 1620; *cl.* 6, 1627; Preamble, 1628; Report, 1760

+ Princess Mary of Cambridge, Marriage of, Message from the Queen, [183] 1933; Res. 2020

+ Prisons Act (1865), [181] 436

+ Public Loan Acts, [181] 594

+ Public Schools, Comm. *cl.* 17, [183] 1930

+ Railway Companies' Borrowing Powers, [181] 338; —† Financial Arrangements of, [182] 829

+ Railways in the Metropolis, [181] 1279, 1281

+ Roman Catholic Church (Ireland), Motion for Returns, [181] 1070, 1071, 1077

Scotland—Ross-shire, Lord Lieutenantcy of, [184] 751

+ Selling and Hawking Goods on Sunday, Comm. [183] 480; Report, 1042; 3R. 1142

+ Transubstantiation, Motion for Papers, [182] 1221

Transubstantiation, &c. Declaration Abolition, 2R. [184] 816

RUSSELL, Colonel Sir C., Berkshire

Army Estimates—Land Forces, [181] 1554; —
Pay and Allowances, Amendt. 1583, 1584;

Report, 1628, 1629; —Clothing Establishments, 1751; —Martial Law, 1764

Army—Musketry Instruction, [183] 817, 826; —
The 11th Hussars and Breech-loading

Guns, [184] 827

Cattle Diseases, Leave, [181] 418, 424

Cattle Plague, Comm. *add. cl.* [181] 863, 864

Thames Navigation, Comm. *cl.* 63, [184] 1138

RUTLAND, Duke of

Address in Answer to the Speech, [181] 45

Ecclesiastical Commission, Comm. *cl.* 1, [184] 365

Rye Election

House informed, That Lauchlan Bellingham Mackinnon, esquire, is duly elected a Baron to serve in this present Parliament for the Town and Port of Rye *April* 24, [182] 1987

"St. Abbs," Wreck of the Ship

Question, Mr. Baillie Cochrane; Answer, Mr. Layard *April* 10, [182] 969

ST. AUBYN, Mr. J., Cornwall, W.

Cattle Diseases, Comm. *cl.* 11, [181] 650

ST. DAVID'S, Bishop of

Education, Minute of Council on—The Conscience Clause, [183] 851

ST. LEONARDS, Lord

Administration of Justice Chancery Amendment, 2R. [184] 777

Bishoprics of Cape Town, Adelaide, and British Columbia, Motion for an Address, [184] 789

Colonial Bishoprics, [184] 917

[cont.]

ST. LEONARDS, Lord—*cont.*

- Law of Capital Punishment Amendment, Comm. *cl.* 13, Amendt. [184] 451
- Masters and Operatives, 1R. [182] 717; 2R. [184] 1059
- Sale of Land by Auction, 1R. [181] 191; 2R. 435; Comm. 880; *cl.* 3, 884; [182] 2067; [184] 1275

Sale and Purchase of Shares Bill

(*Mr. Leeman, Mr. Waldegrave-Leslie, Mr. Goldney*)

- c.* Ordered; read 1^o * *June* 12 [Bill 189]
- Question, Mr. Fildes; Answer, Mr. Leeman *July* 18, [184] 1001
- Bill withdrawn * *July* 26

Sale of Advowsons Bill [H.L.]

(*The Lord Bishop of Peterborough*)

- l.* Presented; read 1^o * *May* 11 (No. 109)

Sale of Land by Auction Bill

(*The Lord St. Leonards*)

- [181] *l.* Presented; read 1^o *Feb* 8, 191 (No. 2)
- Moved, "That the Bill be now read 2^a" *Feb* 13, 435; read 2^a, after short debate
- Committee *Feb* 22, 880
- Committee * *Mar* 12
- Report * *Mar* 13 (No. 48)
- [182] Committee (*on re-comm.*) *April* 26, 2067
- Amendts. made
- Report * *April* 30 (No. 89)
- Read 3^o * *May* 1 (No. 93)
- c.* Read 1^o * *May* 11 [Bill 155]
- Bill withdrawn * *July* 10

Sale of Estates by Auction

Observations, Lord St. Leonards; Reply, The Earl of Malmesbury *July* 23, [184] 1277

SALISBURY, Marquess of

Cattle Plague, Motion for Papers, [181] 503;—Returns, [182] 120

Salmon Fisheries (Scotland) Bill [H.L.]

(*The Lord Stanley of Alderley*)

- l.* Presented; read 1^o * *Mar* 8 (No. 42)
- Read 2^o * *Mar* 12 and referred to a Select Committee
- And, on *Mar* 19, Committee nominated as follows:—*Ld.* Privy Seal, D. Richmond, D. Sutherland, E. Doncaster, E. Airlie, E. Strange, E. Ducie, E. Innes, L. Colville of Culross, L. Panmure, L. Abinger, L. Lovat, L. Stanley of Alderley, L. Llanover; *Mar* 20, Earl of Mansfield and Lord Polwarth added
- Report of Select Committee *April* 24 (No. 85)
- As amended by Select Committee (No. 86)
- Committee * *April* 30
- Report * *May* 1
- Read 3^o * *May* 3
- c.* Read 1^o * *May* 11 [Bill 156]
- Bill withdrawn * *July* 23

SALOMONS, Mr. Alderman D., *Greenwich*

- Cattle Plague, Comm. *cl.* 16, [181] 779; *add. cl.* 865
- Continental Affairs, State of, [183] 483
- Convicts' Property, Comm. [183] 429
- Government Property, Rates on, Res. [182] 1990, 2002
- Monetary Crisis—Bank rate of Interest, [184] 2097
- Public Health, Comm. *cl.* 37, Amendt. [184] 1886, 1887
- Reformatory Schools, Consid. *cl.* 12, Amendt. [184] 1887
- Savings Banks and Post Office Savings Banks, 2R. [181] 580
- Supply—University of London, [183] 189;—Public Education, Great Britain, [184] 1351
- Ways and Means—Financial Statement, Comm. Res. 1, [183] 412

SAMUDA, Mr. J. D'A., *Tavistock*

- "London," Loss of the, [182] 546, 552
- Navy Estimates—Men and Boys, [181] 1163, 1355, 1356;—Dockyard Salaries, 1851, 1868;—Navy Stores, [182] 334
- Navy—State of the, [184] 1187;—Collision between the "Amazon" and the "Osprey," 1279, 1529;—Royal Dockyards, Res. 1524
- Supply—Supplementary Estimates, [184] 1301
- Ways and Means—Financial Statement, Comm. Res. 1, [183] 414

SAMUELSON, Mr. B., *Banbury*

- Bank Charter Act, [181] 448
- Coal, Motion for a Commission, [184] 291
- Liverpool, Nuisances at, [184] 696
- Mines and Woods, Rating of, [181] 1407

SANDFORD, Mr. G. M. W., *Maldon*

- Army Estimates—Martial Law, [181] 1764;—Volunteer Corps, 1769
- Cattle Plague, Experiments on, [181] 1315
- Cholera, The, [183] 986
- Committee of Selection, [181] 344
- Commons (Metropolis), Leave, [182] 632, 635, 639; 2R. [183] 1287, 1288
- Conference, The, [184] 240
- Danubian Principalities, The, [182] 1772
- Egypt—The Suez Canal, [181] 345
- Epping Forest, [181] 897
- Europe—State of, [184] 135
- European Affairs, Congress on, [183] 1149
- Members' Appropriation of Seats in the House, [182] 1766
- Neutrality Law, Inadequacy of our, [181] 1002
- Representation of the People, 2R. [182] 2174; Comm. [183] 1384; *cl.* 4, [184] 441; *cl.* 5, 539
- Supply—Quarantine Establishment, [183] 204, 206
- Terminable Annuities, 2R. [183] 1274

SAUNDERSON, Mr. E. J., *Cavan Co.*

- Army—Artillery—Cast-steel barrels, [184] 171
- Tenure and Improvement of Land (Ireland), 2R. [183] 1108

Sat First

- Feb 5*—The Earl of Bradford, after the Death of his Father
The Marquess of Bristol, after the Death of his Father
The Duke of Newcastle, after the Death of his Father
The Lord Walsingham, after the Death of his Father
- Mar 15*—The Earl Beauchamp, after the Death of his Father
- April 19*—The Earl of Jersey, after the Death of his Grandfather
- May 7*—The Lord Hay, after the Death of his Father
- May 28*—The Lord Ormonde, after the Death of his Father
- June 15*—The Lord Willoughby de Broke, after the Death of his Father
- July 9*—The Earl Bathurst, after the Death of his Brother
The Lord Oxford, after the Death of his Father
The Lord Clinton, after the Death of his Father
- July 23*—The Earl of Gainsborough, after the Death of his Father
The Earl of Harrington, after the Death of his Uncle

Savings Banks and Post Office Savings Banks Bill*(Mr. Chancellor of the Exchequer, Mr. Childers)*

- c. Resolution in Committee * *Feb 8*
Resolution reported; after debate, agreed to Bill ordered; read 1^o * *Feb 9* [Bill 5]
Read 2^o after short debate *Feb 15*, 578
Committee *; Report *Feb 19*
Considered as amended * *Feb 22*
Committee * (on re-comm.); Report *Feb 26*
Read 3^o * *Feb 27*
1. Read 1^a * (*The Lord Stanley of Alderley*)
Mar 2 (No. 31)
Read 2^a * *Mar 5*
Committee *; Report *Mar 6*
Read 3^a * *Mar 8*
Royal Assent *Mar 13* [29 *Vict.* c. 5]

Savings Banks, Municipal

Question, Colonel Wilson Patten; Answer, The Chancellor of the Exchequer *Mar 13*, [182] 135

Schools, Public—(see title *Public Schools*)**SCHREIBER, Mr. C., Cheltenham**

- Elections (Returning Officers), Comm. [184] 1021
Electoral Statistics — Cities and Boroughs, [182] 322
Fellows of Colleges Declaration, Comm. [182] 2045
Representation of the People, Leave, [182] 183; 2R. 2151
Sewage of Towns, [181] 508

SCLATER-BOOTH, Mr. G., Hampshire, N.

Army Estimates—Volunteer Corps, [181] 1770
Cattle Diseases, [181] 449

SCLATER-BOOTH, Mr. G.—cont.

- Cattle Plague, Comm. cl. 5, [181] 775; cl. 10, 798; cl. 28, Amendt. 800; add. cl. 953
Malt Duty, Res. [182] 1564
National Gallery Enlargement, 2R. [183] 741
Nottingham Writ, [183] 432
Public Health, Comm. cl. 22, [184] 1647; cl. 23, 1650
Representation of the People, Comm. [183] 1371, 1918; cl. 4, [184] 447
Supply—Civil Service Estimates, [181] 1783; —Embassies, &c. Motion for Adjournment, [183] 736; —Special Missions, 737; —Post Office Packet Service, [184] 914

SCOTLAND

Burghs—General Police and Improvement Act 1862, Question, Mr. M'Laren; Answer, Sir James Fergusson *July 19*, [184] 1070; Question, Major Walker; Answer, Mr. Walpole *July 20*, 1163

Cattle Disease in—Meeting of Scotch Members, Question, Lord Elcho; Answer, The Lord Advocate *Feb 15*, [181] 510; Motion for "Copy of a Memorial to the Privy Council from the Proprietors and Tenant Farmers of Kincardineshire" (*The Earl of Airlie*) *Feb 27*, [181] 1188; after short debate, Motion agreed to—(*Parl. P.* No. 35)

Dogs in, Observations, Mr. Ellice; Reply, The Chancellor of the Exchequer *Mar 9*, [181] 1832

Edinburgh Annuity Tax, &c., On Motion of Mr. M'Laren, Select Committee appointed, "to inquire into the operation of 'The Edinburgh Annuity Tax Abolition Act, 1860,' and 'The Canongate Annuity Tax Act,' and to report their opinion thereon to the House" *April 30*, [183] 231

Report—(*Parl. P.* No. 379, 379-I)

Education in, Question, Sir Andrew Agnew; Answer, The Lord Advocate *Mar 5*, [181] 1499

Fishery Act (1862), Motion, "That a Select Committee be appointed to inquire into the operation of the Fishery (Scotland) Act (1862)" (*Mr. Henry Baillie*) *Mar 20*, [182] 582; after debate, A. 58, N. 164; M. 106

Gunpowder, Storage at Leith Fort and Edinburgh Castle, Question, Mr. W. Miller; Answer, The Marquess of Hartington *May 17*, [183] 1049

Hypothec, Law of, Question, Mr. Carnegie; Answer, The Lord Advocate *Feb 9*, [181] 305

Lord Lieutenantcy of Ross-shire, Question, Earl Beauchamp; Answer, Earl Russell *July 9*, [184] 751

Lord Lyon King-at-Arms, Observations, Sir William Stirling-Maxwell; Reply, Mr. Grant *Duff June 8*, [184] 39

Lotteries for Charitable Purposes, Question, Mr. Whalley; Answer, The Lord Advocate *May 10*, [183] 670; Explanation, The Lord Advocate *May 14*, 874; Motion for Papers, Mr. Whalley *May 29*, 1476; [House counted out]

Poor Law Board, Edinburgh, Question, Mr. Henry Baillie; Answer, The Lord Advocate *April 23*, [182] 1872

SCOTLAND—*cont.*

Postal Arrangements in Fifeshire, Amendt. on Committee of Supply *May* 11, To leave out from "That," and add "in the opinion of this House, the complaints which have so frequently been addressed to the Post Office authorities by the Commissioners of Supply and others in the County of Fife, deserve the prompt attention of that department" (*Sir Robert Anstruther*), [183] 774; Question, "That the words, &c.;" after short debate, Amendt. withdrawn

Sheep Disease in, Question, The Duke of Buccleuch; Answer, The Duke of Buckingham *July* 31, [184] 1704

Sheriff's Substitute, Question, Mr. Cumming-Bruce; Answer, The Lord Advocate *May* 3, [183] 361

Wigtownshire Election, Question, Sir John Hay; Answer, The Lord Advocate *June* 12, [184] 235; Question, Mr. E. Craufurd; Answer, The Lord Advocate *June* 15, 474

"Scotland," *Mutiny on Board the*

Question, Mr. Graham; Answer Mr. Milner Gibson *Mar* 5, [181] 1504

SCOTT, Lord H. G., *Selkirkshire*

Bridgwater Election, New Writ, [183] 1667

Cattle Diseases, Comm. *cl.* 5, Amendt. [181] 513

Elections (Returning Officers), Comm. *cl.* 2, [184] 1024

Representation of the People, Comm. *cl.* 4, [184] 447

SCOURFIELD, Mr. J. H., *Haverfordwest*

Army—Royal Engineers' Department, [182] 842

Bribery at Elections, Res. [183] 1460

Cattle Plague, Comm. *cl.* 17, [181] 781

Clerks to Justices, 2R. [183] 651

Committee of Selection, [181] 343

Navy—Masters in the, [181] 1322;—Royal Dockyards, Res. [184] 1526

Railway Debentures, &c. Registry, Leave, [182] 1577

Railways, Motion for a Commission, [184] 1546

Representation of the People, Comm. [183] 1592

Standing Order No. 52, [181] 1800

Supply—Copyhold, Tithe and Inclosure Commission, [183] 199;—Lunacy Commission, &c. 200;—Superintendent of Roads, South Wales, 200

Turnpike Trusts, [182] 465

SCROPE, Mr. G. Poulett, *Stroud*

Representation of the People, Comm. *cl.* 5, [184] 573

Sea Coast Fisheries (Ireland) Bill

(*Mr. Blake, Mr. Brady*)

c. Ordered; read 1st *May* 8 [Bill 147]

Moved, "That the Bill be now read 2^o" (*Mr. Blake*) *July* 25, [184] 1458; after short debate, Motion withdrawn; Bill withdrawn

Sea Fisheries Commissioners

Question, Mr. E. Craufurd; Answer, The Lord Advocate *Feb* 19, [181] 761

Secretary of State for War, Patent of the

Question, Captain Vivian; Answer, The Marquess of Hartington *Mar* 5, [181] 1514

SEELY, Mr. C., *Lincoln*

Customs' Clerks, Salaries of the, [181] 1197

Navy Estimates—Men and Boys, [181] 1361, 1366;—Dockyard Salaries, 1849;—Naval Stores, [182] 331, 332, 338, 340;—Half Pay, 469

Navy—Royal Dockyards, Res. [184] 1501, 1516, 1518, 1523, 1528, 2060, 2068;—Dockyard Expenditure, 2161, 2162; Explanation, 2164

Select Vestries Bill

l. Read 1st *Feb* 6

Selling and Hawking Goods on Sunday

Bill [H.L.] (*The Lord Chelmsford*)

l. Presented; read 1st *April* 30 (No. 92)

[183] Moved, "That the Bill be now read 2nd" *May* 3, 335

Amendt. to leave out ("now,") and insert ("this day six months") (*Lord Teynham*); after long debate, Question, "That ('now,') &c.;" resolved in the affirmative; Read 2^a; After short debate, Committee put off *May* 7, 478

Moved, "That the House do now resolve itself into a Committee on the said Bill" (*Lord Chelmsford*) *May* 15, 929

Amendt. to leave out ("now,") and insert ("this day six months;") after long debate, Question, "That ('now,') &c.;" resolved in the affirmative; House in Committee; Amendts. made (No. 119)

Amendts. reported *May* 17, 1036 (No. 121)

Amendt. to leave out ("except as hereinafter excepted") and insert ("between the hours of ten o'clock in the morning and one o'clock in the afternoon") (*The Chairman of Committees*); after debate, Question, Whether the words proposed to be left out stand part of the Bill? Cont. 40, Not-Cont. 54; M. 14; Division List, Cont. and Not-Cont., 1047

Moved, "That the Bill be now read 3rd" (*The Chairman of Committees*) *May* 18, 1133

Amendt. to leave out ("now,") and insert ("this day six months") (*Lord Taunton*); after debate, on Question, "That ('now,') &c.;" Cont. 50, Not-Cont. 49; M. 1; Read 2^a; Division List, Cont. and Not-Cont., 1140

Amendt. to leave out Clause 4 (*Lord Portman*); after debate, debate adjourned

Order for resuming the further debate on the Amendt. moved on Third Reading, namely, to leave out Clause 4 (*Lord Portman*) read *June* 1, 1672; Amendt. agreed to

Moved, That the Bill do pass; on Question, Cont. 40, Not-Cont. 69; M. 29; Division List, Cont. and Not-Cont., 1681

SELWIN, Mr. H. J., *Essex, E.*

Representation of the People, 2R. [182] 1274
Spain, Chile, and Peru, War between, [182]
420

SFLWYN, Mr. C. J., *Cambridge University*
Compulsory Church Rate Abolition, 2R. [184]
1448, 1870

Devonport Election, [181] 1314

Fellows of Colleges Declaration, 2R. [181]
1264; Comm. [182] 2049; 3R. [183] 2008

Finsbury Estate, 2R. [184] 305

New Zealand—Bishopric of Nelson, [182] 1988,
1989

Public Health, Comm. cl. 30, [184] 1684

Supply—Royal Parks, &c. [182] 911

Sewage and Pollution of Rivers—Mr. Dover's Plan

Moved, "That a Select Committee be appointed to inquire into the Means suggested by Mr. Dover of disinfecting sewage and preventing the Pollution of Rivers" (*The Earl of Shrewsbury*) July 19, [184] 1061; after short debate, Motion withdrawn

Sewage of Towns

Question, Mr. Schreiber; Answer, Sir George Grey Feb 15, [181] 503

SEYMOUR, Rear-Admiral G. H., († Lord of the Admiralty), *Antrim Co.*

Navy Estimates—Men and Boys, [181] 1171;—
Half Pay, [182] 562

† Navy—Naval Coast Volunteers, [184] 2140
Spain and Chile—War between, [183] 971

SEYMOUR, Mr. H. D., *Poole*

Abyssinia—Prisoners in, [184] 2164

Army Estimates—Land Forces, [181] 1571

Army—The 11th Hussars and Breech-loading
Guns, [184] 831, 840

Austrian Territory, Raid on the, [182] 2076

Cattle Diseases, Comm. cl. 14, [181] 551

East India Revenue Accounts, Comm. [184]
1133

Europe, State of, [184] 147

National Gallery and Burlington House, Res.
[184] 1310

National Gallery, Director of the, [181] 761

Re-distribution of Seats, [182] 486

Representation of the People, Comm. [183]
1848

Share Capital of Companies, [182] 282

Supply—Public Buildings, [182] 905, 906;—
University of London, [183] 192;—British
Museum, [184] 1554, 1565;—Science and
Art Department, 1572, 1573;—National
Gallery, 1577

SHAFTESBURY, Earl of

Children, Employment of, [182] 1503

Consecration of Churchyards, 2R. [184] 1366

Factory Act, The, [184] 781

Labouring Classes' Dwellings, 2R. [183] 567

Law of Capital Punishment Amendment, 2R.
[183] 256

SHAFTESBURY, Earl of—*cont.*

Lunacy Act (Scotland) Amendment, Report,
add. cl. [184] 464

Masters and Operatives, 2R. [184] 1060

Persia—Nestorians in, [183] 566

Public Health, 2R. [184] 2072

Public Libraries Act Amendment, 2R. [184]
1995

Public Meeting Places in the Metropolis, [184]
1588, 1589, 1591, 1592

Reform League and the Home Secretary, [184]
1491

Reform Meeting in Hyde Park, [184] 1161

Selling and Hawking Goods on Sunday, Comm.
[183] 479; *cl.* 2, 945, 948; *cl.* 9, Amendt.
948

Vaccination, [184] 1369

Working Classes, Improvement of the Dwell-
ings of the, [184] 2069

Shannon River

Select Committee appointed "to inquire into the manner in which the Drainage and Navigation of the River Shannon has been carried out under the direction of Her Majesty's Government, and to report what steps should be taken to complete the works for which a compulsory levy of £300,000 has been made on the adjoining counties" Mar 19, [182] 569

And, on March 19, Committee nominated as follows:—Colonel French, Mr. Childers, Mr. William Ormsby Gore, Mr. Acland, Lord Dunkellin, Colonel Vandeleur, Sir Edward Dering, Sir William Jolliffe, Mr. Dillon, Mr. Laird, Mr. Pollard-Urquhart, Mr. Dudley Fortescue, Mr. Agar-Ellis, Mr. Cave, and Lord Burghley

Report April 25—(*Parl. P.* No. 213)

Sheep, Diseases in

Question, Sir Jervoise Jervoise; Answer, Mr. H. A. Bruce Feb 22, [181] 899—*Small Pox among*, Questions, The Earl of Derby; Answer, Earl Granville Feb 20, 804; Questions, The Duke of Richmond; Answer, Earl Granville Feb 27, 1179; Question, Mr. Baillie Cochrane; Answer, Sir George Grey Mar 20, [182] 581; Question, Sir Andrew Agnew; Answer, Mr. H. A. Bruce Mar 12, [182] 15; Question, Mr. Long; Answer, Mr. H. A. Bruce Mar 13, 137

Importation of, into Ireland, Question, Mr. Cogan; Answer, The Attorney General for Ireland Mar 16, [182] 421

Scotland, Question, The Duke of Buccleuch; Answer, The Duke of Buckingham July 31, [184] 1704

SHERIDAN, Mr. H. B., *Dudley*

Business of the House, [183] 1199; [184]
475

Chancery, Court of, [184] 646

Courts of Justice, Res. [182] 796

Customs and Inland Revenue, 2R. [183] 1215;
Comm. cl. 1, 1405

Ferguson, Mr., Case of, Motion for Papers,
[181] 1737, 1744, 1745

Fire Insurance, [182] 491, 1873 2007

National Debt, [183] 485

[*cont.*]

[*cont.*]

SHERIDAN, Mr. H. B.—*cont.*

Navy—Greenwich Hospital Estates, [181] 812, 813

Railways (Guards' and Passengers' communication), Leave, [181] 1199

Terminable Annuities, [183] 1201

Weights and Measures, [182] 580

Sheriff Court Houses (Scotland) Act (1860) Amendment Bill

(*The Lord Advocate, Mr. Adam*)

c. Ordered * *Mar 6*

Read 1^o *Mar 8*

[Bill 56]

Read 2^o * *Mar 15*

Committee *; Report *Mar 19*

Considered as amended * *Mar 20*

Read 3^o * *Mar 21*

l. Read 1^a * (*The Duke of Montrose*) *Mar 22*

Read 2^a * *July 19*

(No. 57)

Committee *; Report *July 20*

Read 3^a * *July 23*

Royal Assent *July 30* [29 & 30 *Vict. c. 53*]

SHERRIFF, Mr. A. C., *Worcester City*

Ballard, Emily Jane, Case of, [182] 845; [183] 283

Cattle Diseases, Comm. *cl. 48*, Amendt. [181] 634

SHREWSBURY, Earl of

Houses of Parliament Approaches, [181] 1591

Sewage and Pollution of Rivers, &c, [184] 930, 931; Motion for a Committee, 1061, 1062

Siam

Consulate at Bangkok, Question, Mr. Wyld; Answer, Mr. Layard *Mar 6*, [181] 1616

Myloongee Case, *The*, Question, Colonel Sykes; Answer, Mr. Layard *May 18*, [183] 1146

SIDMOUTH, Viscount

Cattle Plague, [181] 280

SIMEON, Sir J., *Isle of Wight*

Cattle Diseases, Comm. *cl. 7*, [181] 518, 643; *cl. 21*, 571

Cattle Plague, Comm. *cl. 20*, Amendt. [181] 797

Representation of the People, 2R. [182] 1399

SMITH, Mr. J. A., *Chichester*

Cholera, *The*, [184] 2100

SMITH, Mr. J. B., *Stockport*

Army—Breech-loading Guns, [184] 829

Cattle Diseases, Comm. *cl. 13*, [181] 532; *cl. 31*, 612, 616

Currency and Banking, Motion for a Commission; Motion for Adjournment, [184] 1761

East India Revenue Accounts, Comm. [184] 1123

India—The Budget, [181] 1284, 1285

Metrical System, *The*, [184] 1899

Representation of the People, Comm. *cl. 4*, [184] 433, 436

Sugar Duties, *The*, [184] 478, 479

Smithfield Dead Meat Market

Question, Mr. McCullagh Torrens; Answer, Sir George Grey *Mar 6*, [181] 1619

Smoke Nuisance, *The*

Question, Sir Robert Peel; Answer, Sir George Grey *Feb 13*, [181] 448; Observations, Sir Robert Peel; Reply, Sir George Grey; long debate thereon *Mar 9*, 1810; Question, Sir Robert Peel; Answer, Sir George Grey *April 20*, [182] 1772

SMOLLETT, Mr. P. B., *Dumbartonshire*

Bribery at Elections, Res. [183] 1462

East India Revenue Accounts, Comm. [184] 1106, 1112, 1121;—Colonel Strachey, Explanation, 2039

India—Tenure of Land, Res. [183] 709, 719, 720;—Madras Irrigation Company, 766, 767, 962; [184] 1284

SOLICITOR GENERAL, *The* (see also COLLIER, Sir R. P.), *Plymouth*

Cattle Diseases, Comm. *cl. 13*, [181] 543

Devonport Election, [181] 1299

Juries in Criminal Cases, 2R. [181] 877

Representation of the People, Comm. [183] 1376; *cl. 4*, [184] 196; *cl. 5*, 576, 585

Special Jurors Summonses, [181] 1617

Supply—Patent Office, [182] 955

SOLICITOR GENERAL, *The* (see also BOVILL, Sir W.), *Guildford*

Ballot, *The*, Res. [184] 991

Compulsory Church Rate Abolition, 2R. [184] 1876, 1880

Public Health, Comm. *cl. 20*, [184] 1647; *cl. 22*, 1648; *cl. 50*, Amendt. 1909

Solicitor to the Treasury Bill

(*Mr. Childers, Mr. Brand*)

c. Ordered; read 1^o * *May 10* [Bill 152]

Read 2^o *May 11*, [183] 844

Committee *; Report *May 17*

Read 3^o * *May 24*

l. Read 1^a * *May 28* (No. 125)

SOMERSET, Duke of (First Lord of the Admiralty)

Cholera among German Emigrants, Motion for Papers, [183] 954

Devonport Election—Explanation, [181] 1376, 1378

Ireland—Daunt's Rock, [182] 1986

Life Boats on the Coast, [181] 589

Navy—Turret Ships, Motion for an Address, [182] 5, 13;—H.M.S. "Octavia," 1975

Patriotic Fund, Royal, [183] 1684, 1770

Spain and Chile—War between, [183] 956, 959

South American Meat

Question, Mr. Oliphant; Answer, Lord Stanley *August 7*, [184] 2135

South Kensington and the British Museum

Question, Mr. C. Bentinck; Answer, The Chancellor of the Exchequer *Feb 20, [181]* 814

Spain and Chile and Peru, War between

182] Question, Mr. Selwyn; Answer, Mr. Layard *Mar 16, 420*

183] *Blockade of the Chilean Ports—Bombardment of Valparaiso*, Question, Lord Houghton; Answer, The Duke of Somerset *May 15, 955*; Question, Sir Lawrence Palk; Answer, Mr. Layard; discussion thereon *May 15, 965*; Question, Mr. Darby Griffith; Answer, Mr. Layard *May 18, 1149*; Question, Mr. Liddell; Answer, Mr. Layard *May 31, 1552*; Question, Mr. Darby Griffith; Answer, Mr. Layard *June 1, 1690*

Correspondence *Parl. P.* . . [3663]

Speaker, Choice of a

Right Hon. John Evelyn Denison unanimously called to the Chair *Feb 1, [181]* 4;—*Presented and approved Feb 2, 17*

SPEAKER, The (Right Hon. J. E. Denison)
Nottinghamshire, N.

Illness of—The Clerk at the Table informed the House of the unavoidable absence of Mr. Speaker, through illness, and read his letter to the House—Whereupon Mr. Dodson, the Chairman of the Committee of Ways and Means, proceeded to the Table as Deputy Speaker; and after prayers, counted the House, and forty Members being present, took the Chair, pursuant to the Standing Order of the 20th day of July, 1855—*Mar 9, [181]* 1792; and the like on subsequent occasions

Mr. Speaker resumes the Chair; and after thanking the House for its kindness and consideration during his illness, requests the further indulgence of being permitted to sit while putting the Questions *April 9, [182]* 888

On the Chairman of Committee (Supply) leaving the Chair (in the course of the evening) the Clerk informed the House that Mr. Speaker was advised by his medical attendant that he was not in a condition to return to the House at that late hour—Whereupon Mr. Dodson, the Chairman of Committee of Ways and Means, took the Chair as Deputy Speaker *April 9, [182]* 953

The Clerk having informed the House that Mr. Speaker had been obliged by the state of his health to retire from the House for the remainder of the night—Mr. Dodson took the Chair as Deputy Speaker *April 17, April 19, April 20*

Mr. Speaker informed the House that having received notice that a Commission to give the Royal Assent to several Acts of Parliament is ordered for this day, and that being disabled from attending with the House in the House of Peers, he should be obliged, with the permission of the House, to withdraw before the arrival of the Usher of the Black

[cont.]

SPEAKER, The—cont.

Rod—Whereupon it was Resolved that during the temporary absence of Mr. Speaker from the House this day, for the reason stated by him, the Chairman of the Committee of Ways and Means do take the Chair as Deputy Speaker, and do attend with this House in the House of Peers, and do report to this House the Royal Assent to this Act *April 20, [182]* 1763, *April 23, April 30, May 18*

Amendment—Withdrawal of—The O'Donoghue having moved an Amendment to a paragraph in the Address, proposed to withdraw it, in order to add the words to the paragraph. Mr. Speaker said, that the Amendment was in possession of the House, and it was for the House to decide whether they would grant permission to the hon. Gentleman to make the change he proposed.—*Debate on the Address, [181]* 273

Amendment on Motion "That Mr. Speaker do now leave the Chair"—*Representation of the People Bill*: Committee—Notice given of Amendments to Motion "That Mr. Speaker do now leave the Chair"—Motion made that this Bill and the *Re-distribution of Seats Bill* be referred to the same Committee, and agreed to—Instruction to the Committee agreed to—The only Amendment that could be moved to the Motion "That Mr. Speaker do now leave the Chair," was [the first] that of the hon. Member for Wells; and the House having decided that Mr. Speaker do now leave the Chair, the opportunity for moving any other Amendment had gone by

An hon. Member had given notice to move an Amendment on Question "That Mr. Speaker, &c.," on order for Committee on the first of these Bills—The opportunity had passed by—The proper time for raising the Question was by objecting to the Motion for reference of both Bills to the same Committee; in which case the second Bill must have been postponed, [183] 1913

Amendments on Motion "That Mr. Speaker do now leave the Chair."—Mr. Speaker explains the application of Standing Order July 19, to the circumstances attending the close of the debate on Amendment to Motion that he do now leave the Chair, on order of the day for the House to go into Committee on the *Representation of the People Bill, June 4, [183]* 1918, 1947

Bills—When a Bill is brought in it is at once read a first time—*Representation of the People Bill, [181]* 1286

Bills—Passing a Bill through several stages at one sitting—Notice—The *Indemnity Bill*, having been read a second time, committed, reported, and considered, it was moved "That the Bill be now read the third time"—Mr. Darby Griffith asked whether more notice ought not to have been given, when it was intended to pass a Bill through all its stages, than the mere Motion of a Member of the Government? Mr. Speaker said, that under such circumstances it was competent to any hon. Member to interfere; but if the body

[cont.]

SPEAKER, The—*cont.*

of the House was satisfied that there was no objection, then it had not been unfrequent that a Bill, if it had been passed through Committee without Amendment or objection, should be read a third time and passed in the same day, [184] 2107

Bills—Reprints of Bills—The usual course before reprinting a Bill, is that the House should go into Committee *pro forma*, and afterwards that the Bill should be re-committed; but if any other course is for the convenience of Members, there is no objection to its adoption—*Representation of the People Bill, and Redistribution of Seats Bill*, [183] 344

Chairman of Committees—An hon. Member having asked Mr. Speaker whether on going into Committee on the first Naval Vote, Members would be allowed to discuss the Estimates at large? Mr. Speaker said, that the Question should be addressed to the Chairman of Committees—*Masters in the Royal Navy*, [181] 1320

Debate—Limitation in Explanation—*Court of Queen's Bench (Ireland)*, [183] 355; [184] 1667

Debate—Explanation—Interruption of a Member for the purpose of explanation, irregular—*Court of Queen's Bench (Ireland)*, [183] 800

Debate—Premature discussion of a Motion—A Member may speak generally on a subject before the House; but to speak of a proposal of which he has given Notice for a future day, is not in order—*Representation of the People Bill*, [183] 1334

Debate—Premature discussion of a Motion—A Member who has given Notice of a Motion to be made at a later period of the evening, cannot by anticipation go into that Question by moving the adjournment of the House—*Queen's University and Queen's Colleges (Ireland)*, [181] 965; [184] 1536

Debate—Discussion of a Bill not before the House—In debate on the *Representation of the People (England) Bill*, an hon. Member complained of a provision in the Irish Bill. Mr. Speaker said, the hon. Member was not in order in discussing the Reform Bill for Ireland, as that measure was not before the House, [183] 918

Debate—Reference to a past Debate—A Member is out of order in referring to a debate which has taken place during the present Session, [183] 1450; [184] 2139

Debate—To quote a speech made in the other House during the present Session, not in order.—*Tenure and Improvement of Land (Ireland) Bill*, [183] 1098

Debate—To read a letter which makes comment on the debates of this House, not in order.—*Army—Musketry Instruction*, [183] 826

Debate—Unparliamentary Expressions—To assert that an hon. Gentleman makes a statement which he knows to be unfounded is going beyond the Parliamentary limits of debate—And Mr. Speaker called upon the

[*cont.*]SPEAKER, The—*cont.*

Member who had used this expression to apologize or retract the words objected to.—*The Irish Bench*, [183] 801

Debate—The House having exhibited marked impatience during the speech of an hon. Member, Mr. Speaker appealed to him, considering the length of time that had been already spent, that he should exercise forbearance, and not proceed further with his address.—*Fenian Conspiracy—Motion for a Committee*, [183] 1696

Committees—Instructions—An Instruction is not in the nature of an Amendment to the Motion for going into Committee, and therefore Amendments to that Motion are not interfered with by an Instruction.—*Representation of the People, &c. Bill*, [183] 921

Divisions—Any Member who has first given his voice with the "Ayes," and then says that the "Noes" have it, in order to force a division, does an irregular and un-Parliamentary thing

A Member who, having given his voice with the "Ayes," and the Speaker having declared that "The Ayes have it," challenges the decision of the Speaker by saying "The Noes have it," will have to vote with the "Noes."—*Representation of the People Bill*, [183] 1919

Election Committees—The Bridgwater Election Committee having reported, the evidence having been laid on the Table of the House, and the House having acted upon it and issued the writ; it is beyond the province of a private Member to interrogate the Chairman now as to the proceedings of that Committee.—*Bridgwater Election—Question*, [183] 1797

Members' Appropriation of Seats in the House—The Order of the House, made some years ago, is that the only way to secure a seat shall be by attendance at prayers, and that then a card shall be placed at the back of the seat April 20, [182] 1765

Motion of which notice has been given may be changed to a Question—A Member having given notice that he will, at a later period of the evening, on going into Committee of Supply, make a Motion on a certain subject, has the liberty, if he pleases, of changing that Motion into the form of a Question; but in putting that Question, he is bound to observe the prescribed rules.—*Queen's University and Queen's Colleges (Ireland)*, [181] 965

Motion—A Motion having been proposed is in the possession of the House and cannot be withdrawn without leave (*see* Amendment), [181] 273

Motion "That the House do now adjourn"—Colonel Sykes having brought to the attention of the House the conduct of the Acting Governor of Hong Kong, and concluded by Motion *pro forma* "That the House do now adjourn"—Mr. Watkin rose to Order, and inquired whether it was competent to the hon. and gallant Member to make that Motion, there being a notice of Motion on the paper "That the House do adjourn until

[*cont.*]

SPEAKER, The—*cont.*

Monday." Mr. Speaker said, that Supply not being on the paper, there was nothing to prevent the hon. and gallant Member from making the Motion "That the House do now adjourn," [184] 2050

Mr. Henley having moved "That the debate be now adjourned," which was negatived on division, moved "That the House do now adjourn." Mr. Speaker said, it was not competent for the right hon. Gentleman to make that Motion after the last Motion which he had made.—*Compulsory Church Rate Abolition Bill*, [184] 1449

Orders of the Day—The Government having the power of arranging the Orders (on Government nights) in the way which may appear to them most convenient for the despatch of public business; and the Committee on Ways and Means, and the Committee on the National Debt Acts, which were intended to stand together, having been accidentally separated in the notices distributed on Saturday, the Clerk directed them to be printed together in the Orders of the Day for Monday evening, [183] 563

Parliamentary Papers—Lord Robert Montagu having complained that copies of the Cattle Diseases Act had not been delivered to Members, although it was stated (in the Notices) to have been 'delivered' the previous day, and numerous copies had been sold to the public—Mr. Speaker said, that the House had no immediate control over the Queen's printer, but that a communication should be made to the Clerk of the Parliaments to prevent the recurrence of such a circumstance, [181] 901

Question may be substituted for a Motion of which notice has been given—A Member having given notice that he will, at a later period of the evening, on going into Committee of Supply, make a Motion on a certain subject, has the liberty, if he pleases, of changing that Motion into the form of a Question; but in putting that Question, he is bound to observe the prescribed rules.—*Queen's University and Queen's Colleges (Ireland)*, [181] 965

Questions—Ministerial replies to Questions—When a Question is asked and a Member of the Government rises to reply, it is proper that he should be allowed to do so at once; and that hon. Members should reserve further Questions till that reply has been given, [184] 238

Speaker's Warrants—Election Committees—The Speaker's warrant is simply a warrant commanding attendance before an Election Committee; and the only reason for applying to the Speaker for his warrant is, that until the Committees are appointed, there is no Chairman with authority to issue his warrant to summon witnesses before them.—*Devonport Election*, [181] 1302

Votes and Proceedings of the House—The 'days of the week' and the 'months' in the Votes, which have hitherto been in Latin, to be henceforth in English, [181] 107

Special Jury Summonses

Questions, Mr. Whatman; Answer, The Solicitor General *Mar 6*, [181] 1616

SPENCER, Earl

Cattle Diseases, Comm. *cl.* 12, [181] 750; *cl.* 14, 755

Cattle Plague, Comm. *cl.* E, [181] 1701; *add. cl.* 1705

Cattle Plague, The, [181] 281;—Conference at St. James' Hall, 295

STACPOOLE, Captain W., *Ennis*

India—State of Oude, [184] 1281

Standards of Weights, Measures, and Coinage Bill

(*Mr. Childers, Mr. Milner Gibson*)

c. Ordered; read 1^o * *May 28* [Bill 166]

Read 2^o * *June 4*

Committee*; Report *June 7*

Read 3^o * *June 8*

l. Read 1st (*The Earl of Belmore*) *June 11*

Moved, "That the Bill be now read 2nd"

July 16, [184] 816; Bill read 2nd (No. 150)

Committee* *July 20*

Report* *July 24*

(No. 208)

Read 3rd * *July 26*

Royal Assent *August 6* [29 & 30 *Vict. c. 82*]

STANHOPE, Earl

British Museum, The, [181] 342

Cattle Diseases (Ireland), 2R. [181] 1495

Cattle Plague Returns, [181] 804

Public Schools, 2R. [183] 1411; Comm. *cl.* 17, 1930; 3R. *cl.* 15, [184] 525

Rights of dramatizing Works of Fiction, 2R. [184] 362

Sale of Land by Auction, Comm. *cl.* 8, [181] 884

Street Accidents, [182] 722

STANHOPE, Mr. J. Banks, *Lincolnshire, N.*

Address in Answer to the Speech, [181] 125

Cattle Diseases, Leave, [181] 422; Comm. *cl.* 13, 535

Cattle Plague, Comm. *cl.* 6, [181] 776; *cl.* 16, 779; *cl.* 17, 782; *add. cl.* 866; *cl.* 30, 946

Cattle Plague, The, [181] 1394

Electoral Statistics, [182] 856, 873, 874

Representation of the People, 2R. [182]

1212; Comm. *cl.* 4, [183] 2106; [184] 206; Amendt. 409

Working Classes, Income of the, [182] 971

STANLAND, Mr. M., *Boston*

Bribery at Elections, Res. [183] 1452

Gas Light and Coke Company, Consid. [184] 234

Imperial Gas Company, 2R. [183] 581, 583

Representation of the People, Comm. [183] 1331, 1334

STANLEY, Hon. W. Owen, *Beaumaris*

Cattle Diseases, Comm. *cl.* 16, [181] 563; *cl.* 21, 572, 603; *cl.* 43, 631, 632

Cattle Plague, Comm. *cl.* 5, [181] 775; *cl.* 16, 779; *cl.* 17, 785; *cl.* 29, 802

[*cont.*]

STANLEY, Hon. W. Owen—*cont.*

- Cattle Plague, The, [182] 496;—Importation of Diseased Cattle from Ireland, [183] 1148, 1687, 1689
- Cattle Plague Statistics, [181] 898
- Ireland—Cattle Plague, [183] 965
- Metropolis, Traffic in the, [183] 161, 162
- Representation of the People, 2R. [182] 1151
- Totnes Election, Motion for a Joint Address, [183] 267

STANLEY, Right Hon. Lord († Secretary of State for Foreign Affairs), *Lynn Regis*

- † Abyssinia—Imprisonment of British subjects, [184] 1900, 2163, 2164
- † Austria and Prussia—Prolongation of the Armistice, [184] 1616
- Cattle Diseases, Comm. cl. 15, [181] 553
- † China—Transit Duties, [184] 1898
- † Danish Sleswig, [184] 1535
- † Danubian Principalities, [184] 1324
- Day of Humiliation—Committees, [182] 504
- † Extradition Treaties Act Amendment, 2R. [184] 2004, 2030; Comm. add. cl. 2113, 2123, 2124
- † Foreign Policy, [184] 1252
- † France—Extradition Treaty with, [184] 1533; and Italy, 2096
- † Frankfort—British Minister at, [184] 1665
- † Hanover and Prussia, [184] 942
- India—Grievances of Officers of the Army—Singapore—The Straits Settlements, [181] 895
- † Italy—Monastery of Monte Cassino, Motion for Papers, [184] 1842
- Jamaica—The Commission, [183] 364
- Japan—Exchanges in, [181] 1194
- † Metrical System, The, [184] 1899
- Mid-London Railway, 2R. [181] 1593
- † Navigation Laws, Motion for Papers, [184] 2148
- † Prussian Requisitions on Frankfort, [184] 1535
- Railways (Ireland) — Metropolitan Railway Schemes, [181] 1016, 1021
- Representation of the People, 2R. [182] 1163, 1173; Comm. cl. 4, Amendt. [183] 2057
- † Rhine Provinces, The, [184] 2163
- † South American Meat, [184] 2135
- Standing Order No. 52, [181] 1801
- † Turkish Consolidated Debt, [184] 1614
- † United States—Our relations with the, [184] 1280
- Ways and Means—Financial Statement, Comm. Res. 1, [183] 414

STANLEY OF ALDERLEY, Lord († Postmaster General)

- † Art, 2R. [181] 807, 808, 809; Comm. cl. 1, 884, 885; cl. 3, 887; Report, 956, 957
- † Cattle Diseases, Comm. cl. 12, [181] 749
- † Companies' Act (1862) Amendment, Comm. [183] 2031
- Consecration of Churchyards, 2R. [184] 1866
- Consecration of Churchyards (No. 2), Comm. [184] 1496; 3R. 1654, 1655
- Dogs, 2R. [184] 814
- Hundred Bridges, 2R. [184] 1600
- † Labouring Classes' Dwellings, 2R. [183] 567, 569

STANLEY OF ALDERLEY, Lord—*cont.*

- † Life Boats on the Coast, [181] 591
- † Medical assistance at Police Stations, [184] 525
- † Metropolitan Railway (Additional Powers), 2R. [183] 1771; 3R. cl. 42, [184] 503
- † Post Office Clerks, [183] 765
- † Private Bills—Standing Order No. 184, [183] 1789; [184] 23, 113
- Railway traffic protection, 2R. [184] 772
- † Railways, Finance of, [183] 864
- † Sea Fisheries—Report of Commissioners, [182] 1757
- † Selling and Hawking Goods on Sunday, Comm. cl. 2, [183] 946; cl. 4, 948; 3R. 1141, 1142
- Standing Orders, No. 184, [184] 1594; Amendt. 1596; No. 185, 1598

STANSFELD, Mr. J. († Under Secretary of State for India), *Halifax*

- East India Revenue Accounts, Comm. [184] 1103
- † India—Lahore Bishopric Bill, [181] 811;—Expedition to Bhootan, 1199;—The Budget, 1285;—Claims on Oude, [182] 1507; [183] 364;—Tenure of Land, 716;—Madras Irrigation, 766, 767, 962;—Report on the Moral and material progress of, [184] 718
- † India Office, Financial Department, [182] 1122
- † Indian Officers, Grievances of, [181] 895, 1615; [183] 484, 767; [184] 648

Statute Law Revision Bill

(The Lord Chancellor)

- 1. Presented; read 1^a June 12, [184] 210
- Order of the day for the second reading read *July* 12, 779 (No. 154)
- Moved, "That the order be discharged" (*The Lord Cranworth*); Order discharged; Bill withdrawn

STIRLING-MAXWELL, Sir W., *Perthshire*

- Cattle Plague — Compensation for Slaughtered Cattle, [183] 812, 814
- Hares and Rabbits (Scotland), [184] 943; 2R. 1259
- Representation of the People (Scotland), Leave, [183] 524
- Scotland—Lord Lyon King-at-Arms, [184] 39
- Supply — New Houses of Parliament, [182] 926; [183] 1691
- Voting Papers, [183] 1793

STONE, Mr. W. H., *Portsmouth*

- Cattle Diseases, Comm. cl. 44, Amendt. [181] 633

STRADBROKE, Earl of

- Imprisonment for Debt, [182] 484

Straits Settlements Bill

(Mr. Stansfeld, Mr. W. E. Forster)

- c. Ordered; read 1^o * *June* 4 [Bill 176]
- Read 2^o * *July* 16
- Committee*; Report *July* 17
- Considered as amended * *July* 19
- Read 3^o * *July* 20

[*cont.*][*cont.*]

Straits Settlements Bill—cont.

- l. Read 1^a * (*The Earl of Carnarvon*) July 23
 Read 2^a * July 27 (No. 211)
 Committee * July 30 (No. 242)
 Amendments reported August 3, [184] 1994;
 after short debate, a further Amendment
 made (No. 273)
 Read 3^a * August 6
 Royal Assent August 10 [29 & 30 Vict. c. 115]

STRATFORD DE REDCLIFFE, Viscount

- Austria, Prussia, and Italy, [183] 573
 Danubian Principalities, Motion for Papers,
 [184] 1146, 1154
 Europe—State of, [183] 1181
 Persia—Nestorians in, [183] 564
 Public Schools, Comm. cl. 17, [183] 1930;
 3R. cl. 15, [184] 528
 Selling and Hawking Goods on Sunday, 3R.
 [183] 1139

STRATHEDEN AND CAMPBELL, Lord

- Cattle Plague, Motion for Papers, [181] 503
 Electoral Returns, Motion for Returns, [181]
 1187, 1188; Motion for a Committee, [182]
 1492

STUART, Colonel W., *Bedford*

- Cattle Statistics, [181] 762
 Public Health, Comm. cl. 23, [184] 1650

STUCKLEY, Sir G. S., *Barnstaple*

- Army—Artillery—Guns and Gun Cotton,
 [183] 2036

Sugar Duties, The

- Observations, Mr. Barclay; Reply, The Chan-
 cellor of the Exchequer; debate thereon
 June 15, [184] 476

SULLIVAN, Mr. E. († Solicitor General for
Ireland), *Mallow*

- † Admiralty Court (Ireland), Leave, [183] 281
 Compulsory Church Rate Abolition, 2R. [184]
 1451
 † Court of Chancery (Ireland), 2R. [182] 566;
 [183] 666, 667
 Elections (Returning Officers), Comm. cl. 2,
 [184] 1028
 † Ireland—Proclamation of the County of Louth,
 [181] 816;—Fatal Riot at the Election for
 Monaghan, [182] 455;—Escape of Stephens,
 Motion for Papers, 769;—The Irish Bench,
 [183] 803, 804, 805
 † Tenure and Improvement of Land (Ireland),
 Leave, [183] 230; 2R. [184] 1479

Summary Procedure (Scotland Bill

(*The Lord Advocate, Mr. Solicitor General for
 Scotland, Sir G. Grey*)

- c. Ordered; read 1^a * Mar 12 [Bill 64]
 Bill withdrawn * July 19

*Sunday Lectures on Scientific and Reli-
gious Subjects*

- Question, Mr. Gregory; Answer, The Attorney
 General Mar 15, [182] 288

Sunday Schools—Liability to Rates

- Question, Mr. Hadfield; Answer, Mr. Gathorne
 Hardy July 26, [184] 1581

Superannuations (Officers Metropolitan
Vestries and District Boards) Bill

(*Mr. Harvey Lewis, Mr. Chambers*)

- c. Ordered; read 1^a * Mar 6 [Bill 52]
 Moved, "That the Bill be now read 2^a" (*Mr.
 Harvey Lewis*) April 10, [182] 1076; read 2^a,
 after short debate
 Committee *; Report April 17 [Bill 108]
 Considered as amended April 24, 2009
 Read 3^a * April 27
 l. Read 1^a * (*The Lord Llanover*) April 30
 Read 2^a * May 14 (No. 91)
 Committee *; Report May 15
 Read 3^a * May 17
 Royal Assent May 18 [29 Vict. c. 31]

SUPPLY, 1866

- Queen's Speech consid. Feb 12; Motion, "That
 a Supply be granted to Her Majesty;" Com-
 mittee thereupon to-morrow
 Committee on Motion, "That a Supply be
 granted to Her Majesty;" Queen's Speech
 referred; Motion considered Feb 13
 Resolved, "That a Supply be granted to Her
 Majesty"
 Resolution reported, and agreed to *Nem. Con.*
 Feb 14—Committee appointed for Friday
 181] *Marriage Portion of the Princess Helena*—
 Queen's Message referred; considered in
 Committee Feb 23, 1056; after short debate,
 a Resolution agreed to; £30,000, Marriage
 Portion of Princess Helena
 . Considered in Committee; NAVY ESTIMATES
 Feb 26—Statement of the Secretary of the
 Navy (*Lord Clarence Paget*) in moving
 Vote 1, 1142
 NEW ZEALAND ADVANCES, DEFICIENCIES (CIVIL
 SERVICE) Feb 26 — Resolutions reported
 Feb 27
 . Considered in Committee; NAVY ESTIMATES
 Mar 1, 1322—Resolutions reported Mar 2
 . Considered in Committee Mar 2—R.P. *
 . Considered in Committee; ARMY ESTIMATES
 Mar 5—Statement of the Secretary of State
 for War (*The Marquess of Hartington*) on
 moving First Resolution, 1531—Resolutions
 reported Mar 6, 1628
 . Considered in Committee; ARMY ESTIMATES
 —CIVIL SERVICE ESTIMATES (£1,828,000 on
 Account) Mar 8, 1747—Resolutions reported
 Mar 9
 . Considered in Committee; NAVY ESTIMATES
 Mar 9, 1846—Resolutions reported Mar 12
 182] Considered in Committee—NAVY ESTIMATES
 (SUPPLEMENTARY) Mar 15, 325—Resolutions
 reported Mar 16
 . Considered in Committee; NAVY ESTIMATES—
 ARMY ESTIMATES Mar 16, 467—Resolutions
 reported Mar 19
 . Considered in Committee; NAVY ESTIMATES
 Mar 19, 554—Resolutions reported Mar 20
 . Considered in Committee; ARMY ESTIMATES—
 CIVIL SERVICE ESTIMATES Mar 22, 797—
 Resolutions reported April 9
 . Considered in Committee; CIVIL SERVICE ES-
 TIMATES—Class I.—Public Works and Build-
 ings April 9, 894—Resolutions reported
 April 10

SUP SUP { GENERAL INDEX } SUP SUP

181 — 182 — 183 — 184.

Supply—cont.

182] Considered in Committee; CIVIL SERVICE ESTIMATES—£660,000, New Courts of Justice April 11, 1113 — Resolutions reported April 12

183] Considered in Committee April 30—CIVIL SERVICE ESTIMATES—Class I.—Public Works and Buildings.—Class II.—Salaries and Expenses of Public Departments.—Class III.—Law and Justice; Resolutions reported May 2

Considered in Committee May 10—CIVIL SERVICE ESTIMATES—Class III.—Law and Justice.—Class IV.—Education, Science and Art.—Class V.—Colonial, Consular, and other Foreign Services—Resolutions reported May 11

Considered in Committee May 11—ARMY ESTIMATES—Resolutions reported May 14—CIVIL SERVICE ESTIMATES—Class VI.—Superannuation and Retired Allowances, and Gratuities for Charitable Purposes.—Class VII.—Miscellaneous, Special and Temporary Objects—Resolutions reported May 14

184] Considered in Committee; VOTE ON ACCOUNT June 26—£1,450,000, Customs, Salaries and Expenses, Inland Revenue, Post Office, Superannuations, and Post Office Packet Service, 693; after short debate, Vote agreed to

Considered in Committee; CUSTOMS, SALARIES AND EXPENSES—INLAND REVENUE—SUPERANNUATIONS—POST OFFICE PACKET SERVICE July 16, 910

Considered in Committee; ARMY—SUPPLEMENTARY ESTIMATES—PUBLIC EDUCATION July 23, 1338—Resolutions reported July 24

Considered in Committee; CIVIL SERVICE ESTIMATES—SUPPLEMENTARY ESTIMATES—July 26, 1551—Resolutions reported July 27 (£4,970, Purchase of old Gun Metal, to be ployed in the Construction of the National Memorial to his late Royal Highness the Prince Consort) July 27, 1604; after short debate, Resolution agreed to

SUPPLEMENTAL VOTES, 1865-6.

COMMITTEE Feb 26—REPORT Mar 2 £
Advances for New Zealand ... 764,829

DEFICIENCIES CIVIL SERVICES FOR YEARS ENDED ON THE 31ST DAY OF MARCH 1865.

COMMITTEE July 26—REPORT July 27

CLASS I.	£	s.	d.
British Embassy Houses abroad.	68	15	9
Industrial Museum, Edinburgh.	1,612	15	9
Probate Court and Registries ...	39	8	3
Office of Works, Salaries, &c. ...	89	17	10

COMMITTEE Feb 26—REPORT Feb 27

CLASS III.

Law Charges, England ...	3,498	0	0
Criminal Prosecutions, England	5,814	0	0
Law Charges, &c. Ireland ...	3,691	0	0
Court of Bankruptcy, Ireland ...	247	0	0
Transportation of Convicts ...	2,647	0	0
Convict Services in the Colonies.	234,665	0	0

[cont.

Supply—cont.

Total of
Vote.

CLASS IV.	£	s.	d.
Scientific Works and Experiments ...	371	0	0

CLASS V.	£	s.	d.
Clergy, North America ...	441	0	0
Justices, West Indies ...	2,717	0	0
Western Coast of Africa. ...	21,880	0	0
Orange River Territory. ...	269	0	0
Captured Negroes, &c. ...	16,385	0	0
Services in China, &c. ...	63,448	0	0

CLASS VI.	£	s.	d.
Superannuation, &c. Allowances	2,189	0	0
Meath Hospital ...	247	0	0

CLASS VII.	£	s.	d.
Dues under Treaties of Reciprocity ...	14,355	0	0
Inspection of Corn Returns ...	79	0	0

Total ...	£374,753	17	7
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NAVY ESTIMATES, 1866-7.

COMMITTEE Feb 26.

Statement of Lord Clarence Paget, Secretary of the Admiralty, on moving the First Vote, "That 68,400 Men and Boys, including 16,400 Marines, be employed for the Sea and Coast Guard Service for the year 1866-7" [181] 1142
After long debate, Motion made, and Question proposed, "That the Chairman do report Progress" (Sir Morton Peto); after short debate, Motion withdrawn; Original Question withdrawn

COMMITTEE Mar 1—REPORT Mar 2.

Vote again proposed Mar 1, 1322, *Numbers*. and after long debate, agreed to ... 68,400

COMMITTEE Mar 1—REPORT Mar 2. £

(1.) Wages to Seamen and Marines ...	2,862,704
(2.) Victuals and Clothing for ditto ...	1,235,188

COMMITTEE Mar 9—REPORT Mar 12.

(3.) Admiralty Office [181] 1846	173,655
After debate, Vote agreed to	

COMMITTEE Mar 1—REPORT Mar 2.

(4.) Coast Guard Service, Royal Naval Coast Volunteers, and Royal Naval Reserve ... [181] 1367	274,119
After short debate, Vote agreed to	
(5.) Scientific Branch ...	63,958

COMMITTEE Mar 9—REPORT Mar 12.

(6.) Dockyards and Naval Yards at Home and Abroad [181] 1849	1,368,971
After long debate, Vote agreed to	

[cont.

Supply—cont.

	Total of Vote.
COMMITTEE Mar 1—REPORT Mar 2.	£
(7.) Victualling Yards and Transport Establishments at Home and Abroad	5,624
(8.) Medical Establishments at Home and Abroad	57,368
(9.) Marine Divisions [181] 1368	15,550
After short debate, Vote agreed to	

COMMITTEE Mar 15—REPORT Mar 16.	
(10.) Naval Stores for the Building, Repair, and Outfit of the Fleet and Coast Guard, Steam Machinery and Ships built by Contract:	
Section I. Storekeeper General of the Navy	1,003,501
Section II. Controller of the Navy	318,000
After debate, Vote agreed to	
[182] 325	

COMMITTEE Mar 16—REPORT Mar 19.	
(11.) New Works, Buildings, Machinery, and Repairs ... [182] 467	892,865
After debate, Vote agreed to	

COMMITTEE Mar 1—REPORT Mar 2.	
(12.) Medicines and Medical Stores...	75,664
(13.) Martial Law and Law Charges...	20,605
(14.) Miscellaneous Services ...	105,800

Total for the Effective Service ... 8,553,572

COMMITTEE Mar 15—REPORT Mar 16.	
(15.) Half Pay, Reserved Half Pay, and Retired Pay to Officers of the Navy and Royal Marines	689,052

COMMITTEE Mar 1—REPORT Mar 2.	
(16.) Section I. Military Pensions and Allowances	528,904
Section II. Civil Pensions and Allowances	213,337

Total for the Naval Service ... 9,985,365

FOR THE SERVICE OF OTHER DEPARTMENTS OF GOVERNMENT.

COMMITTEE Mar 1—REPORT Mar 2.	£
(17.) Army Department (Conveyance of Troops)	402,788
Total	£10,388,153

SUPPLEMENTARY ESTIMATES.

COMMITTEE Mar 19—REPORT Mar 20.	
Half-Pay, Reserved Half-Pay, and Retired Pay consequent upon altering the system of Retirement of Officers of the Royal Navy [182] 554	£ 12,656
After debate, Vote agreed to	

COMMITTEE July 26—REPORT July 27.	
Vote X. Naval Stores—Sec. II. Controller of Navy, Instalment on a Ship to be built on the Design of Captain Coles	10,000

[cont.]

Supply—cont.	Total of Vote.
Votes I., VIII., XIV. Increased Pay and Allowances (Medical Officers) [184] 1578	£
After short debate, Vote agreed to ...	5,926
Votes VI., X. For Completion of H.M.S. "Northumberland" ...	18,000
Grand Total ...	£10,434,735

ARMY ESTIMATES, 1866-7.

COMMITTEE Mar 5.

Statement of the Secretary of State for War (*The Marquess of Hartington*) on moving Resolution (A) [181] 1531

NUMBERS.	Numbers.
(A.) General Staff, Regimental and Military Educational Establishments	138,117
(B.) Native Indian Troops employed on the British Establishment ...	178
After long debate, Resolution agreed to	
Resolutions reported Mar 6, [181] 1623	

I.—REGULAR FORCES.

COMMITTEE Mar 5—REPORT Mar 6.	
(1.) £5,362,400, General Staff and Regimental Pay, Allowances and Charges	
Whereupon Amendt. "That a sum, not exceeding £5,352,400, &c." (<i>Sir Charles Russell</i>)	
After short debate, Amendt. withdrawn; Vote agreed to ...	£ 5,362,400
Committee report Progress [181] 1583	

COMMITTEE Mar 8—REPORT Mar 9.

(2.) Commissariat Establishment, Services, and Movement of Troops ...	1,134,800
After short debate, Vote agreed to [181] 1747	
(3.) Clothing Establishments, Services and Supplies ... [181] 1750	454,400
After debate, Vote agreed to	
(4.) Barrack Establishment, Services and Supplies ... [181] 1757	603,300
After debate, Vote agreed to	
(5.) Divine Service	41,100
(6.) Martial Law ... [181] 1763	22,000
After short debate, Vote agreed to	
(7.) Medical Establishment, Services and Supplies	246,500

II.—AUXILIARY FORCES.

(8.) Disembodied Militia [181] 1766	842,600
After debate, Vote agreed to	
(9.) Yeomanry [181] 1768	85,200
After short debate, Vote agreed to	
(10.) Volunteers [181] 1769	348,100
After short debate, Vote agreed to	
(11.) Enrolled Pensioners and Army	45,000

[cont.]

Supply—cont.

Total of
Vote.
£

III.—STORES.

(12.) Manufacturing Departments [181] 1773	965,800
After short debate, Vote agreed to	
(13.) Warlike Stores [181] 1777	428,000
After short debate, Vote agreed to	

IV.—WORKS AND BUILDINGS.

COMMITTEE *May 11*—REPORT *May 14*.

(14.) Superintending Establishment of, and Expenditure for, Works, Build- ings and Repairs, at Home and Abroad	842,200
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V.—OTHER SERVICES.

COMMITTEE *Mar 16*—REPORT *Mar 19*.

(15.) Military Education [182] 473 ...	162,400
After debate, Vote agreed to	
(16.) Surveys of the United Kingdom	88,300
(17.) Miscellaneous Services ...	94,800

COMMITTEE *Mar 22*—REPORT *April 9*.

(18.) Administration of the Army ...	212,800
After long debate, Vote agreed to [182] 797	

Total Effective Services £11,979,700

VI.—NON-EFFECTIVE SERVICES.

COMMITTEE *Mar 16*—REPORT *Mar 19*.

(19.) Rewards for Military Service ...	26,100
(20.) Pay of General Officers ...	72,600
(21.) Pay of Reduced and Retired Officers	457,200
(22.) Widows' Pensions and Compas- sionate Allowances	161,300
(23.) Pensions and Allowances to Wounded Officers	26,700
(24.) In-Pension	34,600
(25.) Out-Pension	1,173,900

COMMITTEE *Mar 22*—REPORT *April 9*.

(26.) Superannuation Allowances, &c.	135,900
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COMMITTEE *Mar 16*—REPORT *Mar 19*.

(27.) Disembodied Militia	27,000
After short debate, Vote agreed to	

Total Non-Effective Services £2,115,300

SUPPLEMENTARY ESTIMATES.

COMMITTEE *July 23*—REPORT *July 27*.

Vote XII. Manufacturing Depart- ments—Royal Laboratory and Small Arms Establishments [184] 1338	140,000
After short debate, Vote agreed to	
Vote XIII. Warlike Stores, &c., Small Arms	105,000

RECAPITULATION.

Total Effective Services	12,224,700
Total Non-Effective Services ...	2,115,300
Grand Total, Army Services...	£14,340,000

[cont.]

Supply—cont.

CIVIL SERVICE ESTIMATES, 1866-7.

* * The Votes marked † are “to complete sums” for the several Services named.

CLASS I.—PUBLIC WORKS AND BUILDINGS.

COMMITTEE <i>April 9</i> —REPORT <i>April 10</i> .	Total of Vote. £
(1.) † £40,925, Royal Palaces ...	48,925
(2.) † £85,437, Public Buildings ...	105,437
After long debate, Vote agreed to [182] 894	
(3.) † £9,000, Furniture of Public Offices	12,000
After short debate, Vote agreed to	
(4.) † £78,769, Royal Parks and Pleasure Gardens... [182] 910	98,769
After short debate, Vote agreed to	
(5.) † £49,090, New Houses of Par- liament	61,090
After long debate, Vote agreed to	
(6.) † £485, British Embassy Houses, Paris and Madrid	1,485
(7.) † £2,000, British Consulate and Embassy Houses, Constantinople...	3,000
(8.) † £5,525, Westminster Bridge ...	7,525
After short debate, Vote agreed to [182] 929	
(9.) † £48,500, New Foreign Office...	63,500
(10.) † £38,000, Public Offices, Site...	58,000
(11.) † £20,500, Probate Court and Registries	23,500
(12.) † £17,070, Public Record Re- pository	27,070
After short debate, Vote agreed to	
(13.) † £4,000, Nelson Column ...	6,000
(14.) † £6,600, Patent Office [182] 931	11,600
Motion to report Progress (<i>Mr.</i> <i>Bovill</i>); after long debate, put and negatived; Original Question put, and agreed to; Vote agreed to	
(15.) † £10,000, Museum of Patents and Mechanical Inventions	10,000
COMMITTEE <i>April 30</i> —REPORT <i>May 2</i> .	
(16.) † £45,000, National Gallery En- largement	50,000
(17.) † £20,000, University of London	20,000
After debate, Vote agreed to [183] 184	
(18.) † £7,000, Chapter House, West- minster	7,000
After short debate, Vote agreed to	
(19.) † £50,000, Natural History Mu- seum	50,000
(20.) † £25,000, Sheriff Court Houses, Scotland	30,000
(21.) † £20,000, Rates for Government Property	27,000
(22.) † £2,500, Metropolitan Fire Bri- gade	2,500
(23.) † £63,000, Harbours of Refuge...	82,000
(24.) † £31,111, Holyhead and Port- patrick Harbours, &c. [183] 194	42,111
After short debate, Vote agreed to	
(25.) † £68,663, Public Buildings, Ire- land National Gallery Dublin [183] 195	90,663
After short debate, Vote agreed to	

[cont.]

SUP SUP { SESSION 1866 } SUP SUP
181 — 182 — 183 — 184.

<i>Supply—cont.</i>	Total of Vote.	<i>Supply—cont.</i>	Total of Vote.
(26.) + £1,571, New Record Buildings, Dublin [183] 196	2,571	(25.) + £49,796, General Register Offices, England, Ireland, and Scot- land	66,796
After short debate, Vote agreed to		(26.) + £11,253, National Debt Office...	15,253
(27.) + £7,000, Queen's University, Ire- land, Buildings [183] 196	7,000	(27.) + £2,935, Public Works Loan Commission and West India Relief Commission	3,935
After short debate, Vote agreed to		(28.) + £9,735, Lunacy Commissions and Inspection, &c. of Lunatic Asylums [183] 199	13,735
(28.) + £5,000, Ulster Canal [183] 196	5,000	After short debate, Vote agreed to	
After short debate, Vote agreed to		(29.) + £223, Superintendent of Roads, South Wales [183] 200	1,223
(29.) + £33,160, Lighthouses Abroad...	38,160	After short debate, Vote agreed to	
(30.) + £2,000, Isle of Man Lunatic Asylum	2,000	(30.) + £1,404, Registrars of Friendly Societies [183] 200	2,404
		After short debate, Vote agreed to	
		(31.) + £13,673, Charity Commission	18,673
		After short debate, Vote agreed to	

SUPPLEMENTARY ESTIMATES.

<i>COMMITTEE July 26—REPORT July 27.</i>	
(31.) Monument to Viscount Palmerston Works at Landguard Point	2,000 10,000
Total of Class I.	£945,906

CLASS II.—SALARIES AND EXPENSES OF PUBLIC
DEPARTMENTS.

<i>COMMITTEE April 30—REPORT May 2.</i>	
(1.) + £53,421, Two Houses of Par- liament, Offices [183] 196	71,421
After short debate, Vote agreed to	
(2.) + £38,432, Treasury	52,432
(3.) + £19,471, Home Office	26,471
(4.) + £47,840, Foreign Office	63,840
(5.) + £23,124, Colonial Office	32,124
(6.) + £14,739, Privy Council Office	20,739
(7.) + £48,285, Board of Trade, &c.	65,285
(8.) + £1,938, Privy Seal Office	2,938
(9.) + £6,007, Civil Service Commis- sion	9,007
(10.) + £14,558, Paymaster General's Office	20,558
(11.) + £3,558, Exchequer (London)...	5,558
(12.) + £24,226, Office of Works and Public Buildings	32,226
(13.) + £20,815, Office of Woods, Forests, and Land Revenues	28,815
After short debate, Vote agreed to	
[183] 198	
(14.) + £16,119, Public Record Office...	22,119
(15.) + £222,984, Poor Law Commis- sions	242,984
After short debate, Vote agreed to	
[183] 198	
(16.) + £36,182, Mint, Including Coinage	49,182
(17.) + £29,462, Inspectors of Factories, Fisheries, &c.	30,462
(18.) + £4,212, Exchequer and other Offices in Scotland	6,242
(19.) + £4,413, Household of Lord Lieut- enant, Ireland	6,413
(20.) + £11,667, Chief Secretary, Ire- land, Offices	15,667
(21.) + £17,906, Office of Public Works, Ireland	23,906
(22.) + £26,866, Audit Office [183] 199	36,866
After short debate, Vote agreed to	
(23.) + £14,107, Copyhold, Tithe, and Inclosure Commission [183] 199	20,107
After short debate, Vote agreed to	
(24.) + £8,890, Inclosure and Drainage Acts, Imprest Expenses	12,890

[cont.]

(25.) + £49,796, General Register Offices, England, Ireland, and Scot- land	66,796
(26.) + £11,253, National Debt Office...	15,253
(27.) + £2,935, Public Works Loan Commission and West India Relief Commission	3,935
(28.) + £9,735, Lunacy Commissions and Inspection, &c. of Lunatic Asylums [183] 199	13,735
After short debate, Vote agreed to	
(29.) + £223, Superintendent of Roads, South Wales [183] 200	1,223
After short debate, Vote agreed to	
(30.) + £1,404, Registrars of Friendly Societies [183] 200	2,404
After short debate, Vote agreed to	
(31.) + £13,673, Charity Commission	18,673
After short debate, Vote agreed to	
[183] 201	
(32.) + £4,835, Local Government Act Office and Inspection of Burial Grounds	6,835
(33.) + £1,399, Landed Estates Record Offices [183] 202	2,399
After short debate, Vote agreed to	
(34.) + £444, Quarantine Expenses ...	1,444
After short debate, Vote agreed to	
[183] 203	
(35.) + £24,000, Secret Service	32,000
After short debate, Vote agreed to	
[183] 206	
(36.) + £267,087, Printing and Sta- tionery... .. [183] 207	357,087
After short debate, Vote agreed to	
(37.) + £113,020, Postage of Public Departments... ..	151,020

SUPPLEMENTARY ESTIMATE.

<i>COMMITTEE July 26—REPORT July 27.</i>	
Vote 6.—Privy Council Office—Vacci- nators... ..	5,000
Total Class II.	£1,585,056

CLASS III.—LAW AND JUSTICE.

<i>COMMITTEE April 30—REPORT May 2.</i>	
(1.) + £26,940, Law Charges, Eng- land	35,940
(2.) + £141,567, Criminal Prosecu- tions, &c. England	188,567
(3.) + £197,650, Police, Counties and Boroughs, Great Britain	263,650
(4.) + £2,810, Crown Office, Queen's Bench	3,810
(5.) + £8,520, Admiralty Court Re- gistry	12,520
(6.) + £2,236, Late Insolvent Debt- ors' Court [183] 209	3,236
After short debate, Vote agreed to	
(7.) + £63,430, Probate Court, Eng- land [183] 209	85,430
After short debate, Vote agreed to	
(8.) + £120,821, County Courts	160,821
[183] 209	
Motion, "That the Chairman do report Progress, and ask leave to sit again" (<i>Mr. Goldney</i>); after	

[cont.]

Supply—cont.

short debate, Motion withdrawn ; original Question put, and agreed to ; Vote agreed to	£
(9.) † £3,280, Land Registry Office	5,280
(10.) † £17,093, Police Courts (Metropolis)	23,093
(11.) † £123,071, Metropolitan Police	163,071
After short debate, Vote agreed to	
[183] 211	

COMMITTEE May 10—REPORT May 11.

(12.) † £17,850, Revising Barristers, England and Wales	17,850
(13.) † £658, Divorce Court Compensations	658
(14.) † £15,555, Bankruptcy Court Compensations [183] 720	15,555
After short debate, Vote agreed to	
(15.) † £52,512, Criminal Proceedings, Scotland	70,512
(16.) † £32,880, Courts of Law and Justice, Scotland	43,880
(17.) † £630, Exchequer, Scotland, Legal Branch	1,630
(18.) † £14,511, Register House, Edinburgh, Salaries and Expenses of Sundry Departments	
Accountant in Bankruptcy, Scotland	19,511
(19.) † £48,214, Law Charges and Criminal Prosecutions, Ireland ...	65,214
(20.) † £3,877, Court of Chancery, Ireland	5,877
(21.) † £10,762, Courts of Queen's Bench, Common Pleas, and Exchequer, Ireland	14,762
(22.) † £2,407, Officers of the Judges on Circuit, Ireland	4,407
(23.) † £1,031, Manor Courts, Compensations	2,031
(24.) † £1,888, Registry of Judgments	2,888
(25.) † £9,086, Registry of Deeds	13,086
(26.) † £100, High Court of Delegates	100
(27.) † £4,899, Court of Bankruptcy and Insolvency, Ireland	6,899
(28.) † £7,668, Court of Probate, Ireland	10,668
(29.) † £8,902, Landed Estates Court	11,902
(30.) † £8,500, Process Servers, Civil Bill Courts	8,500
(31.) † £420, Revising Barristers, Dublin	420
(32.) † £38,200, Dublin Metropolitan Police and Police Justices ...	52,200
(33.) † £550,046, Constabulary of Ireland	736,046
(34.) † £1,714, Four Courts Marshalsea Prison	2,714
(35.) † £14,790, Inspection and General Superintendence of Prisons ...	19,790
(36.) † £254,492, Prisons and Convict Establishments at Home	339,492
(37.) † £214,184, Maintenance of Prisoners in County Gaols, &c., and Removal of Convicts	286,184
(38.) † £15,684, Transportation of Convicts	21,684
(39.) † £145,466, Convict Establishments in the Colonies	155,466
[cont.]	

Supply—cont.

SUPPLEMENTARY ESTIMATE.	Total of Vote.
COMMITTEE July 26—REPORT July 27	£
(Vote 33.) † Constabulary of Ireland ...	95,489
Total of Class III.	£2,970,833

CLASS IV.—EDUCATION, SCIENCE, AND ART.

COMMITTEE May 10—REPORT May 11.

(1.) † £520,530, Public Education, Great Britain	[183] 721	694,530
After short debate, Vote postponed		

COMMITTEE July 23—REPORT July 24

After debate, Vote agreed to	
[184] 1343	

COMMITTEE July 26—REPORT July 27

(2.) † £133,923, Science and Art Department	[184] 1567	173,923
After debate, Vote agreed to		
(3.) † £254,130, Public Education, Ireland	[184] 1574	336,130
After short debate, Vote agreed to		
(4.) † £730, Commissioners of Education, Ireland (Office Expenses)		730
(5.) † £5,793, University of London		8,793
(6.) † £14,857, Universities, &c., in Scotland		19,857
(7.) † £1,452, Queen's University in Ireland		2,452
(8.) † £2,250, Queen's Colleges, Ireland		4,250
(9.) † £700, Royal Irish Academy ...		700
(10.) † £1,000, National Gallery of Ireland		2,000
(11.) † £1,500, Belfast Theological Professors, &c.		2,500
(12.) † £77,744, British Museum ...		102,744
After long debate, Vote agreed to		
[184] 1552		
(13.) † £11,892, National Gallery ...		15,892
After short debate, Vote agreed to		
[184] 1577		
(14.) † £650, British Historical Portrait Gallery		1,650
(15.) † £5,059, Scientific Works and Experiments		7,059
(16.) † £10,000, Universal Exhibition at Paris		12,000
(17.) † £2,300, Learned Societies, Great Britain		2,300
Total of Class IV.		£1,387,515

CLASS V.—COLONIAL, CONSULAR, AND OTHER FOREIGN SERVICES.

COMMITTEE May 10—REPORT May 11

(1.) † £3,200, Bermudas [183] 722	4,200
After short debate, Vote agreed to	
(2.) † £2,513, Clergy, North America	3,513
After short debate, Vote agreed to	
[183] 723	
(3.) † £1,000, Indian Department, Canada	1,000
(4.) † £17,178, Governors and others, West Indies, &c. [183] 724	23,178
After debate, Vote agreed to	

[cont.]

<i>Supply</i> —cont.	Total of Vote. £
(5.) † £5,750, Justices, West Indies After short debate, Vote agreed to [183] 726	6,750
(6.) † £30,500, Western Coast of Africa ... [183] 727	39,500
After short debate, Vote agreed to	
(7.) † £3,924, St. Helena [183] 727	4,924
After short debate, Vote agreed to	
(8.) † £500, Orange River Territory After short debate, Vote agreed to [183] 727	500
(9.) † £1,100, Heligoland ... [183] 728	1,100
(10.) † £3,875, Falkland Islands ... [183] 727	5,875
(11.) † £2,644, Labuan [183] 728	3,644
After short debate, Vote agreed to	
(12.) † £300, Pitcairn's Islanders ... [183] 727	300
(13.) † £7,418, Emigration [183] 728	10,418
After debate, Vote agreed to	
(14.) † £3,500, Niger Expedition After short debate, Vote agreed to [183] 731	3,500
(15.) † £1,000, Treasury Chest ... [183] 732	1,000
(16.) † £29,000, Captured Negroes, Bounties on Slaves, &c. [183] 732	39,000
After short debate, Vote agreed to	
(17.) † £7,450, Commissions for Sup- pression of Slave Trade [183] 733	10,450
After short debate, Vote agreed to	
(18.) † £123,978, Consuls Abroad After short debate, Vote agreed to [183] 733	165,978
(19.) † £121,978, Services in China, Japan, and Siam ... [183] 734	126,978
After short debate, Vote agreed to	
(20.) † £24,000, Ministers at Foreign Courts, Extraordinary Expenses [183] 735	
Motion, "That the Chairman do re- port Progress, and ask leave to sit again" (<i>Mr. Solater-Booth</i>); after short debate, A 31, N. 81; M. 50; original Question put, and agreed to	33,000
(21.) † £15,000, Special Missions, Out- fits, &c. [183] 736	
Motion, "That Item £21 17s. 6d., for the expenses of the Bishop of King- ston and servant from Jamaica to Belize and back, be omitted from the proposed Vote" (<i>Mr. Remington Mills</i>); after debate, Motion with- drawn; original Question put, and agreed to; Vote agreed to	20,000
(22.) † £2,600, Third Secretaries to Embassies ... [183] 739	3,600
After short debate, Vote agreed to	

SUPPLEMENTARY ESTIMATES.

COMMITTEE July 26—REPORT July 27

Vote 6. Western Coast of Africa ...	3,500
Vote 15. Treasury Chest ...	1,920
Vote 23. British Columbia ...	4,230
Vote 24. Emigration of Coolies ...	5,824
Total of Class V. ...	£523,882

[cont.]

<i>Supply</i> —cont.	Total of Vote. £
CLASS VI.—SUPERANNUATION AND ALLOWANCES, AND GRATUITIES FOR CHA- RITABLE AND OTHER PURPOSES	
COMMITTEE May 11—REPORT May 14.	£
(1.) † £140,888 Superannuation and Retired Allowances, &c. ...	185,888
(2.) † £605, Toulonese Emigrants, &c. ...	605
(3.) † £325, Refuge for the Destitute ...	325
(4.) † £2,001, Polish Refugees and Distressed Spaniards ...	3,001
(5.) † £39,170, Merchant Seamen's Fund Pensions ...	53,170
(6.) † £22,400, Relief of Distressed British Seamen ...	30,400
(7.) † £2,732, Miscellaneous Charges, formerly on Civil List ...	3,732
(8.) † £1,183, Public Infirmarys, Ire- land ...	2,183
(9.) † £11,845, Hospitals in Dublin and Board of Superintendence ...	15,845
(10.) † £6,461, Concordatum Fund, and other Charities and Allowances, Ireland ...	8,461
(11.) † £30,156, Non-conforming, and other Ministers, Ireland Motion, "That a sum, not exceeding £366, &c." (<i>Mr. Hadfield</i>); after debate, Committee divided, A. 24, N. 130; M. 106 [183] 834	41,156
Original Question put, and agreed to Vote agreed to ...	£344,766

CLASS VII.—MISCELLANEOUS, SPECIAL, AND
TEMPORARY OBJECTS.

COMMITTEE May 11—REPORT May 14.

(1.) † £3,750, Ecclesiastical Commis- sioners ...	3,750
(2.) † £18,500, Temporary Commis- sions ...	25,500
(3.) † £21,292, Patent Law Expenses After short debate, Vote agreed to [183] 834	29,292
(4.) † £11,462, Fishery Board, Scot- land ...	15,462
(5.) † £2,100, Trustees of Manufac- tures, Scotland ...	2,100
(6.) † £39,948, Local Dues on Ship- ping under Treaties of Reciprocity	53,948
(7.) † £2,800, Inspectors of Corn Re- turns ...	2,800
After short debate, Vote agreed to [183] 834	
(8.) † £500, Boundary Survey, Ire- land Motion to report Progress (<i>Mr. Darby Griffith</i>); Motion withdrawn [183] 835	
Original Question put, and agreed to	500
(9.) † £416, Brehon Laws, Ireland After short debate, Vote agreed to [183] 835	416
(10.) † £3,000, Flax Cultivation in Ire- land ... [183] 835	3,000
After short debate, Vote agreed to	

[cont.]

SUP SUP { GENERAL INDEX } SUP SUP
181 — 182 — 183 — 184.

<i>Supply—cont.</i>	Total of Vote.	<i>Supply—cont.</i>	Total of Vote.
(11.) + £780, Malta and Alexandria Telegraph, &c.	780	Vote II. Inland Revenue (Salaries and Expenses)	1,309,645
(12.) + £10,000, Agricultural Statistics, Great Britain ... [183] 836	10,000	Vote III. Post Office (Salaries and Expenses) ... [184] 1359	2,436,016
After debate, Vote agreed to		After short debate, Vote agreed to	
(13.) + £7,293, Miscellaneous Expenses from Civil Contingencies [183] 839	19,293	Vote IV. Superannuations ...	473,544
After short debate, Vote agreed to		Total of Revenue Departments...	<u>£5,017,698</u>

SUPPLEMENTARY ESTIMATES.

COMMITTEE July 26—REPORT July 27	
Purchase of Old Gun Metal for the Memorial for the late Prince Consort	4,970
After debate, Vote agreed to	
[184] 1551	
Vote 2. Temporary Commissions ...	22,000
Vote 13. Miscellaneous Expenses (Civil Contingencies)	43,635
Vote 14. Household of King of the Belgians	3,052
Total of Class VII. ...	<u>£240,498</u>

REVENUE DEPARTMENTS, 1866-7.

COMMITTEE June 26—REPORT July 16.	
Vote I. Customs (Salaries and Ex- penses)	£ 798,493

POST OFFICE PACKET SERVICE.

COMMITTEE June 26—REPORT July 16. £	
Post Office Packet Service ...	821,164
After short debate, Vote agreed to	
[184] 913	

COMMITTEE April 11—REPORT April 12.

Advances for New Courts of Justice and Offices	£ 660,000
After short debate, Vote agreed to	

COMMITTEE Mar 15—REPORT Mar 16.

Advances for Greenwich Hospital and School	125,367
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SUMMARY.

WAYS AND MEANS.

SCHEDULE OF WAYS AND MEANS REFERRED TO IN
SECTION 10 OF THE CONSOLIDATED FUND (AP-
PROPRIATION) ACT—VIZ.:

1865-6.	£	s.	d.
Amount granted per Act 29 <i>Vict.</i> c. 6, for the service of the year ending 31 March 1866	1,137,772	0	0

1866-7.

Amount granted for the service of the year ending 31 March 1867—viz.:			
Per Act 29 <i>Vict.</i> c. 13 ...	19,000,000	0	0
Per Section 1 of the Act	19,661,630	15	3
Per Section 9 of the Act (being Surplus Ways and Means granted for the service of preceding years)	767,600	2	4

TOTAL GRANTS OF WAYS AND
MEANS to meet the following
Supplies:—

1865-6	£1,137,772	0	0
1866-7	39,429,230	17	7
	<u>£40,567,002</u>	<u>17</u>	<u>7</u>

SUMMARY.

SUMS VOTED IN SUPPLY, SESSION 1866.
1865-6.

(Supplemental Votes.)	£	s.	d.
Advances for New Zealand War	764,829	0	0
Deficiencies on Grants for Civil Services	374,753	17	7

1866-7.

NAVY SERVICES	10,434,735	0	0
ARMY SERVICES	14,340,000	0	0
CIVIL SERVICES—viz.:			
I. Public Works and Buildings... ..	945,906		
II. Salaries, &c. Pub- lic Departments... ..	1,585,056		
III. Law and Justice	2,970,833		
IV. Education, Sci- ence, and Art	1,387,515		
V. Colonial and Con- sular Services	523,882		
VI. Superannuation, &c.	344,766		
VII. Miscellaneous ..	240,498		
	<u>7,998,456</u>	<u>0</u>	<u>0</u>

MARRIAGE PORTION OF H.R.H. PRINCESS HELENA	30,000	0	0
REVENUE DEPARTMENTS ...	5,017,698	0	0
POST OFFICE PACKET SERVICE ...	821,164	0	0
ADVANCES FOR NEW COURTS OF JUSTICE AND OFFICES ...	660,000	0	0
ADVANCES FOR GREENWICH HOS- PITAL AND SCHOOL	125,367	0	0

TOTAL OF SUPPLIES CHARGEABLE
UPON THE ABOVE WAYS AND
MEANS—

1865-6	£1,137,772	0	0
1866-7	39,429,230	17	7
	<u>£40,567,002</u>	<u>17</u>	<u>7</u>

SURTEES, Mr. C. FREVILLE, *Durham Co. S.*
Army—Militia Pensions, [183] 533
Cattle Disease—Removal of Hides and Skins,
[182] 286 ;—Foreign Cattle, [184] 1164
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SYKES, Colonel W. H., *Aberdeen City*

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[184] 1660

Bribery at Elections, Res. [183] 1444, 1466

Cattle Diseases, Comm. [181] 511 ; cl. 5, 514 ;
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China—Rebels in, [182] 119 ; Motion for
Papers, [183] 814 ;—The Chinese Visitors,
1552 ;—Alleged Conflict at Newchang, [184]
236 ;—Transit Duties, 1898 ;—Acting Gover-
nor of Hong Kong, 2040

Coal, Motion for a Commission, [184] 291, 1069
East India Revenue Accounts, Comm. [184]
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Fortifications (Provisions for Expenses), 2R.
[184] 1674

Game Laws, Infraction of the—William Rowe,
[182] 1118

Holderness Embankment, &c. 2R. [183] 1974

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Address, [184] 488

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1660

Navy Estimates—Men and Boys, [181] 1362

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1686

Reformatory Schools, Comm. cl. 12, [184]
1612

Representation of the People (Scotland), Leave,
[183] 527, 584

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Supply—Patent Law Expenses, [183] 834 ;—
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SYNAN, Mr. E. J., *Limerick Co.*

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[184] 494, 499

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[184] 1642 ; add. cl. 1643

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[182] 307

Railways (Ireland) Temporary Advances, 2R.
[184] 1361 ; Comm. 1632

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Question, Sir Robert Peel ; Answer, Mr. Mil-
ner Gibson Feb 21, [181] 868 ; Question,
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1498

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1984

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Amendt. [184] 361

Selling and Hawking Goods on Sunday, Rep
[183] 1041, 1048 ; 3R. Amendt. 1135, 16.
1677

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TAYLOR, Colonel T. E., *Dublin Co.*

Bridgway Election, New Writ, [183] 1666

Compulsory Church Rate Abolition, 2R. [184]
1884

TAYLOR, Mr. P. A., *Leicester*

Address in Answer to the Speech, Report, [181]
332

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[184] 2030

Marine Mutiny, Comm. cl. 28, Amendt. [181]
1783 ; cl. 39, Amendt. 1785, 1787

Metropolis—Proposed Meeting in Hyde Park,
[184] 1073 ;—Riots in, 2193

Mutiny, Comm. cl. 22, Amendt. [181] 1881 ;
cl. 26, Amendt. 1883

Representation of the People, 2R. [183] 65

Telegraph Act Amendment Bill [H.L.]

(*The Lord Stanley of Alderley*)

1. Presented ; read 1^a * Feb 17 (No. 13)

Read 2^a * Feb 9 ; Standing Orders dispensed
with ; Committee negatived ; read 3^a *

Telegraph Act Amendment Bill—cont.

- c. Read 1^o * Feb 19 [Bill 23]
 Read 2^o * Feb 20
 Committee *; Report Feb 21
 Read 3^o * Feb 23
 Royal Assent Mar 6 [29 Vict. c. 3]

Tenants' Compensation (England)

Question, Mr. Darby Griffith; Answer, Mr. Gladstone July 27, [184] 1614

Tenure (Ireland) Bill

(*The Marquess of Clanricarde*)

- l. Presented; read 1^a * Mar 23 (No. 64)
 Moved, "That the Bill be now read 2^a" May 11, [183] 745; after long debate, Motion withdrawn
 Bill withdrawn * June 25

Tenure (Ireland) (No. 2) Bill [H.L.]

(*The Marquess of Clanricarde*)

- l. Presented; read 1^a * June 25 (No. 175)
 Moved, "That the Bill be now read 2^a" July 17, [184] 919; read 2^a, after short debate

Tenure and Improvement of Land (Ireland) Bill (Mr. Chichester Fortescue, Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland)

- c. Ordered, after long debate; read 1^o April 30, [183] 214 [Bill 130]
 Moved, "That the Bill be now read 2^o" (Mr. Attorney General for Ireland) May 17, 1053
 Amendt. To leave out from "That," and add "this House, though desirous of simplifying the method of securing to tenants compensation for outlay made in permanent improvements, is of opinion that, in any measure relating to the Tenure and Improvement of Land in Ireland, it is expedient to maintain the principle affirmed by the Act of 1860, namely, that compensation to tenants should be secured in respect of those improvements only which are made with the consent of the landlord; and that the provisions as to the Improvement of Land in Ireland contained in the measure of Her Majesty's Government would operate injuriously on the position of holders of small farms in that Country" (Lord Naas); Question, "That the words, &c.;" after long debate, Motion, "That the Debate be now adjourned" (Mr. Bagwell); A. 167, N. 154; M. 13; Debate adjourned
 Question, Mr. Blake; Answer, The Chancellor of the Exchequer June 18, 531
 . Adjourned Debate resumed July 25, 1469; after debate, Amendt. and Motion withdrawn; Bill withdrawn

Terminable Annuities Bill

(Mr. Dodson, Mr. Chancellor of the Exchequer, Mr. Childers)

- c. Ordered; read 1^o * May 8 [Bill 114]
 Question, Mr. H. B. Sheridan; Answer, The Chancellor of the Exchequer May 24, [183] 1201

[cont.]

Terminable Annuities Bill—cont.

Moved, "That the Bill be now read 2^o" (Mr. Chancellor of the Exchequer) May 24, [183] 1220; Read 2^o after long debate
 Bill withdrawn * July 23

Tests (University of Oxford) Bill
Tests Abolition (Oxford) Bill }

(Mr. Coleridge, Mr. Grant Duff)

- c. Acts read; considered in Committee; Bill ordered; read 1^o * Feb 13 [Bill 15]
 Moved, "That the Bill be now read 2^o" (Mr. Coleridge) Mar 21, 659
 Amendt. to leave out "now," and add "upon this day six months" (Sir Stafford Northcote); after long debate, Question, "That 'now,' &c.;" A. 217, N. 103; M. 114; main Question put, and agreed to; Read 2^o; Division List, Ayes and Noes, 712
 Order for Committee read; Moved, "That 'Mr. Speaker do now leave the Chair'" (Mr. Coleridge) June 13, 307
 Amendt. To leave out from "That," and add "with a view to obtain adequate information for the consideration of this Bill, an humble Address be presented to Her Majesty, praying that She will be graciously pleased so far to extend the terms of Her Royal Commission of the 25th day of May last, as that they may include an inquiry into the Oaths, Declarations, or Subscriptions now required to be taken, made, or subscribed in the Universities either of Oxford or Cambridge as a condition for admission to the governing bodies of either of such Universities, or to the headships or fellowships of any of the Colleges thereof, or that Her Majesty will be pleased to appoint such other Commission as to Her Majesty may seem fit for the purpose of considering and reporting on the matter aforesaid" (Mr. Neate); Question, "That the words, &c.;" after short debate, Amendt. withdrawn; main Question agreed to; Bill considered in Committee, 314; after long debate, Bill reported
 Question, Sir William Heathcote; Answer, Mr. Coleridge June 15, 465
 Bill withdrawn * July 20

TEYNHAM, Lord

Companies' Act (1862) Amendment, Comm. [183] 2034
 Extradition Treaties Act Amendment, 2R. [184] 1160; 3R. 1366
 Gas Light and Coke Company, 2R. [184] 708
 Law of Capital Punishment Amendment, Comm. cl. 14, Amendt. [184] 460; 3R. 811
 Reform Meeting in Hyde Park, [184] 1375
 Selling and Hawking Goods on Sunday, 2R. Amendt. [183] 341; Comm. 479, 481; Amendt. 929; Report, 1040; 3R. 1138, 1679

Thames Embankment (North Approaches) Bill (by Order)

- c. Read 1^o * Feb 16
 Moved, "That the Bill be read 2^o upon Friday, 16th March next" (Mr. Tite) Feb 26, [181] 1086

[cont.]

Thames Embankment (North Approaches) Bill—
cont.

Amendt. to leave out "Friday, &c." and add "this day six months" (*Mr. Beresford Hope*); Question, "That the words, &c.;" after debate, Amendt. withdrawn; main Question agreed to; Bill to be read 2^o on 16th March

Motion, "That the Thames Embankment (North) Approaches Bill, the Thames Embankment (Chelsea) Bill, and the Park Lane Improvement Bill, be committed to a Select Committee" (*Mr. Cowper*) Mar 21, [182] 650

Amendt. to leave out from "Approaches Bill," and add "be committed to a Select Committee upon this day six months" (*Mr. Roebuck*); after debate, Question, "That the words, &c.;" put, and agreed to; main Question put, and agreed to

And, on April 17, Committee nominated as follows:—*Mr. W. Cowper* (Chairman), *Mr. Baillie Cochrane*, *Mr. Beresford Hope*, *Mr. Thomas Hughes*, *Lord Henry Lennox*, *Mr. Tite*, *Viscount Galway*, *Mr. Hubbard*, *Mr. Locke King*, *Mr. Talbot*, *Mr. Tollemache*

Thames Navigation

Question, *Mr. Bathurst*; Answer, *Mr. Milner Gibson* Mar 8, [181] 1709

Thames Navigation Bill

(*Mr. Milner Gibson*, *Mr. Monsell*)

c. Ordered; read 1^o * Mar 9 [Bill 59]
Moved, "That the Bill be now read 2^o" (*Mr. 182 Milner Gibson*) April 18, 1611; Read 2^o, after short debate

And, on May 10, Committee nominated as follows:—*Mr. Milner Gibson* (Chairman), *Sir Michael Hicks-Beach*, *Sir George Bowyer*, *Lord Eustace Cecil*, *Mr. Neate*, *Mr. Yorke*, *Mr. Acland*, *Colonel Gilpin*, *Mr. Arthur Peel*, *Sir Matthew Ridley*, *Colonel N. Sturt*, *Captain Vivian*

Report of Select Committee July 5 (No. 391)
As amended by Select Committee [Bill 205]

184] Order for re-committal read July 6, 725; after short debate, re-committal postponed

. Moved, "That *Mr. Speaker* do now leave the Chair" (*Mr. Milner Gibson*) July 9, 757

. Moved, "That the House do resolve itself into Committee on the Bill upon this day week" (*Mr. Ayrton*); after short debate, Motion withdrawn; Bill considered in Committee, 765; Committee n.p. after long debate

. Committee n.p. after debate July 17, 933
. Committee; Report, after short debate July 19, 1137

Considered as amended * July 20

Read 3^o * July 20

l. Read 1^a * (*The Lord President*) July 23

Read 2^a * and committed to a Select Committee July 30 (No. 214)

Report of Committee July 31 (No. 252)

Committee *; Report August 2

Read 3^a * August 2

Royal Assent August 6 [29 & 30 Vict. c. 89]

Theatrical Licences and Regulations

Select Committee appointed (*Mr. Baring*) Feb 28

And, on March 7, Committee nominated as follows:—*Mr. Goschen*, *Mr. Walpole*, *Lord Eustace Cecil*, *Lord Ernest Bruce*, *Sir Arthur Buller*, *Mr. Clay*, *Mr. Clive*, *Mr. Du Cane*, *Mr. Locke*, *Mr. Lusk*, *Mr. Taverner*, *John Miller*, *Mr. O'Beirne*, *Mr. Powell*, *Mr. Selwin*, and *Colonel Sturt*

Theatres, Licensing of, Observations, *Mr. Locke*; Reply, *Sir George Grey* Feb 12, [181] 344; Question, *Lord Ernest Bruce*; Answer, *Mr. Walpole* July 30, [184] 1663

THYNNE, Lord H. F., Wiltshire S.

Cattle Diseases, Comm. add. cl. [181] 656

TITE, Mr. W., Bath

Courts of Justice, Res. [182] 789; [183] 183, 1184

Gas Light and Coke Company, Consid. Amendt. [184] 225

Government Property, Rates on, Res. [182] 1993

Imperial Gas Company, 2R. Amendt. [183] 578

Metropolis—*Finsbury Park*, [182] 1771;—*Leicester Square*, [184] 24

Metropolitan Board of Works, Motion for a Commission, [183] 1967

Metropolitan Local Government, Motion for a Committee, [181] 1208

National Gallery and Burlington House, Res. [184] 1315

New Palace Yard, Works in, [181] 1523

Supply—University of London, [183] 185, 189

Thames Embankment (North Approaches), &c. 2R. Amendt. [181] 1086; Motion for a Committee, [182] 651, 654, 655, 656

Tithe Rent-Charge (Ireland) Bill

(*Mr. Esmonde*, *Mr. Murphy*)

c. Ordered; read 1^o * April 17 [Bill 110]
Bill withdrawn * August 6

TOLLEMACHE, Mr. J., Cheshire S.

Cattle Diseases, [181] 449; Comm. cl. 16, 563

*Toomer, Case of N. M.,—see Criminal Law**Torbay, Shipwrecks in*

Observations, *Sir Lawrence Palk*; Reply *Mr. Milner Gibson* May 4, [183] 463

TORRENS, Mr. W. McCullagh, Finsbury

Artizans' and Labourers' Dwellings, Leave, [181] 818

Coal, Motion for a Commission, Amendt. [184] 281

Customs' Salaries, [181] 1806, 1807

Extradition Treaties Act Amendment, 2R. Amendt. [184] 2008, 2028; Comm. cl. 1, 2107; add. cl. 2124

[cont.]

TORRENS, Mr. W. T. McCullagh—*cont.*

France—Extradition Treaty with, [184] 1533
International Maritime Law, Motion for an Address, [181] 1433
Jamaica—Bill of Indemnity, [183] 873
Labouring Classes' Dwellings, 2R. [182] 117
Law Courts, The New, [182] 576
Metropolis—Smithfield Dead Meat Market, [181] 1619;—Finsbury Park, [182] 1771
Representation of the People, 2R. [182] 1939;
Comm. cl. 5, [184] 579

Totnes Election

Report of the Select Committee Mar 22, That John Pender, esquire, is not duly elected a Burgess to serve in this present Parliament for the Borough of Totnes. That Alfred Seymour, esquire, is duly elected a Burgess to serve in this present Parliament for the Borough of Totnes. That the last election for the said Borough, so far as regards the Return of John Pender, esquire, is a void Election; House further informed of certain Resolutions of the Committee, [182] 735

Moved, "That an humble Address be presented to Her Majesty praying for the appointment of Henry Bullar, Montague Bere, and Charles E. Coleridge, Esqs., as Commissioners for the purpose of making inquiry into the existence of corrupt practices at Totnes (*Mr. E. P. Bouverie*) May 1, [183] 260; after debate, Motion agreed to

Ordered, That the said Address be communicated to the Lords, and their concurrence desired thereto (*Mr. E. P. Bouverie*) Their Lordships concur in joint Address June 13

The Queen's Answer reported June 14

TOTTENHAM, Lieut.-Col. C. G., *New Ross*
Ireland—Union Rating, [181] 1709

Towns Improvement and Local Governments Acts Amendment Bill [H.L.]

(*The Lord Lyttelton*)

1. Presented; read 1st * July 18 (No. 167)

TOWNSHEND, Marquess

Gas Light and Coke Company, 2R. [184] 709
Medical Assistance at Police Stations, [184] 525
Poor Law—Strand Union Workhouse, [182] 1758

TRACY, Hon. C. R. D. HANBURY-, *Montgomery*

Army—Armstrong Guns, [182] 284
Merchant Navy, [181] 1097
Navy Estimates—Men and Boys, [181] 1832;
—Marine Divisions, 1368;—Admiralty Office, 1848;—Half Pay, [182] 471, 559

Trade in Animals, Select Committee—*see*
Animals, Trade in

Traffic Regulation (Metropolis) Bill

(*Mr. Secretary Walpole, Mr. Hunt*)

c. Ordered; read 1st * July 20 [Bill 227]
Read 2nd * July 24
Question, Mr. Alderman Lawrence; Answer, Mr. Walpole July 30, [184] 1665
Bill withdrawn * July 30

Tramways (Ireland) Acts Amendment Bill (Lord Naas, Mr. George, Gen. Dunne)

c. Ordered; read 1st * May 10 [Bill 149]
Read 2nd * May 28
Referred to Select Committee June 14
And, on June 18, Committee nominated as follows:—Lord Naas (Chairman), Mr. Clive, Mr. Corry, General Dunne, Mr. George, Captain Jervis, Mr. Laing, Mr. Monsell, Sir Colman O'Loughlen, Mr. Sherrieff, Mr. Sullivan; June 19, Mr. Leader, The O'Connor Don added

Report of Select Committee July 17—(*Parl. P.* No. 418)

As amended by Select Committee [Bill 213]

Committee *; Report July 20

Considered as amended * July 24

Read 3rd * July 25

l. Read 1st * (*The Earl of Devon*) July 26 (No. 228)

Transubstantiation

Motion for Papers (*The Marquess of Westmeath*) April 18, [182] 1222; after short debate, Motion agreed to—(*Parl. P.* No. 126)

Transubstantiation, &c. Declaration Abolition Bill

(*Sir C. O'Loughlen, Sir J. Gray, Mr. Cogan*)

182] c. Acts read; considered in Committee Mar 20, 641

Resolution (*Sir Colman O'Loughlen*)

Ordered; read 1st Mar 20 [Bill 82]

Moved, "That the Bill be now read 2nd" (*Sir Colman O'Loughlen*) April 24, 2007; after debate, Motion withdrawn; second reading deferred

183] Moved, "That the Bill be now read 2nd" (*Mr. Cogan*) May 8, 636; Read 2nd after debate

Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" (*Sir Colman O'Loughlen*) June 7, 2134

Motion, "That the debate be now adjourned" (*Mr. Whiteside*); A. 46, N. 46; and the numbers being equal, Mr. Speaker declared himself with the Ayes; Debate adjourned

184] Adjourned Debate resumed, 84

Question put, and agreed to; Bill considered in Committee June 8, 89; after debate, Bill reported

Read 3rd * June 12

l. Read 1st * (*The Marquess of Clanricarde*) June 14 (No. 157)

Order for the second reading read July 16, 814; after short debate, Order discharged

TREEBY, Mr. J. W., *Lyme Regis*

Customs, Clerks of, [182] 420

National Gallery, The, [183] 963

TREVELYAN, Mr. G. O., *Tynemouth*
Cattle Disease in the North, [184] 1283
India—Report of the Moral and Material progress of, [184] 718
Tests Abolition (Oxford), 2R. [182] 669

TROLLOPE, Right Hon. Sir J., *Lincolnshire, S.*

Address in Answer to the Speech, [181] 151
Cattle Diseases, Comm. cl. 7, [181] 519; cl. 13, 540, 544; cl. 31, 624, 625; cl. 41, 630
Cattle Plague, Lords Amendts. [182] 265
Gas Light and Coke Company, Consid. [184] 226
Hollerness Embankment, &c. 2R. [183] 1971
Imperial Gas Company, 2R. [183] 582
London Gas, 3R. [183] 1435
Representation of the People, Comm. cl. 4, [184] 203, 431

Trusts (Scotland) Bill

(*The Lord Advocate, Mr. Solicitor General for Scotland, Sir G. Grey*)

c. Ordered; read 1^o * Mar 12 [Bill 65]
Read 2^o * April 16
Bill withdrawn * July 19

Turkish Consolidated Debt

Question, Mr. Darby Griffith; Answer, Lord Stanley July 27, [184] 1614

Turnpike Acts Continuance Bill

(*Mr. Secretary Walpole, Mr. Hunt*)

c. Ordered; read 1^o * July 20 [Bill 220]
Read 2^o * July 23
Committee*; Report July 27
Considered as amended * July 30
Read 3^o * July 31
l. Read 1^a * (*The Earl of Belmore*) August 2
Read 2^a * August 3 (No. 253)
Committee*; Report August 6
Read 3^a * August 7
c. Lords Amendments considered and agreed to August 7, [184] 2152
l. Royal Assent August 10 [29 & 30 Vict. c. 105]

Turnpike Roads Bill

(*Mr. Whalley, Mr. Ayrton*)

c. Ordered * Feb 20
Read 1^o * Feb 23 [Bill 39]
Moved, "That the Bill be now read 2^o" (*Mr. Whalley*) April 25, [182] 2061; after debate, Debate adjourned
Bill withdrawn * July 19

Turnpike Trusts and Acts

182] Question, Mr. Whalley; Answer, Mr. Baring Mar 13, 139; Observations, Mr. Whalley; Reply, Mr. Baring Mar 16, 462; Question, Mr. Whalley; Answer, Mr. Baring April 12, 1118; Question, Mr. Read; Answer, Sir 183] George Grey May 3, 360; Question, Mr. Darby Griffith; Answer, Mr. Walpole 184] August 3, 2035

Turnpike Trusts Arrangements Bill

(*Mr. Secretary Walpole, Mr. Hunt*)

c. Ordered; read 1^o * July 20 [Bill 228]
Read 2^o * July 23
Committee*; Report July 27
Read 3^o * July 30
l. Read 1^a * (*The Earl of Belmore*) July 31
Read 2^a * August 2 (No. 247)
Committee*; Report August 6
Read 3^a * August 7
Royal Assent August 10 [29 & 30 Vict. c. 92]

Union Chargeability Act, Extension of, to Scotland

Question, Mr. E. Craufurd; Answer, The Lord Advocate Feb 16, [181] 596

UNITED STATES

United States and Cuba, Question, Mr. Baxter; Answer, The Chancellor of the Exchequer Feb 23, [181] 959
Our Relations with, Question, Mr. White; Answer, Lord Stanley July 23, [184] 1280
Fenianism in the Army, Question, Colonel North; Answer, Mr. Headlam Feb 9, [181] 310—*Fenianism in the*, Question, Mr. Watkin; Answer, The Chancellor of the Exchequer Feb 23, 1027

Vaccination

Question, The Earl of Shaftesbury; Answer, The Duke of Buckingham July 24, [184] 1369

Vaccination Bill (*Mr. Bruce, Mr. Baring*)

c. Ordered; read 1^o * Feb 22 [Bill 33]
Read 2^o * Mar 8
Moved, "That Mr. Deputy Speaker do now leave the Chair" (*Mr. Bruce*) April 11, [182] 1093
Amend. to leave out from "That," and add "the Bill be committed to a Select Committee" (*Mr. Harvey Lewis*); Question, "That the words, &c.," put, and negatived; words added; main Question put, and agreed to; Bill committed to a Select Committee
And, on April 17, Committee nominated as follows:—Mr. Bruce (Chairman), Mr. Barnett, Mr. Candlish, Mr. A. Egerton, Mr. E. Egerton, Viscount Enfield, Mr. Evans, Lord Henley, Mr. Henley, Mr. Hibbert, Mr. Lowe, Mr. Mitford, Sir John Pakington, Mr. Read, Mr. Selater-Booth, Mr. Scrope, Mr. O. Stanley; April 23, Mr. A. Egerton disch., Colonel Gilpin added
Report of Select Committee June 1 [Bill 173]
Order for Committee read and discharge
Bill withdrawn July 23

Validity of Marriages Bill [H.L.]

(*The Lord Kingsdown*)

l. Presented; read 1^a * June 15 (No. 164)

Valuation of Lands and Heritages (Scotland) Bill (*Mr. Dunlop, Colonel Pennant, Sir James Fergusson, Mr. Baxter*)

c. Ordered; read 1^o * *Mar* 14 [Bill 78]
Moved, "That the Bill be now read 2^o" (*Mr. Dunlop*) *April* 11, [182] 1083
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Adam*); after debate, Question, "That 'now,' &c.;" A. 33, N. 80; M. 47; words added; main Question put, and agreed to; Bill put off for six months

VANDELEUR, Colonel C. M., Clare Co.
Address in Answer to the Speech, [181] 262

VERNER, Mr. E. W., Lisburn
Ireland—Prisons in, [184] 35
Transubstantiation, &c. Declaration Abolition, Comm. add. cl. Motion for Adjournment, [184] 91

VERNEY, Sir H., Buckingham
Army Estimates—Land Forces, [181] 1564;—Clothing Establishments, 1753; [182] 808
Army—Non-commissioned Officers in India, [182] 554;—Mortality of Troops (China), Motion for a Committee, 647
Bridgwater Election, New Writ, Amendt. [183] 1666, 1797
Cattle Diseases, Comm. cl. 7, [181] 517
Cattle Plague, Comm. cl. 5, [181] 775; add. cl. 954, 955
Corrupt Practices at Elections, [183] 363
Europe—State of, [184] 172
Labouring Classes' Dwellings, Leave, [181] 432
Nottingham Writ, Amendt. [183] 431, 433
Representation of the People, Comm. cl. 4, [184] 435
Vienna, Treaty of, [182] 1645

Veterinary Surgeons Bill
(*Mr. Holland, Mr. Newdegate*)
c. Ordered; read 1^o * *April* 25 [Bill 121]
Moved, "That the Bill be now read 2^o" (*Mr. Holland*) *May* 9, 654; Read 2^o after short debate
Moved, "That the Order for Committee stand over till Tuesday next" (*Mr. Holland*) *July* 17, [184] 998
Order for Committee read *July* 24, 1442; after short debate, Order discharged; Bill withdrawn

Victoria, Colony of
Motion for Papers (*Lord Robert Montagu*) *Mar* 20, [182] 604; after long debate, Motion withdrawn—Ministerial "Dead Lock" in, Question, Lord Robert Montagu; Answer, Mr. Cardwell *May* 24, [183] 1197

VILLIERS, Right Hon. C. P. (Chief Commissioner of the Poor Law Board), Wolverhampton
Casual Poor, Clerkenwell, [181] 1809
Electoral Statistics, [182] 866, 871, 1644, 1776; [184] 239
Electric Telegraphs, Rating of, [181] 1097
Farnall, Mr., Removal of, from the Metropolis, [184] 2096

VILLIERS, Right Hon. C. P.—cont.

Ireland—Poor Removal, Res. [184] 301
Metropolis—Poor in the, [181] 345;—St. Pancras Workhouse Infirmary, [182] 581;—Guardians of Clerkenwell, [183] 161;—Workhouses, [184] 683
Mines and Woods, Rating of, [181] 1300
Poor Law Amendment, Comm. cl. 15, [184] 1581; add. cl. 1585
Poor Law Officers, Retiring Pensions to, [182] 286
Poor Law—Outdoor Relief, [181] 1500
Rating, Law of, [181] 991
Religious Rights in Workhouses, [182] 1643
Representation of the People, Leave, [182] 164; Comm. cl. 4, [183] 2083; [184] 436; cl. 5, 629, 634
Voters (Cities and Boroughs Contested Elections), Motion for Returns, [182] 582

VIVIAN, Hon. Captain J. C. W., Truro
Army Estimates—Land Forces, [181] 1569;—Commissariat, 1749;—Clothing Establishments, 1750, 1751, 1754;—Volunteer Corps, 1771;—Manufacturing Establishments, 1775;—Administration of the Army, [182] 802
Army—Royal Military College, Motion for a Commission, [182] 439;—Surgeons in the Guards, 1226;—Medical Officers, Motion for Papers, [183] 595;—11th Hussars and Breech-loading Guns, [184] 825
Ballot, The, Res. [184] 994
Cholera, The—Orders in Council, [184] 1904
Devonport Election, [181] 1305
Fortifications (Provisions for Expenses), 2R. [184] 1675, 1679
Ministerial Crisis, [184] 703
Navy Estimates—Dockyard Salaries, [181] 1863
Nottingham Writ, [183] 432
Secretary of State for War, Patent of, [181] 1514
Representation of the People, 2R. [182] 2172; [183] 171
Supply—Post Office Packet Service, [184] 918, 915

VIVIAN, Mr. H. H., Glamorganshire
Bribery at Elections, Res. [183] 1441, 1467
Cattle Plague, Comm. cl. 17, Amendt. [181] 783, 784, 786, 787
Coal, Motion for a Commission, [184] 241, 280
Reigate Election, Motion for a Joint Address, [183] 273
Representation of the People, Comm. [183] 1330, 1338, 1404, 1405
Terminable Annuities, 2R. [183] 1278

Wakefield Election

House informed, that the Committee had determined, That William Henry Leatham, esquire, is duly elected a Burgess to serve in this present Parliament for the Borough of Wakefield; and the said Determination was ordered to be entered in the Journals of this House. House informed of certain Resolutions of the Committee *April* 30, [183] 160

WALCOTT, Admiral J. E., *Christchurch*
Metropolis—The Nelson Column, [184] 1529
Navy Estimates—Men and Boys, [181] 1169;
—Admiralty Office, 1847
Spain and Chile—War between, [183] 967

WALDEGRAVE-LESLIE, Hon. G., *Hastings*
Cattle Diseases, Comm. *cl.* 6, [181] 516;
cl. 13, Amendt. 530; *cl.* 31, Amendt. 624,
625, 626; *cl.* 44, 633; *cl.* 11, Amendt. 650,
651
Cattle Plague, [181] 305; *cl.* 41, Amendt. 860;
cl. 28, 930; *cl.* 31, 931; *add. cl.* 952
Cattle Sheds in Burghs (Scotland), Leave, [182]
356
Courts of Law, The New, [184] 1846
Crown Lands, Comm. *cl.* 7, [183] 426
Dogs, Duty on, [184] 1162
Labouring Classes' Dwellings, Comm. *cl.* 4,
[182] 811, 812; *cl.* 8, Amendt. 814
Metropolis—Inclosure in Leicester Square,
[182] 969; [184] 24
Postmaster General, 2R. [182] 1079
Reformatory Schools, Comm. *cl.* 12, [184] 1608
Scotland—Postal Arrangements in Fifeshire,
Res. [183] 775
Supply—Inspectors of Corn Returns, [183]
834;—Post Office Salaries, &c. [184] 901
Valuation of Lands, &c. (Scotland), 2R. [182]
1090
Veterinary Surgeons, Comm. [184] 998
Ways and Means—Financial Statement, Comm.
Res. 1, [183] 411

WALKER, Major G. G., *Dumfriesshire*
Army—Artillery—The Repeating Rifle, [181]
1831
Army Estimates—Manufacturing Departments,
[184] 1342
Cattle Diseases, Comm. *cl.* 31, [181] 626
Elections (Returning Officers), Comm. [184]
1020; *cl.* 2, 1027
Europe—State of, [184] 147
Navy Estimates—Coast Guard Service, [181]
1367;—Naval Stores, [182] 352;—Half
Pay, 558
Scotland—Dogs in, [181] 1834;—Cattle Plague,
[184] 1163
Supply—Metropolitan Police, [183] 212

WALPOLE, Right Hon. S. H., († Secretary of State for the Home Department) *Cambridge University*
Act of Uniformity, Leave, [181] 849
† Army—Artillery—Cast-steel barrels, [184]
1071
† British Museum, [184] 1385
† Cattle Diseases Act, [184] 1384
† Cattle Diseases Prevention Act Amendment
(No. 2), Comm. *cl.* 1, [184] 1844
Cattle Plague, Comm. *cl.* 10, [181] 798;
Consid. *add. cl.* 1058
Cattle Plague—The Commission, [181] 312;
—† Compensation, [184] 1282;—In the
North, 1283;—Losses from the Rinderpest,
2138
† Chigwell, Recreation Ground at, [184] 2099
† Cholera, The—Orders in Council, [184] 1904
Church Rates Abolition, [181] 1503; 2R.
Amendt. 1643

WALPOLE, Right Hon. S. H.—*cont.*
† Coal Commission, The, [184] 1070, 1073, 1616
Colonial Bishoprics, [183] 1198
† Colonial Bishops, 2R. [184] 916
Committee of Selection, [181] 344
Day of Humiliation—Committees, [182] 506
Devonport Election, [181] 1300
† Elections (Returning Officers), Comm. [184]
1016; *cl.* 2, Amendt. 1024, 1026, 1029
† Electoral Franchise, Motion for a Return, [184]
993
† Extradition Treaties Act Amendment, Comm.
[184] 2057
Fellows of Colleges Declaration, Comm.
Amendt. [182] 2022
Fenianism in America, [181] 1052
Finsbury Estate, Leave, [182] 1071; 2R. [184]
304
Franchise, The—Increase of Artizan Voters,
[182] 845
† Gas Companies, [184] 1900
† Hares and Rabbits (Scotland), [184] 943
† Indemnity, [184] 1763; 3R. 2107
† Industrial Schools, [184] 1073
Jamaica Government, Leave, [181] 583
† Law of Capital Punishment Amendment, [184]
1163
† Lord Chief Baron, Motion for Papers, [184]
2165
† Metropolis—Proposed Meeting in Hyde Park,
[184] 1073, 1075;—Riots in, 2134;—City
Traffic Regulation, 1665
† Mines, [184] 1762
Ministerial Crisis, [184] 703
† Money Market, Pressure in the, [184] 1253
† Municipal Boroughs, [184] 1662
Parliamentary Oaths Amendment, Comm. *cl.* 1,
[182] 300
† Prison Ministers' Act, Res. [184] 1437, 1440
† Public Health, Comm. *cl.* 2, [184] 1382; *cl.* 20,
1645; *cl.* 22, 1648; *cl.* 23, 1650; *cl.* 28,
1682; *cl.* 29, 1683; *cl.* 30, 1684; *cl.* 35,
1685; Consid. *cl.* 16, 1906; *cl.* 19, 1906;
cl. 25, 1907; *cl.* 39, 1908; *cl.* 47, 1908
† Public Libraries Act Amendment, Comm.
add. cl. [184] 1545
Public Money—Standing Orders, [182] 598
† Reform Meeting in Hyde Park, [184] 1391,
1415, 1534, 1537
† Reformatory Schools, Comm. *cl.* 14, [184]
1698; Consid. *add. cl.* 1886; *cl.* 12, 1887
Representation of the People, 2R. [182] 1946;
Comm. [183] 1945; *cl.* 1, Amendt. 2075,
2114, 2115, 2125
† Scotland—Cattle Plague, [184] 1163
Speaker, Mr., Illness of, Res. [182] 1763
† Supply—British Museum, [184] 1566
† Theatres, &c. Regulation of, [184] 1663
† Toomer, Neville Maskelyne, Case of, [184]
1385, 2140
Transubstantiation, &c. Declaration Abolition,
Leave, [182] 643
† Turnpike Acts Continuance, Lords Amendts.
[184] 2152
† Turnpike Trusts, [184] 2035
Votes and Proceedings, [181] 107
† Writs Registration (Scotland), [184] 1283

WALBROND, Mr. J. W., *Thverton*
Representation of the People, Comm. [183]
1839

WALSH, Right Hon. J. E., (Attorney General for Ireland), *Dublin University*
Habeas Corpus Suspension (Ireland) Act Continuance, 2R. [184] 1971, 1979; Comm. cl. 1, 2056

WALSH, Sir J. B., *Radnorshire*
Danubian Principalities, Motion for Papers, [184] 83
Europe—State of, [184] 173
Navy—Re-construction of the, [182] 315, 321
Real Estate Intestacy, 2R. [183] 2006
Swine, Disease among, [181] 960

WALSH, Mr. A., *Leominster*
Re-distribution of Seats, 2R. [183] 913

WALSINGHAM, Lord
Cattle Diseases, Comm. cl. 15, Amendt. [181] 755; cl. 17, 756
Cattle Plague—Conference at St. James' Hall, [181] 299

WARNER, Mr. E., *Norwich*
Army—Norwich Barracks, [183] 1794
Government Property, Rates on, Res. [182] 2001
Poor Law Expenditure, Res. [182] 2003
Rating of Tenements, [182] 491
Representation of the People, Comm. cl. 4, [184] 443
Ways and Means—Financial Statement, Comm. Res. 1, [183] 411

Waterworks Bill
Question, Mr. Ferrand; Answer, Mr. Milner Gibson Feb 22, [181] 897

Waterworks Bill
(*Mr. Milner Gibson, Mr. Monsell*)
c. Ordered; read 1^o * Mar 9 [Bill 61]
Read 2^o * April 30
Committee *; Report May 7 [Bill 137]
Committee * (on re-comm.); Report June 18 [Bill 195]
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SUMMARY.

WAYS AND MEANS.

SCHEDULE OF WAYS AND MEANS REFERRED TO IN SECTION 10 OF THE CONSOLIDATED FUND (APPROPRIATION) ACT—VIZ.:

	1865-6	£	s.	d.
Amount granted per Act 29				
<i>Vict. c. 6</i> , for the service of the year ending 31 March				
1866	...	1,137,772	0	0

[cont.]

Ways and Means—cont.

	1866-7	£	s.	d.
Amount granted for the service of the year ending 31 March 1867—viz. :				
Per Act 29 <i>Vict. c. 13</i> ...	19,000,000	0	0	
Per Section 1 of the Act	19,661,630	15	3	
Per Section 9 of the Act (being Surplus Ways and Means granted for the service of preceding years) ...	767,600	2	4	

TOTAL GRANTS OF WAYS AND MEANS to meet the following Supplies:—

1865-6	£1,137,772	0	0	
1866-7	39,429,230	17	7	£40,567,002 17 7

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l. Moved, "That the House do resolve itself into a Committee on the said Bill" (*The Chairman of Committees*) *April 24*, [182] 1976; after debate, Motion agreed to; House in Committee; Bill reported without Amendment

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(*The Lord Advocate, Mr. Solicitor General for Scotland, Sir George Grey*)

- c. Ordered; read 1^o * Mar 12 [Bill 63]
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Read 2^o * April 16 and referred to a Select Committee
And, on May 11, Committee nominated as follows:—The Lord Advocate (Chairman), Sir Robert Anstruther, The Attorney General for Ireland, Mr. Bouverie, Mr. Craufurd, Mr. Dunlop, Mr. Crum-Ewing, Sir James Ferguson, Mr. Graham, Lord Henry Scott, Mr. Smollett, Sir William Stirling-Maxwell, Mr. Waldegrave-Leslie, Mr. Walker, Mr. Walpole
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As amended by Select Committee [Bill 203]
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ERRATA.

In Volume [181] p. 1597, line 11, for put and *negatived*, read put and *agreed to*.
In Volume [183] p. 326, line 34, for Sir George Grey, read Sir William Jolliffe.
In Volume [183] p. 777, line 34, read Amendment, by leave, withdrawn.

END OF VOLUME CLXXXIV., AND FOURTH AND LAST VOLUME
OF SESSION 1866.



UL 24 MAY 1967

